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COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

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SENATE

TUESDAY, April 8, 1947.

The Senate met at 2:00 o'clock, p. m., Eastern Standard Time.

The PRESIDENT (Lieutenant-Governor Daniel B. Strickler) in the Chair.

PRAYER

The Chaplain, Rev. W. MURRAY YOUNG, offered the following prayer:

Almighty God, Thou who art the giver of every good gift, we thank Thee heartily for life, liberty, and the natural pursuit of happiness. As we set ourselves to the task of shaping things to come within the state and nation, may we be very conscious of Thy Divine Presence with us in all our undertakings and all our deliberations, conscious of the fact that these days call for the highest and best attainable. Shall we merely hope to make the best of life, or shall we seek always to make the most of life. Since we have a holy trust, since we have a charge to keep, we would invoke Thy blessings of wisdom, of kindliness and deep human interest upon all who hold positions of trust and responsibility. May Thy free Spirit flow into the hearts and lives of these gentlemen who in the senatorial body represent, safeguard and promote the best interests of the state. Keep all our legislators in good health, good spirit, and good faith. Through Christ our Lord we pray. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. TALLMAN and Mr. BLASS, further reading was dispensed with, and the Journal was approved.

HOUSE MESSAGES

HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives being introduced presented for concurrence bills of the House, as follows:

House Bill No. 117, entitled:

An Act to amend the second paragraph of section nine of the act approved the twenty-ninth day of May, one thousand nine hundred forty-five (P. L. 1112), entitled "An act to further amend the act approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "Public School Code," extending for additional time the temporary additional payments by the Commonwealth to school districts.

Which was committed to the Committee on Education.

House Bill No. 200, entitled:

An Act to further amend the act approved the twenty-ninth day of June, one thousand nine hundred thirty-seven (P. L. 2423), entitled as amended "An act establishing a Pennsylvania State Police Retirement System; providing for payments upon retirement, death, disability, involuntary retirement, and of certain medical expenses from the State Employes' Retirement Fund, under the Administration of the State Employes' Retirement Board; providing for contributions by members of the Pennsylvania State Police and the Commonwealth; providing for the guarantee by the Commonwealth of certain of said funds; providing for the subrogation of the Commonwealth to the rights of the member or dependents against certain third parties; exempting annuities, allowances, returns, benefits, and rights from taxation and judicial processes; and providing penalties," by increasing the amounts of the State annuities, removing certain restrictions on the payment of such annuities and further regulating certain retirement allowances paid under said act.

Which was committed to the Committee on State Government.

House Bill No. 215, entitled:

An Act to further amend paragraph six of section one of the act approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858), entitled "State Employes Retirement Law," including within the definition of State employe, employes of the Pennsylvania Turnpike Commission.

Which was committed to the Committee on State Government.

House Bill No. 285, entitled:

An Act to further amend section seven of the act approved the twenty-seventh day of April, one thousand nine hundred twenty-seven (P. L. 450), entitled, as amended, "State Fire Marshal Law," by further imposing duties on certain school authorities.

Which was committed to the Committee on State Government.

House Bill No. 336, entitled:

An Act to further amend section two hundred three of the act approved the first day of May, one thousand nine

hundred twenty-nine (P. L. 905), entitled "Vehicle Code," by further changing the provisions of the act relating to the titling of commercial motor vehicles.

Which was committed to the Committee on Highways.

House Bill No. 406, entitled:

An Act to further amend clauses six and nine of section one and section three of the act approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858), entitled "State Employes Retirement Law," further defining State employes and original members and making further exception to compulsory membership in the system.

Which was committed to the Committee on State Government.

House Bill No. 432, entitled:

An Act to further amend subsections (b) and (c) of section one thousand two of the act approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "Vehicle Code," providing for establishment of restricted speed zones in certain cases and further regulating the speed of motor buses and omnibuses.

Which was committed to the Committee on Highways.

House Bill No. 592, entitled:

An Act authorizing the conveyance to the Borough of Norristown of a certain tract of land in the Borough of Norristown, County of Montgomery, Pennsylvania.

Which was committed to the Committee on State Government.

House Bill No. 627, entitled:

An Act to further amend subsection (b) of section one thousand two of the act approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "Vehicle Code," increasing maximum speed limits in certain cases, and imposing a limit on passing stopped school buses.

Which was committed to the Committee on Highways.

House Bill No. 770, entitled:

An Act to amend section two hundred seven of the act approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 289), entitled "Nonprofit Corporation Law," permitting applications for charters to be referred by court to masters only upon objections being filed thereto.

Which was committed to the Committee on Corporations.

House Bill No. 790, entitled:

An Act to establish a separate orphans court in and for the county of Beaver.

Which was committed to the Committee on Judiciary General.

House Bill No. 798, entitled:

An Act to amend the act approved the first day of June, one thousand nine hundred forty-five (P. L. 1358), entitled "An act relating to chattel mortgages on any chattel or chattels of any kind or description, including, but not limited to, livestock, poultry, farm machinery, farm equipment and crops, grown, growing or to be grown; designating the operation and effect of the lien of such mortgages; providing for the filing, indexing and docketing of such mortgages and related instruments in prothonotaries' offices; and prescribing prothonotaries' fees; providing for the filing in Pennsylvania of similar lien instruments originally filed or recorded in other states; regulating the assignment, release, satisfaction and extension of the lien of such mortgages; prescribing methods of foreclosure; defining defaults and violations; and fixing penalties," providing that chattel mortgages need not be acknowledged nor witnessed.

Which was committed to the Committee on Judiciary General.

House Bill No. 838, entitled:

An Act to further amend the definition of "Extension education" in section one of the act approved the second day of May, one thousand nine hundred twenty-five (P. L. 492), entitled "An act to provide for the equalization of educational opportunity and the encouragement of the study of citizenship by recognition of extension education, for boys and girls who are employed and for adults, as a function of the public schools of this Commonwealth; and to facilitate the proper organization and administration of such extension education," including recreational or social service for youth and children within the meaning of the term "extension education."

Which was committed to the Committee on Education.

House Bill No. 871, entitled:

An Act authorizing and directing the Board of Finance and Revenue of the Commonwealth of Pennsylvania to hear and determine petitions for refund of money paid as a filing fee for filing a delayed certificate of birth, and prescribing a limitation period within which such petitions must be filed.

Which was committed to the Committee on State Government.

House Bill No. 884, entitled:

An Act authorizing and directing the Board of Finance and Revenue of the Commonwealth of Pennsylvania to hear and determine petitions for refund of certain moneys paid into the State Treasury for documentary stamps under the "Documentary Stamp Tax Act," approved the sixteenth day of May one thousand nine hundred thirty-five (P. L. 203), and prescribing a limitation period within which such petitions must be filed.

Which was committed to the Committee on State Government.

House Bill No. 1016, entitled:

An Act to amend section four hundred thirty-nine of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177) entitled "Administrative Code of 1929," increasing the membership of the Sanitary Water Board and providing compensation for certain members of such board.

Which was committed to the Committee on Education.

House Bill No. 1058, entitled:

An Act to amend Sections 4, 5 and subsection C of Section 11 and to further amend Section 3 of the act, approved the twenty-eighth day of May, one thousand nine hundred thirty-seven (P. L. 955), entitled "Housing Authorities Law," including all cities of the third class, all boroughs, and all townships of the first class within its provisions.

Which was committed to the Committee on Local Government.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 313

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 313, entitled:

An Act authorizing and empowering cities of the first class of this Commonwealth to acquire by purchase, lease or condemnation, any land within said cities with the buildings thereon, if any, for use as the site for parking lots or public garages; to operate or to lease such parking lots or garages for private operation, and to fix the terms and conditions of such leases.

HOUSE CONCURS IN SENATE CONCURRENT RESOLUTION

He also informed the Senate that the House has concurred in resolution from the Senate as follows:

TIME OF NEXT MEETING

In the Senate, April 7, 1947.

Resolved (if the House of Representatives concur) That when the Senate adjourns this week it reconvene on Monday, April 14, 1947, at four o'clock p. m., and when the House of Representatives adjourns this week it reconvene on Monday, April 14, 1947 at 4:30 o'clock, p. m.

SENATE CONCURS IN HOUSE CONCURRENT RESOLUTIONS

He also presented extract from the Journal of the House, which was twice read as follows, considered and agreed to:

REVISION OF VEHICLE AND TRACTOR CODE

In the House of Representatives, March 12, 1947.

Whereas, No revisions of the Vehicle Code and the Tractor Code of this Commonwealth have been made since 1929, but frequent amendments have been made and laws on subjects related thereto have been enacted, which render these laws difficult of apprehension and uncertain in their application and effect, and

Whereas, The expected improvement and expansion of State highways coupled with the expected high production of motor vehicles and tractors and the resultant increase in travel and in the use of tractors which will result therefrom, create an immediate and pressing need to revise, modernize and clarify the Motor Vehicle Code, the Tractor Code, and laws on related subjects; therefore be it

Resolved, (if the Senate concur), that the Joint State Government Commission is hereby requested, during the interim between the present session of the General Assembly and the regular biennial session of 1949, to study revise, and prepare for reenactment the Vehicle Code, the Tractor Code, together with all their amendments and all separate laws that should properly be incorporated therein, and to present them for the consideration of the General Assembly at its next session.

Ordered, That the Clerk inform the House of Representatives accordingly.

He also presented extract from the Journal of the House, which was twice read as follows, considered and agreed to:

GENERAL ASSEMBLY EXTEND THANKS TO MR. AND MRS. A. E. BRAUN

In the House of Representatives, April 7th, 1947.

The gift to the people of Pennsylvania of two hundred sixty-eight acres of woodland in the heart of Cook's Forest in Clarion County, by Mr. and Mrs. A. E. Braun, of Pittsburgh, is deserving of the highest public commendation.

Mr. and Mrs. Braun purchased this forest tract several years ago, when it was offered for sale by an estate, and when the Commonwealth did not avail itself of the opportunity to purchase it. Thereby, through their foresightedness, their intense desire to preserve this marvelous asset for the people of future generations, and their great generosity, Mr. and Mrs. Braun have bestowed upon the Commonwealth a rare and irreplaceable gift and have earned the gratitude of every Pennsylvanian.

Therefore, Be It Resolved, (if the Senate concur), That the Members of the General Assembly of the Commonwealth of Pennsylvania extend their warm thanks and express their sincere gratitude to Mr. and Mrs. A. E. Braun, of Pittsburgh, Pennsylvania, in recognition of their magnificent contribution to the preservation of one of the great forest areas of Pennsylvania.

And Be It Further Resolved, That the Chief Clerk shall transmit a copy of this resolution to Mr. and Mrs. A. E. Braun, Pittsburgh, Pennsylvania.

Ordered, That the Clerk inform the House of Representatives accordingly.

REPORTS FROM COMMITTEES

Mr. WADE from the Committee on State Government, to which was referred on March 26, 1947, the following resolution from the House of Representatives reported the same without amendment as follows, viz., which was laid over for one day under the rules:

LANDLORD AND TENANT

In the House of Representatives, March 19, 1947.

Whereas The laws relating to landlord and tenant eviction proceedings rent control and kindred subjects and the amendments to such laws contain numerous inconsistencies and should be carefully studied revised and codified in order to make them effective and useful for their intended purposes therefore be it

Resolved (if the Senate concur) That the Joint State Government Commission is hereby directed to survey investigate and consider all of the laws relating to landlord and tenant eviction proceedings rent control and kindred subjects and to revise and restate completely such laws in codified form and to report its findings and conclusions to the next regular session of the General Assembly with a bill or bills embodying a codification of the laws relating to landlord and tenant eviction proceedings rent control and kindred subjects to be introduced at the next regular session of the General Assembly

Mr. FRAZIER, from the Committee on Public Health and Welfare, reported as committed, Senate Bill No. 477, entitled:

An Act to amend sections three, four and nine of the act, approved the twenty-fifth day of May, one thousand nine hundred thirty-seven (P. L. 808) entitled "An act providing for the use of the Pennsylvania Industrial School at Huntingdon as an institution for the reception, care, maintenance, detention, employment, and training of defective delinquents; authorizing the preparation and equipment (including necessary construction) of the institution for such purposes, either by the Department of Property and Supplies or the General State Authority, and authorizing the necessary leases or conveyances for this purpose; changing the name of the Board of Trustees of Pennsylvania Industrial School; providing for the commitment and transfer of such persons to such institution and discharge therefrom; conferring powers and imposing duties on the aforesaid board of trustees, the Department of Welfare and courts; and imposing certain charges on counties," further providing for the mental examination of juvenile delinquents and their release or retention.

Mr. FARRELL, from the Committee on State Government, reported as committed, House Bill No. 337, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to convey to the Borough of Ebensburg Cambria County certain property located in Cambria County and commonly known as the "Keystone Airport".

He also, from the Committee on State Government, reported as committed, House Bill No. 501, entitled:

An Act to amend article seven section seven hundred one paragraph (i) of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant-Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by authorizing the substitution of a facsimile signature of the Governor on official documents requiring his signature or approval

He also, from the Committee on Appropriations, reported as amended, Senate Bill No. 136, entitled:

An Act making an appropriation to the Pennsylvania Museum and School of Industrial Art, Philadelphia.

BILLS RE-REFERRED

Mr. WALKER, from the Committee on State Government, reported as committed, Senate Bill No. 454, entitled:

An Act making an appropriation from the Public Buildings Construction Fund to the Department of Property and Supplies for use at any existing or new State-owned institutions within the Department of Welfare, for purchase or condemnation of land, for construction of new buildings, for repair and alterations to and replacement of existing buildings, and for architectural and engineering services, fixtures, equipment, sewage treatment plants, water supply, electrical and other facilities.

Which was re-referred to the Committee on Appropriations.

He also, from the Committee on State Government, reported as committed, Senate Bill No. 455, entitled:

An Act making an appropriation from the General Fund to the Department of Property and Supplies for use at any existing or new State-owned Institutions within the Department of Welfare, for purchase or condemnation of land, for construction of new buildings, for repair and alterations to and replacement of existing buildings, and for architectural and engineering services, fixtures, equipment, sewage treatment plants, water supply, electrical and other facilities.

Which was re-referred to the Committee on Appropriations.

Mr. T. NEWELL WOOD, from the Committee on Military Affairs and Aeronautics, reported as committed, House Bill No. 120, entitled:

An Act to further amend the third paragraph of section four hundred twenty-six of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh, and eighth classes; and revising, amending and consolidating the laws relating thereto," authorizing the erection of headstones for deceased service persons whose bodies will not or cannot be returned to the United States and increasing amount of costs in certain cases.

He also, from the Committee on Military Affairs and Aeronautics, reported as committed, House Bill No. 118, entitled:

An Act to further amend the third paragraph of section five of the act approved the eleventh day of June one thousand nine hundred thirty-five (P. L. 326) entitled "An act relating to counties of the first class defining deceased service persons providing for contributions by the county to the funeral expenses for such persons and their widows providing for the erection and care of markers headstones and flags and for the compilation of war records" authorizing the erection of headstones for deceased service persons whose bodies will not or cannot be returned to the United States and increasing amount of costs in certain cases.

Mr. CRIDER, from the Committee on Military Affairs and Aeronautics, reported as amended, Senate Bill No. 235, entitled:

An Act to establish The Brandywine Battlefield Park Commission and to authorize the acquisition, by purchase, condemnation or gift, of lands for the establishment of the Brandywine Battleship Park; providing for the control, management, and supervision of the property to be acquired for such park by such commission; authorizing the commission to make and to enforce rules and regulations for its preservation, development and visitation; and making appropriations.

He also, from the Committee on Corporations, reported as committed, Senate Bill No. 369, entitled:

An Act to authorize railroad corporations incorporated in this Commonwealth to hold directors' meetings at such place within this Commonwealth, or elsewhere, as appointed by a majority of the directors.

He also, from the Committee on Corporations, reported as committed, Senate Bill No. 370, entitled:

An Act validating charters of and amendments of the articles of incorporation of certain non-profit corporations incorporated under the Nonprofit Corporation Law.

Mr. WATSON, from the Committee on Appropriations, reported as amended, Senate Bill No. 7, entitled:

An Act making an appropriation to the National Farm School at Doylestown, Pennsylvania.

He also, from the Committee on Insurance, reported as committed, Senate Bill No. 434, entitled:

An Act to further amend section two of the act approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 685), entitled "An act designating certain life insurance companies as limited life insurance companies, and further describing the powers thereof," further describing the powers of limited life insurance companies under certain conditions.

Mr. WOLFE, from the Committee on Appropriations, reported as amended, Senate Bill No. 436, entitled:

An Act making an appropriation to the Pennsylvania Historical and Museum Commission for the preservation and permanent casing of battle flags and war relics.

Mr. WAGNER, from the Committee on Public Health and Welfare, reported as committed, Senate Bill No. 366, entitled:

An Act to amend section five of the act, approved the sixteenth day of May, one thousand nine hundred forty-five (P. L. 577), entitled "An act for the prevention, control and cure of venereal diseases by requiring certain persons to submit to physical examination and blood tests providing for the treatment of certain persons; requiring reports to be made to the State Department of Health; imposing duties upon and authorizing and directing the Secretary of Health to make rules and regulations, and to disseminate certain information; regulating the advertisement and restricting the sale of certain drugs and remedies; and imposing penalties," authorizing county jails to receive persons under quarantine; and providing for reimbursement by the Commonwealth.

He also, from the Committee on Insurance, reported as amended, Senate Bill No. 105, entitled:

An Act to prohibit the payment of appropriations to institutions which pay for insurance or annuity contracts to insurance companies, associations, and exchanges of other states and foreign countries, not legally doing business in Pennsylvania and not subject to the jurisdiction of the Insurance Commissioner.

Mr. LORD, from the Committee on Insurance, reported as committed, Senate Bill No. 234, entitled:

An Act to amend section fifteen of the act, approved the seventeenth day of July, one thousand nine hundred thirty-five (P. L. 1092), entitled "An act defining fraternal benefit societies and their status; authorizing such societies to create subordinate lodges and to pay benefits to members and their beneficiaries from funds collected, and regulating such benefits and collections; providing for the organization and incorporation of such societies and for their supervision, regulation, and examination by the Insurance Commissioner, and for the admission of foreign societies; designating tables of mortality as a basis for rates of contribution; requiring all societies to make annual and other reports; and appointing the Insurance Commissioner as attorney for service of process; providing penalties for any violations of the act; exempting such societies from taxation and certain other societies from its provisions; and requiring beneficial associations, other than fraternal benefit societies, to report to and be supervised by the Insurance Commissioner; and repealing existing laws," by further providing for the investment of funds by domestic societies.

He also, from the Committee on Insurance, reported as committed, Senate Bill No. 393, entitled:

An Act authorizing certain existing beneficial or protective societies heretofore incorporated, to reincorporate or to merge and reincorporate, as limited life insurance companies for the purpose of making insurance upon the health of individuals and against personal injury and disablement and death, including endowment insurance; regulating such corporations and limiting the amounts for which such corporations may issue policies.

He also, from the Committee on Insurance, reported as committed, Senate Bill No. 394, entitled:

An Act to further amend section four hundred nineteen of the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 682), entitled "An act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," by permitting certain additional stock insurance companies to come within the provisions thereof.

Mr. CHAPMAN, from the Committee on Public Health and Welfare, reported as committed, Senate Bill No. 475, entitled:

An Act to further amend section two of the act approved the tenth day of July, one thousand nine hundred thirty-five (P. L. 645), entitled "An act imposing certain requirements on certain hospitals receiving State aid; authorizing the withholding of appropriations; and imposing duties on the Department of Welfare," extending temporary wartime provisions.

Mr. STEVENSON, from the Committee on Appropriations, reported as committed, Senate Bill No. 472, entitled:

An Act to amend section one of the act approved the fourth day of June, one thousand nine hundred forty-five entitled "An act making an appropriation to the Department of Health for the acquisition of land, by purchase or condemnation, the construction and equipment of a State Health Laboratory, the construction of buildings, the improvement, furnishing and repairs of the State Sanatoria and the Crippled Children's Hospital, for the payment by the Commonwealth of a share of the cost of preparing plans and surveys for sewage or industrial waste treatment plants, and for the payment by the Commonwealth of a share of the cost of constructing such industrial waste plants, for sealing abandoned coal mines, for stream clearance including the purchase or condemnation of lands, easements, or right of ways, and acquisition or construction of pipes, conduits or tunnels, and pumps and pumping equipment, and for experimental and research work relating to the pollution of streams and the prevention thereof;" by reducing the amount appropriated by said act.

Mr. RAHAUSER, from the Committee on State Government reported as committed, Senate Bill No. 433, entitled:

An Act authorizing the Secretary of Property and Supplies to sell and convey a tract of land in Limerick Township, Montgomery County, Pennsylvania, with the approval of the Governor.

He also, from the Committee on Military Affairs and Aeronautics, reported as committed House Bill No. 462, entitled:

An Act relating to Federal aid to political subdivisions for the development of public airports.

He also, from the Committee on Military Affairs and Aeronautics, reported as committed, House Bill No. 463, entitled:

An Act to add clause IL to section one thousand five hundred two of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" authorizing either alone or jointly with other political subdivisions the acquisition of land for the operation and leasing of airports airdromes landing fields and airport facilites.

He also, from the Committee on Military Affairs and Aeronautics, reported as committed, House Bill No. 464, entitled:

An Act to add clause XXVI to section seven hundred two of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" authorizing either alone or jointly with other political subdivisions the acquisition of land for and the operation and leasing of airports airdromes landing fields and airport facilities.

Mr. TARR, from the Committee on State Government, reported as committed, Senate Bill No. 478, entitled:

An Act to further amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, board and commissions shall be determined," by extending the wartime purchasing powers of the Department of Property and Supplies for a period of not longer than two years after the state of war ceases; and by further prescribing the methods of making purchases and entering into contracts by the Department of Property and Supplies.

He also, from the Committee on Military Affairs and Aeronautics, reported as committed, Senate Bill No. 364, entitled:

An Act to add sections four hundred ninety-six point five and four hundred ninety-six point six to the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising amending and consolidating the laws relating thereto," by prescribing the procedure and entering into contracts for establishment, operation and maintenance of aviation landing fields and air dromes.

He also, from the Committee on Military Affairs and Aeronautics, reported as committed, Senate Bill No. 72, entitled:

An Act to further amend section three hundred twenty of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," by providing for the payment of retirement allowances to widows of deceased county employes and for crediting employes with time spent in military service, in counties, of the second class.

Mr. STIEFEL, from the Committee on Appropriations, re-reported as committed, Senate Bill No. 408, entitled:

An Act authorizing the Pennsylvania Historical and Museum Commission to accept, on behalf of the Commonwealth, certain real estate comprising the Crispin Cemetery in Philadelphia; and providing for its restoration and maintenance as an historic shrine.

Mr. JASPAN, from the Committee on Appropriations, reported as committed, Senate Bill No. 342, entitled:

An Act making an appropriation to the Senate, and the House of Representatives to pay the expenses of their committees directed to visit State institutions under the supervision of the Department of Welfare.

He also, from the Committee on Appropriations, reported as committed, Senate Bill No. 66, entitled:

An Act making a deficiency appropriation to the Pennsylvania Institution for the Deaf at Mount Airy, Philadephia, Pennsylvania.

He also, from the Committee on Military Affairs and Aeronautics, reported as committed, Senate Bill No. 447, entitled:

An Act to amend the act, approved the fourth day of June, one ethousand nine hundred forty-five (Appropriation Acts, page 106), entitled "An act making an appropriation for the preparation of the Eightieth Division History, and creating a commission for such purposes," continuing the commission and reappropriating the unexpended balance.

Mr. HOMSHER, from the Committee on Public Health and Welfare, reported as committed, Senate Bill No. 362, entitled:

An Act to amend section two of the act approved the eleventh day of April, one thousand nine hundred forty-five (P. L. 203), entitled "An act to provide assistance for typhoid fever carriers, and persons having typhoid fever carriers in their households, and imposing certain responsibilities upon the Secretary of Health, the Secretary of Public Assistance, and the Secretary of Welfare in connection therewith," by fixing the date on which financial assistance shall begin.

Mr. CROWE, from the Committee on Appropriations, reported as amended, Senate Bill No. 315, entitled:

An Act making an appropriation to the Department of Forests and Waters for the acquisition by purchase or condemnation of forest land and the development and use thereof for reforestation for the work of the department with respect to forests and forest land and for the acquisition by purchase condemnation or gift of lands buildings or other properties for State parks and for the development thereof for the operation maintenance development and improvement of existing parks for recreation facilities for any flood control purposes including purchase and maintenance of flood forecasting equipment and services and the payment of the employes and expenses of the Flood Control Commission and for stream channel improvement for construction of dams to create lakes and other stream clearance of any type for flood control and for encouragement of proper forest practices by private land owners.

Mr. WOODRING, from the Committee on Local Government, reported as committed, Senate Bill No. 341, entitled:

An Act to amend section ten of the act approved the twenty-fifth day of May, one thousand nine hundred forty-five, (P. L. 1050), entitled "An act relating to the collection of taxes levied by counties, county institution districts, cities of the third class, boroughs, towns, townships, certain school districts and vocational school dis-

tricts; conferring powers and imposing duties on tax collectors; courts and various officers of said political subdivisions; and prescribing penalties," providing for interest on unpaid taxes.

HONORABLE D. EDWARD LONG PRESENTED TO SENATE

The PRESIDENT. The Chair would like to call to the attention of the Senators at this time that we have as a guest a former member of this Senate, the Honorable D. Edward Long, of Franklin County.

HONORABLE JOSEPH DANDO PRESENTED TO SENATE

Mr. DENT. Mr. President, while we are on that order of business, I would like to state to the members of the Senate that we have with us this afternoon another former member of this Senate, the Honorable Joseph Dando, from Schuylkill County.

BILLS INTRODUCED AND REFERRED

Mr. TALLMAN read in his place and presented to the Chair Senate Bill No. 515, entitled:

An Act to amend section three of the act approved the eleventh day of May, one thousand nine hundred one (P. L. 166), entitled "An act providing for the commutation of sentences, for good behavior of convicts in prisons, penitentiaries, workhouses and county jails of this State, and regulations governing the same," changing the day on which monthly reports shall be forwarded to the Governor.

Which was committed to the Committee on State Government.

He also read in his place and presented to the Chair Senate Bill No. 516, entitled:

An Act to amend section one of the act approved the fourth day of June, one thousand nine hundred forty-five (Appropriation Act No. 85-A, page 61), entitled "An act making an appropriation to the Department of Commerce to be used by the Pennsylvania Aeronautics Commission for the encouragement and development of aeronautics," by adding municipal authorities to the agencies receiving assistance.

Which was committed to the Committee on Military Affairs and Aeronautics.

Mr. LLOYD H. WOOD read in his place and presented to the Chair Senate Bill No. 517, entitled:

An Act to amend section twenty-eight of the act approved the first day of June, one thousand nine hundred forty-five (P. L. 1232), "An act providing for and regulating the appointment, promotion and reduction in rank, suspension and removal of paid operators of fire apparatus in boroughs, incorporated towns and townships of the first class; creating a civil service commission in each borough, incorporated town and township of the first class; defining the duties of such civil service commission; imposing certain duties and expenses on boroughs, incorporated towns and townships of the first class; imposing penalties; and repealing inconsistent laws," further defining "Fire apparatus operators."

Which was committed to the Committee on Local Government.

He also read in his place and presented to the Chair Senate Bill No. 518, entitled:

An Act to further amend section seven hundred seven of the act approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riing of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," establishing a maximum fee for certain motor buses and motor omnibuses with pneumatic tires.

Which was committed to the Committee on Highways.

Mr. SCARLETT read in his place and presented to the Chair Senate Bill No. 519, entitled:

An Act to amend the title and to further amend section one of the act approved the twelfth day of May, one thousand nine hundred forty-three (P. L. 259) entitled "An act providing for the payment by the State Treasurer, of one-half of the amount of the tax on premiums paid by foreign casualty insurance companies, to the treasurers of the several cities, boroughs, towns and townships, and for the payment thereof into police pension funds, and in certain cases into the Municipal Employes' Retirement System, and in certain other cases into the State Employes' Retirement Fund, for certain purposes," as last amended by the act approved the sixth day of April, one thousand nine hundred forty-five (P. L. 160) by adding to the title and by adding section one and one-tenth a provision relating to the purchase by the municipality of Pension Annuity Contracts for policemen.

Which was committed to the Committee on State Government.

Messrs. FRAZIER and DOEHLA read in place and presented to the Chair Senate Bill No. 520, entitled:

An Act relating to the practice of the occupation or business of opticians, and providing for the licensing and registration of opticians, and for the revocation and suspension of such licenses and registrations subject to appeal and for their reinstatement; defining the powers and duties of the State Board of Examiners of Opticians and the Department of Public Instruction; and providing penalties.

Which was committed to the Committee on Education.

They also read in place and presented to the Chair Senate Bill No. 521, entitled:

An Act to further amend the act approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges;

abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant-Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by creating a State Board of Examiners of Opticians in the Department of Public Instruction.

Which was committed to the Committee on Education.

Mr. WOLFE read in his place and presented to the Chair Senate Bill No. 522, entitled:

An Act to add section nine hundred forty-one point one to the act approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872), entitled "An act to consolidate, amend, and revise the penal laws of the Commonwealth," prohibiting the coloring of chickens or ducks for sale.

Which was committed to the Committee on Judiciary General.

Mr. GELTZ read in his place and presented to the Chair Senate Bill No. 523, entitled:

An Act to further amend paragraph four of Subsection A. of Section one thousand one of the act approved the fifteenth day of May, one thousand nine hundred thirty-three (P. L. 624) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations; providing for the organization of corporations with fiduciary powers, and of banking corporations, with or without fiduciary powers, including the conversion of National banks into State banks and for the licensing of private bankers; defining the rights, powers, duties, liabilities, and immunities of such corporations, of existent corporations authorized to engage in a banking business, with or without fiduciary powers, of private bankers, and of the officers, directors, trustees, shareholders, attorneys, and other employes of all such corporations or private bankers or of affiliated corporations, associations, or persons; restricting the exercise of banking powers by any other corporation, association, or person, and of fiduciary powers by any other corporation; conferring powers and imposing duties upon the courts, prothonotaries, recorders of deeds, and certain State departments, commissions, and officers; imposing penalties; and repealing certain acts and parts of acts," by further regulating the making of installment loans.

Which was committed to the Committee on Banking.

Mr. HARE read in his place and presented to the Chair Senate Bill No. 524, entitled:

An Act making an appropriation to the Somerset Volunteer Fire Company for the protection of State property.

Which was committed to the Committee on Appropriations.

Messrs. ROSENFELD and HARE read in place and presented to the Chair Senate Bill No. 525, entitled:

A Joint Resolution proposing an amendment to section one, article nine of the Constitution of the Commonwealth of Pennsylvania, providing for graduated income, gift and inheritance taxes.

Which was committed to the Committee on Constitutional Changes and Federal Relations.

Messrs. RAHAUSER and WOODRING read in place and presented to the Chair Senate Bill No. 526, entitled:

An Act to further amend section four hundred fifteen of the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 682), entitled "An act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," further defining group life insurance to include additional classes of persons.

Which was committed to the Committee on Insurance.

Mr. RAHAUSER read in his place and presented to the Chair Senate Bill No. 527, entitled:

An Act to add (i) to section two hundred one of the act, approved the twenty-ninth day of November, one thousand nine hundred thirty-three (P. L. 15, 1933-34), entitled, as amended "An act to regulate and restrain the traffic in, and use of alcohol, and alcoholic and malt or brewed beverages; conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents, the Department of Public Instruction, other officers of the State government, courts, and district attorneys; authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises, and the granting of licenses, subject to local option, to sell such beverages for consumption on and off the premises; forbidding importation or bringing of such beverages into the State except as herein provided; prohibiting certain sales or practices in, connection with, and transactions in such beverages by licensees and others; providing for the forfeiture of certain property; making disposition of the receipts from State stores and of fees; and imposing penalties," empowering Liquor Control Board to warn licensees as to uncleanliness or unsanitary conditions existing on licensed premises and prescribing manner of regulation in such cases.

Which was committed to the Committee on Law and Order.

He also read in his place and presented to the Chair Senate Bill No. 528, entitled:

An Act to add section four hundred fifty-one to the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," providing for training of volunteer fire companies by counties of the second class.

Which was committed to the Committee on Local Government.

Mr. LORD read in his place and presented to the Chair Senate Bill No. 529, entitled:

A Joint Resolution Proposing an amendment to section one, article nine of the Constitution of the Commonwealth of Pennsylvania, authorizing agreements between

Redevelopment Authorities and local taxing authorities, limiting for a term not exceeding twenty-five years the amount of annual taxes to be levied upon land acquired for urban redevelopment.

Which was committed to the Committee on Constitutional Changes and Federal Relations.

Messrs. BARR and WALKER read in place and presented to the Chair Senate Bill No. 530, entitled:

An Act making an appropriation to the Trustees of the University of Pittsburgh for the maintenance of the Schools of Medicine and Nursing in said University.

Which was committed to the Committee on Appropriations.

Mr. WOODRING read in his place and presented to the Chair Senate Bill No. 531, entitled:

An Act to repeal the act, approved the nineteenth day of June, one thousand nine hundred thirty-nine (P. L. 430) entitled "An act providing a method of annexation of parts of townships of the first class, in counties of the second class, not in excess of twenty per centum of the assessed value of any such township in counties of the second class, to contiguous cities of the second class, boroughs, or other contiguous townships of the first class, and regulating the proceedings pertaining thereto."

Which was committed to the Committee on Local Government.

Messrs. STEVENSON, WOODRING and MALLERY read in place and presented to the Chair Senate Bill No. 532, entitled:

An Act to amend section twenty of the act, approved the twenty-fifth day of May, one thousand nine hundred forty-five (P. L. 1050), entitled "An act relating to the collection of taxes levied by counties, county institution districts, cities of the third class, boroughs, towns, townships, certain school districts and vocational school districts; conferring powers and imposing duties on tax collectors, courts and various officers of said political subdivisions; and prescribing penalties," making a husband liable for his wife's per capita, poll and occupation taxes and providing for the collection thereof.

Which was committed to the Committee on Local Government.

Mr. DONLAN read in his place and presented to the Chair Senate Bill No. 533, entitled:

An Act to amend the title and act, approved the twenty-second day of May, one thousand nine hundred forty-five (P. L. 837), entitled "An act providing for and requiring in certain cases preference in appointments to public position or on public works for honorably discharged persons who served in the military or naval service during any war in which the United States engaged; and in certain cases for the widows and wives of such persons," by extending the provisions of the act to retention in public positions or on public works in certain cases.

Which was committed to the Committee on Military Affairs and Aeronautics.

Mr. STEVENSON. Mr. President, I would like to have permission to make a brief explanation of two bills which I am about to introduce.

These two bills have met with the complete approval of the Governor of this Commonwealth and the Department of Public Instruction, and I want to state the purposes of these bills in order to provoke some thought among the members of the Senate.

Many thoughful citizens have been asserting that we are not receiving a dollar's value for each educational dollar. They ask what is wrong with our public school system when their boys and girls can not spell simple words correctly, when they abuse the English language by constantly employing solecisms in their speech, when they do not know the simple operations of arithmetic and lack a knowledge of the fundamentals in many branches of learning. It is frequently said that the three R's are fast becoming lost arts.

After a careful study of this problem, we believe that we have put our finger upon the fundamental weakness of our public educational system. And may I say this deficiency is not to be laid at the door of our Department of Public Instruction, for it has been doing an excellent job with the machinery at hand.

The faultiness of the whole system lies in the fact that the department approves curricula, and so forth, but does not have the machinery to evaluate the results.

How long could a large corporation stay in business if its technicians, engineers, chemists or research men did not follow their recommended product through the proving grounds.

Unfortunately, our Department of Public Instruction, through lack of personnel, funds and equipment, can not presently do this job of evaluation.

This bill has the following provision in it, The Superintendent of Public Instruction is hereby empowered and directed to evaluate the effectiveness and measure the results of instruction in the public schools of this Commonwealth, through a system of standard tests and scores and by such other norma as may be designed to accomplish this purpose.

The various schools and school districts shall be graded according to standard averages set up by the Department of Public Instruction.

Such evaluation shall include administrative appraisals, as well as teachers; and shall constitute an important factor in establishing the efficiency ratings of the teachers of the district.

After each evaluation is completed, the Superintendent of Public Instruction shall offer constructive suggestions for the improvement of the school and school district, and shall make definite recommendations to the board of school directors of the district so evaluated.

The other bill which I am about to present is intended to carry out the purposes of these remarks.

The policy of every dictator is directed toward the attainment of a unity and a self-sufficiency that will guarantee his success in an inevitable war for the predominance of his ideals in the world.

It is not simply the iron will of a few ruthless leaders that sustains the totalitarian nations. Over a period of years they have been imbuing and inflaming the youth of their nations with their pet ideologies and their glittering plans of aggrandizement through conquest.

If democracy is not to perish from this earth, we must take a leaf from the dictator's book, but it should proceed rationally. Our people are confused today because of alien-inspired propaganda.

All of here believe firmly in the excellence of our form

of government, with its system of checks and balances. Our plain duty to our country is to assume the painstaking task of instruction and reason. Our youth and all of our people must be taught the full meaning of democracy. We must inculcate in them a more profound understanding and a deeper appreciation of our guaranteed rights of personal liberty, personal security and private property. These must be pointed with the spiritual blessings and the material benefits which follow in the American Way of Life.

We must also stress a revival of those time-honored virtues of industry, thrift, self-help and dutiful conduct toward parents, toward government and toward God. It is more important that our people possess these elements of character today than it was in the days of Captain Miles Standish. These are fundamental if our economic system is to survive another major national emergency or a deep depression, for an industrious, a frugal, a self-respecting and a dutiful people are in common friendly to established government.

It is important that our people obtain a new rational concept of love of county and an awakened faith in the fundamentals of the American system; a concept and a faith based upon reason and truth and not founded simply upon the promptings of momentary emotions.

People live and die for the things in which they believe. The future of our country rests more upon the high political intelligence of her people than upon the power of her armaments.

This bill is designed to authorize and direct the Department of Public Instruction to revise the curricula in the elementary, secondary and vocational schools of this Commonwealth in order that the purposes herein stated may be effectuated.

In developing and executing a program of this magnitude, it is hoped that the pulpit, the press, the radio, schoolmen, veteran and patriotic organizations, and every other good American citizen will cooperate to the fullest extent. If all will unite, we can carry this instruction into every home in Pennsylvania.

Mr. STEVENSON read in his place and presented to the Chair Senate Bill No. 534, entitled:

An Act directing the Department of Public Instruction to revise the curricula of elementary, secondary and vocational schools to effectuate a more thorough understanding and appreciation of American democracy and the principles for which it stands.

Which was committed to the Committee on Education.

Mr. STEVENSON read in his place and presented to the Chair Senate Bill No. 535, entitled:

An Act to add section one thousand twenty-two to the act approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," providing for evaluations by the Superintendent of Public Instruction of the instruction in the public schools, and for recommendations based thereon, and for the effect thereof on the efficiency rating of teachers.

Which was committed to the Committee on Education.

CALENDAR

BILLS ON FINAL PASSAGE CALENDAR

Agreeably to order,

The Senate resumed consideration of Senate Bill No. 133, as follows:

An Act providing that when any city county school district or other political subdivision of this Commonwealth shall in the exercise of the power of eminent domain acquire real estate by appropriation ad condemnation the title thereto which shall vest in such city county school district or other political subdivision shall be a title in fee simple unless prohibited in the ordinance or resolution authorizing the appropriation and condemnation thereof

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 When any city county school district or other political subdivision of this Commonwealth shall hereafter in the exercise of the power of eminent domain acquire by appropriation and condemnation any real estate the title thereto which shall vest in such city county school district or other political subdivision shall be a title in fee simple unless prohibited in the ordinance or resolution authorizing the appropriation and condemnation thereof

Section 2 All acts and parts of acts inconsistent with the provisions of this act are hereby repealed

Section 3 The provisions of this act shall become effective immediately upon final enactment

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahauser,	Wagner,
Crider,	Holland,	Rosenfeld,	Walker,
Crowe,	Homsher,	Ruth,	Watson,
Dent,	Jaspan,	Scarlett,	Wilson,
DiSilvestro,	Klein,	Snowden,	Wolfe,
Doehla,	Lane,	Stevenson,	Wood, L. H.,
Donlan,	Leader,	Stiefel,	Wood, T. N.,
Farrell,	Letzler,	Tallman,	Woodring,

NAYS—1

Chapman,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate resumed consideration of Senate Bill No. 224, as follows:

An Act to amend clause (c) of section three of the act approved the tenth day of June one thousand nine hundred thirty-one (P. L. 485) entitled "An act to provide for the better protection of life and health of the citizens of this Commonwealth by requiring and regulating the examination licensure and registration of persons and registration of corporations engaging in the care preparation and disposition of the bodies of deceased persons and providing penalties" further regulating requirements of applicants for examination as undertakers

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause (c) of section three of the act approved the tenth day of June one thousand nine hundred thirty-one (P. L. 485) entitled "An act to provide for the better protection of life and health of the citizens of this Commonwealth by requiring and regulating the examination licensure and registration of persons and registration of corporations engaging in the care preparation and disposition of the bodies of deceased persons and providing penalties" is hereby amended to read as follows

Section 3 An applicant shall not be entitled to an examination if

* * * *

(c) The applicant is not a graduate of an approved high school of this Commonwealth or has an education equivalent thereto under the rules and regulations of the department Provided That in lieu of such education a bona fide apprenticeship extending over a period of twenty (20) years or more in the establishment of a duly licensed undertaker of this Commonwealth shall be accepted by the board upon proof thereof by the applicant for examination

On the question,

Shall the bill pass finally?

Mr. HEYBURN. Mr. President, for a moment I would like, if I may, to tell the members of the Senate why I am voting for this bill.

This bill, contrary to what some people have been led to believe by misinformation that has been broadcast over the Commonwealth, in no way lowers the standards of the undertaking profession.

The purpose of this bill, Mr. President, is simply this: where a boy or a girl starting out in life, because of financial reasons, was unable to get a high school education, and after that got employment with an undertaker or a funeral director and has had twenty years of experience, this bill, Mr. President, would simply give that young man or woman an opportunity to take an examination, an examination that is put together by a board of licensed funeral directors, Mr. President, and I think this bill is nothing more or less than a step to keep the doors of opportunity open to young men and women in this state who, because of financial reasons, in their younger days, were unable to get a high school education.

I think this a good bill, Mr. President, one that in no way lowers the standards of the profession; it is calculated simply to give the poor man a chance.

Mr. HALUSKA. Mr. President, last week Senate Bill 224 came before this body and failed by a vote of 27 to 23, I believe, if my memory serves me correctly.

The bill has been revived now and placed back on the calendar and it is quite apparent there may be sufficient votes to pass this bill.

It seems strange to me that last week twenty-seven men were right and twenty-three men were wrong, and, if this bill should pass, what brought about the change of mind or change of heart.

I want to go on record by saying I am for the so-called underdog. Off the floor of this Senate a number of my colleagues have asked me whether I was for or against the man who has failed to have a high school education. I am for that man. The record shows I have been for the underdog all my life, but his bill is not designed to help the unfortunate. This bill is class legislation. This bill is designed to help one individual in the Commonwealth of Pennsylvania, and I think we are getting down to a low ebb when we in this body must introduce legislation to help one individual. If this body is sincere and is going all out for the underdog, why not amend this bill to read ten years. I know of a number of men and women in this Commonwealth who could take advantage of this bill if the word "twenty" were removed and the word "ten" inserted.

I say again this is not for that purpose. It is for the purpose of helping one individual, and I am wondering whether the gentleman from Delaware, Mr. Heyburn, feel accordingly about other departments in this Commonwealth, whether he is willing to amend other acts and bring them under the same category, or whether or not he is interested in this one measure only, to help one individual.

You are setting a precedent right now and we will follow it through and determine throughout this session whether or not the men who vote for this bill are really sincere.

Mr. DENT. Mr. President, in order to show there is no partisanship in this measure, I want to say I could go along with the sentiments expressed by the minority whip, Mr. Haluska; however, my memory is clear, and I believe it was about five years ago when we tried to put this measure through for this same group of citizens.

As I understand this bill, Mr. President, it takes care of that group of understudies, as it were, or assistants to undertakers or embalmers in Pennsylvania when the original licensing act was passed. This group of citizens were, by virtue of circumstances, in that profession without the requirements set up by that licensing act.

Therefore they are being discriminated against, because during the twenty odd years since the passage of that bill, they have been doing this work and they are entitled, as I see it, to the privileges of doing the work as professionals, with the right to own and operate their own businesses.

I might say to the gentlemen of this Senate that this would be a very good cue to be taken by other professional groups in Pennsylvania.

I might say to the medical profession that they too could clear out some dead wood and scattered weeds that have gathered in their closets, and also that the legal profession might climb into some back rooms that they have closed the doors upon and clean out from there some of the cobwebs that caused people to point fingers of distain at the rules and regulations they have set up in their profession, which bar from that honorable profession many worthy citizens of this Commonwealth who find themselves denied the privilege of participating and earning a living in the profession of law because of rusty, moldy rules and regulations set up by this group of closed shop adherents in Pennsylvania known as the Pennsylvania Bar Association. I am thinking out loud now, but I know of a young man who entered the services of the United States Army as a private, a graduate of the University of Pennsylvania Law School, who went through this war and came out a captain, but, because of the fact that the board of review or the qualifications board of the Westmoreland County Bar Association did not like the profession or the activities that his father had engaged in, they have forbidden this lad the right to participate in his profession and to take the

bar examination. I say to you men here that while you are voting for this legislation, remember that some other professions in Pennsylvania need a new broom to sweep out some of the dust and some of the mold and cobwebs that have gathered.

Mr. WAGNER. Mr. President, as ths sponsor of this measure, I am happy indeed that two Senators, one from each side of the Senate, other than the sponsor, have so ably presented the virtues of this proposed legislation and I rise now only to reply briefly to the mistaken impression held by the gentleman from Cambria, Senator Haluska, I think he made the statement in good faith but, had he inquired of me, I could have assured him that not only in my own county are there at least a half dozen men who could qualify and have the right to take this examination under this proposed measure, but I have had at least eight Senators call my attention to two or three similarly situated people whom they have in their districts.

However, Mr. President, were it true that this bill applies to only one individual in Pennsylvania, I think it still would be the good old fashioned American way to give that man an opportunity to prove his worth and not shut the door upon him because he does not happen to have a certain kind of diploma.

I agree with the gentleman from Westmoreland, Senator Dent, in some of his remarks, at least to the extent that I should hate to be put in the position where I had to get a license to do anything in the state of Pennsylvania, because it is becoming increasingly difficult.

The only objections I have heard to this bill, repeated over and over again were, first, that it would permit anybody to hang out a shingle in the undertaking business. That definitely is not so. A man can only do so after passing a severe examination. Secondly, Mr. President, it has been rumored around that this might be injurious to public health. A distinguished physician, known to all the members of this body, sometime ago said that he doubted whether there was anything you could do to a dead man that would be particularly injurious to him.

Just on the basis of fairness I ask my colleagues to vote for this bill.

Mr. WALKER. Mr. President, I do not want to interfere with the dinner that has been arranged for tonight, but I would like to say to the gentleman from Westmoreland that in the Bar Association—and I point particularly to the fact that I am not attempting to defend all of the lawyers in Pennsylvania—but the Bar Association has always had a rule that would permit anybody in Pennsylvania to take the examinations upon serving three years stewardship in a law office. It is not necessary to present any educational qualifications other than the three years of service. The Bar Association opens its doors, as far as bar examinations are concerned, to anybody who can qualify under those terms and no educational qualifications, as far as diplomas are concerned, are necessary to take the bar examinations and, therefore, I think the Bar is in line with the suggestion that is being made here.

Mr. RUTH. Mr. President, I do not often stand up and talk for or against bills, but I suppose I work more with with funeral directors than any other member of this Senate. I have officiated at more than seven hundred funerals in the last twenty-nine years.

We have two men in our county, and one man in particular has embalmed more than five thousand bodies in the last twenty years. When funeral directors have a badly mutilated case they send for him; when high school graduates come out of an embalming school they are given to him to train, and I feel that man is qualified by his experience to take the examination, even though he does not have a high school education, and I feel we ought to give him that opportunity.

Mr. JASPAN. Mr. President, I am very much in favor of live issues but this happens to be a very dead issue. However, I am one of those who voted "no" recently but, I realize some consideration should be given some poor unfortunates and I will say with Emerson a foolish consistency is the hobgoblin of little minds, and therefore I change my vote.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—29

Becker,	Frazier,	Rosenfeld,	Tyler,
Blass,	Heyburn	Ruth,	Wagner,
Crider,	Holland	Scarlett,	Walker,
Dent,	Homsher	Snowden,	Watson,
DiSilvestro,	Jaspan	Stiefel,	Wood, L. H.,
Doehla,	Leader,	Tarr,	Wood, T. N.,
Donlan,	Rahauser,	Taylor,	Woodring,
Farrell,			

NAYS—19

Berger,	Haluska	Lord,	Tallman,
Carr,	Hare,	Mahany,	Wade,
Chapman,	Klein,	Mallery,	Wilson,
Crowe,	Lane,	Margie,	Wolfe,
Geltz	Letzler,	Stevenson,	

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 345, on final passage,

An Act to amend section four of the act approved the fourth day of April one thousand nine hundred twenty-five (P. L. 127) entitled "An act relating to adoption" by further providing for the nature of the decree and validating certain adoptions.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING CALENDAR

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 47, as follows:

An Act to amend Section 8 of the act approved the first day of June one thousand nine hundred and forty-five (P. L. 1358) entitled "An act relating to chattel mortgages on any chattel or chattels of any kind or description including but not limited to livestock poultry farm machinery farm equipment and crops grown growing

or to be grown designating the operation and effect of the lien of such mortgages providing for the filing indexing and docketing of such mortgages and related instruments in prothonotaries' offices and prescribing prothonotaries' fees providing for the filing in Pennsylvania of similar lien instruments originally filed or recorded in other states regulating the assignment release satisfaction and extension of the lien of such mortgages prescribing methods of foreclosure defining defaults and violations and fixing penalties" by making further provisions respecting the filing of chattel mortgages in prothonotaries' offices

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section I Section 8 of the act approved the first day of June one thousand nine hundred and forty-five (P. L. 1358) entitled "An act relating to chattel mortgages on any chattel or chattels of any kind or description including but not limited to livestock poultry farm machinery farm equipment and crops grown growing or to be grown designating the operation and effect of the lien of such mortgages providing for the filing indexing and docketing of such mortgages and related instruments in prothonotaries' offices and prescribing prothonotaries' fees providing for the filing in Pennsylvania of similar lien instruments originally filed or recorded in other states regulating the assignment release satisfaction and extension of the lien of such mortgages prescribing methods of foreclosure defining defaults and violations and fixing penalties" is hereby amended to read as follows

Section 8 (a) Any chattel mortgage executed pursuant to this act may be filed either by filing the original thereof or by filing a true copy thereof duly certified by the prothonotary in whose office the original is filed (1) in the office of the prothonotary for each county in which the chattels or any portion of the chattels are located at the time of filing such chattel mortgage [either by filing the original thereof or filing a true copy thereof duly certified by the prothonotary of the original county and when] (2) if the mortgagor at the time the mortgage is filed as aforesaid resided in this Commonwealth but not in a county in which the chattels or any portion of the chattels are located then also in the office of the prothonotary in the county in which the mortgagor resides For the purpose of determining the place of filing under the provisions of clause (2) hereof the residence of a corporation partnership business trust or other association shall be taken to be at its principal place of business in this Commonwealth Where at the time the mortgage is filed chattels covered thereby are in transit or are intended to be and within a reasonable time are put in transit such chattels are to be taken for the purpose of this section to be located at the place of destination When so filed such chattel mortgage shall constitute a lien on the property described therein and conveyed thereby from the time of such filing which lien shall be good and valid as hereinbefore provided Provided however That in the case of more than one chattel mortgage the first filed shall have priority and be first paid out of the proceeds of the sale of the mortgaged chattels The prothonotary shall maintain a book to be known as the "Chattel Mortgage Book" in which he shall docket each instrument presented to him for filing pursuant to this act and in said docket he shall set forth the date and the hour of filing the name of the mortgagor the name of the mortgagee the amount advanced or to be advanced and the limit thereof and a brief description of the chattels described in the instrument and the premises upon which such chattels and crops are located and he shall retain the instrument in his offiice for future public inspection The prothonotary shall likewise maintain a book to be known as a "Chattel Mortgage Index" in which he shall index alphabetically under the names of the mortgagor or mortgagors and the mortgagee or mortgagees all chattel mortgages filed pursuant to this act and on which the date of filing such instrument shall be noted

(b) Any instrument affecting the lien of a chattel mortgage or its ownership may be filed in each office in which the chattel mortgage is filed and from the date of filing thereof each such instrument shall be good and valid as against subsequent purchasers subsequent mortgagees or other subsequent lienors and subsequent encumbrancers with or without notice thereof and the fact and date of filing of each such instrument shall be noted by the prothonotary on the margin of the page on which the chattel mortgage is docketed

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—32.

Becker,	Farrell,	Mahany,	Tallman,
Berger,	Frazier,	Mallery,	Taylor,
Carr,	Geltz	Rahauser,	Tyler,
Chapman,	Haluska	Rosenfeld,	Wagner,
Crider,	Heyburn	Ruth,	Walker,
Crowe,	Homsher	Scarlett,	Watson,
Doehla,	Letzler,	Snowden,	Wolfe,
Donlan,	Lord,	Stevenson,	Wood, L. H.

NAYS—14.

Barr,	Holland	Leader,	Wilson,
Blass,	Jaspan	Stiefel,	Wood, T. N.,
Dent,	Klein,	Tarr,	Woodring,
DiSilvestro,	Lane,		

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill 96, as follows:

An Act to amend section nine hundred three of the act approved the fifteenth day of May one thousand nine hundred thirty-three (P. L. 624) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employes of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties repealing certain acts and parts of acts" changing the requirements relating to withdrawal of joint deposits

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follow

Section 1 Section nine hundred three of the act approved the fifteenth day of May one thousand nine hundred thirty-three (P. L. 624) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion

of National banks into State banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employes of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" is hereby amended to read as follows

Section 903 Joint Deposits Death or Incompetency of One of the Parties A Whenever a deposit shall be made in an institution in the names of two or more persons the institution shall not pay out such deposit any part thereof or interest thereon except upon the proper check order or receipt as the case may be of both or all of such persons unless at the time of making the deposit a different arrangement shall have been specifically provided for or unless at a subsequent time all the parties agree to a different arrangement or unless the parties were a husband and his wife and one of them is dead

B Whenever a deposit shall be made in an institution in the names of two or more persons and such deposit shall have been made under an arrangement with the institution whereby such deposit and any interest thereon may be paid upon the check order or receipt of either or any of such persons the institution may pay such deposit any part thereof or any interest thereon upon such check order or receipt of either or any of such persons pursuant to the arrangement provided for in this section notwithstanding the fact that one or more of the other persons may be dead and the institution has notice thereof or that one or more of the persons may have become incompetent unless such incompetency shall have been adjudicated by a court of competent jursidction and notice thereof in writing given to the institution

[C This section shall not be construed to effect deposits made in the names of a husband and his wife]

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48.

Barr,	Farrell,	Letzler,	Tarr,
Becker,	Frazier,	Lord,	Taylor,
Berger,	Geltz	Mahany,	Tyler,
Blass,	Haluska	Mallery,	Wade,
Carr,	Hare,	Rahauser,	Wagner,
Chapman,	Heyburn	Rosenfeld,	Walker,
Crider,	Holland	Ruth,	Watson,
Crowe,	Homsher	Scarlett,	Wilson,
Dent,	Jaspan	Snowden,	Wolfe,
DiSilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,
Donlan,	Leader,	Tallman,	Woodring,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence,

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 121, on third reading, entitled:

An Act to add section three hundred three point one to the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" increasing the fees for hunting licenses and providing for the use of moneys derived therefrom the stocking of small game.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 175, as follows:

An act to further amend section six hundred twenty-two of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" increasing expense allowance

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section six hundred twenty-two of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" as amended by the act approved the thirty-first day of May one thousand nine hundred thirty-three (P. L. 1096) is hereby further amended to read as follows

Section 622 Expenses of Delegates Paid by Townships The expenses of the delegates and other officers attending the annual meeting shall not exceed [seven dollars and fifty cents] nine dollars ($9) per day for each officer attending for not more than three days together with the actual mileage at the prevailing rate of railroad fare and shall be paid by the respective townships

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48.

Barr,	Farrell,	Letzler,	Tarr,
Becker,	Frazier,	Lord,	Taylor,
Berger,	Geltz,	Mahany,	Tyler,
Blass,	Haluska,	Mallery,	Wade,
Carr.	Hare,	Rahauser,	Wagner,
Chapman,	Heyburn,	Rosenfeld,	Walker,
Crider,	Holland,	Ruth,	Watson,
Crowe,	Homsher,	Scarlett,	Wilson,
Dent,	Jaspan,	Snowden,	Wolfe,
DiSilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,
Donlan,	Leader,	Tallman,	Woodring,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has

passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 208, as follows:

An Act to amend section five hundred fifteen of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" increasing compensation of supervisors for each meeting attended

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section five hundred fifteen of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" is hereby amended to read as follows

Section 515 Compensation of Supervisors Supervisors shall receive from the township road funds as compensation not less than [two dollars and fifty cents nor more than four dollars] four dollars ($4) nor more than six dollars ($6) for each meeting which they attend The amount of the compensation for attending meetings shall be determined by the township auditors The township auditors shall also allow to the supervisors reasonable compensation for making a semi-annual inspection of roads and bridges The compensation of supervisors when overseeing or working on roads shall be fixed by the township auditors and shall be not less than three nor more than six dollars per day but no supervisor shall receive compensation as a superintendant or roadmaster for any day he receives compensation for attending a meeting of supervisors unless such meeting is held during the nighttime

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48.

Barr,	Farrell,	Letzler,	Tarr,
Becker,	Frazier,	Lord,	Taylor,
Berger,	Geltz,	Mahany,	Tyler,
Blass,	Haluska,	Mallery,	Wade,
Carr,	Hare,	Rahauser,	Wagner,
Chapman,	Heyburn,	Rosenfeld,	Walker,
Crider,	Holland,	Ruth,	Watson,
Crowe,	Homsher,	Scarlett,	Wilson,
Dent,	Jaspan,	Snowden,	Wolfe,
DiSilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,
Donlan,	Leader,	Tallman,	Woodring,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 239, as follows:

An Act to further amend the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 457) entitled "An act relating to the business of building and loan associations providing for the organization and voluntary dissolution of such associations defining the rights powers duties liabilities and immunities of such associations and of their officers directors shareholders solicitors and other employes prohibiting the transaction of business in this Commonwealth by foreign building and loan associations conferring powers and imposing duties upon the courts recorders of deeds and certain State departments commissions and officers establishing limitations of actions imposing penalties and repealing certain acts and parts of acts" by further defining and limiting the rights powers duties liabilities and immunities of building and loan associations and their shareholders

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section five hundred four and subsection B of section six hundred one of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 457) entitled "An act relating to the business of building and loan associations providing for the organization and voluntary dissolution of such associations defining the rights powers duties liabilities and immunities of such associations and of their officers directors shareholders solicitors and other employes prohibiting the transaction of business in this Commonwealth by foreign building and loan associations conferring powers and imposing duties upon the courts recorders of deeds and certain State departments commissions and officers establishing limitations of actions imposing penalties and repealing certain acts and parts of acts" are hereby amended to read as follows

Section 504 Shareholders May Vote in Person or by Proxy Except as otherwise specifically provided in this act every shareholder of record borrowing member or obligor of an association shall have the right at every shareholders' meeting to one vote [for every] In addition thereto any shareholder of record shall have as many more votes as he may have shares in excess of the par value of one share standing in his name on the books of the association Every shareholder may vote either in person or by proxy Every proxy shall be executed in writing by the shareholder or by his duly authorized attorney in fact and filed with the association A proxy unless coupled with an interest shall be revocable at will notwithstanding any other agreement or any provision in the proxy to the contrary but the revocation of a proxy shall not be effective until notice thereof has been given to the association No unrevoked proxy shall be valid after eleven months from the date of its execution unless coupled with an interest A proxy shall not be revoked by the death or incapacity of the maker unless before the vote is counted or the authority is exercised written notice of such death or incapacity is given to the association A shareholder shall not sell his vote or execute a proxy to any person for any sum of money or anything of value

Section 601 Authorized Capital Par Value of Shares and Change Therein

* * * *

B The installment full-paid and optional payment shares of an association shall have a par value of not less than one hundred dollars each nor more than two hundred dollars each but every such share issued by an association shall have the same par value as every other share Direct reduction loan shares shall have no par value This provision shall not affect the right of any association which prior to the effective date of this act has issued shares of a par value less than one hundred dollars or more than two hundred dollars to continue issuing shares of such par value nor shall it effect the right of any association which upon the effective date of this act has issued and outstanding shares of more than one par value to continue to issue such shares

Any association may be amending its articles in the manner prescribed by this act change the par value of its shares but such change shall not be to an amount

less than one hundred dollars each nor more than two hundred dollars each Whenever such change in par value is made every holder of a share for which a share certificate has been issued shall return such share certificate to the association and upon the surrender and cancellation of such share certificate the association shall issue to such shareholder the proper number of share certificates at the new par value

Section 2 Subsection D of section six hundred seven of said act as last amended by the act aproved the fifteenth day of May one thousand nine hundred forty-five (P. L. 485) is hereby further amended to read as follows

Section 607 Share Certificates Issuance and Preservation

* * * *

D [Share] Full-paid share certificates shall bear printed consecutive numbers and shall be issued from a bound share certificate book containing a stub for each certificate Each stub shall bear the same number as the share certificate which was attached to it the name and address of the person in whose name the share certificate is issued the number of shares represented by the certificate and the date of the issuance of the certificate The president or vice-president and the secretary or treasurer or such officers as the by-laws provide shall certify on each stub that the information contained thereon is correct and in accordance with the share certificate bearing the same number

Section 3 Section six hundred nineteen of said act is hereby amended to read as follows

Section 619 Cancellation of Shares by Association A An association may cancel the installment shares of a shareholder for failure to pay dues upon them for a period of six months In the event of such cancellation by such association the shareholder shall be entitled to all the rights of a withdrawing shareholder

B Shares of an association on which no payments have been made and on which dividends are unclaimed for a period of six years or longer may be listed for withdrawal by action of the association's board of directors without regard to any other provisions or limitations of the statute notice of such action shall forthwith be mailed to the holder of such shares at his last known address Any such withdrawals that remain unclaimed after thirty days from the mailing of said notice may be placed in a special account held solely for the purpose of paying any future claims of the rightful owners thereof no dividends shall accrue on such withdrawals after the placing of the funds in the special account

Section 4 Clause (1) of section eight hundred one of said act as last amended by the act approved the thirteenth day of April one thousand nine hundred forty-two (P. L. 22) is hereby further amended to read as follows

Section 801 Powers of Associations In addition to the general corporate powers granted by this act and in addition to any powers specifically granted to an association elsewhere in this act an association shall have the following powers subject to the limitations and restrictions imposed by this act

(1) To issue full-paid [prepaid] optional payment direct reduction loan and installment shares

Section 5 Subsection B of section nine hundred three of said act as last amended by the act approved the fifteenth day of May one thousand nine hundred forty-five (P. L. 485) is hereby further amended to read as follows

Section 903 Security for Mortgage Loans

* * * *

B An association shall not grant any mortgage loan unless the mortgage securing such loan (1) is a first lien upon unencumbered improved real property the improvement being a dwelling for not more than four families which is used or to be used in whole or in part for residential purposes or upon real property upon which such a building is in the process of construction situated anywhere within the Commonwealth or where it is not a first lien upon such property every equal or prior lien is owned by the association and (2) does not together with any other lien held by such association upon such property exceed eighty per centum of the fair market value of such real property plus the withdrawal value upon the day of the granting of such loan of shares to be assigned or pledged to the association by the borrower as security for such loan Provided however That shares of the association owned by any shareholder may be assigned or pledged as additional collateral security for the mortgage loan and in such event the mortgage loan granted upon such property may be increased by the withdrawal value of the additional pledged shares to an amount not to exceed a maximum total mortgage loan of ninety per centum of the fair market value of such real property and the association may release this additional collateral whenever the mortgage loan meets all of the requirements of this act and could be legally made at the time of release without the requirement of additional collateral An association shall not take any lien upon real property as security for a mortgage loan if such lien is equal to any lien owned by any other corporation or person

Notwithstanding any other provisions of this act an association may make any mortgage loan on a dwelling for not more than four families situated in the Commonwealth if the full amount of such mortgage is insured or guaranteed by the United States or any instrumentality thereof or if there is a commitment to so insure or guarantee

Notwithstanding any other provisions of the law an association may grant any mortgage loan on a dwelling for not more than four families which is used or to be used in whole or in part for residential purposes or upon real property upon which such a building is in the process of construction situated anywhere within the Commonwealth if such loan is guaranteed [in an amount equal to at least twenty per centum of the value of the property subject the lien] or insured or there is a commitment for guaranty or insurance thereof under the provisions of the Servicemen's Readjustment Act of one thousand nine hundred and forty-four its amendments and supplements and rules and regulations promulgated from time to time pursuant to the provisions of said act [or if there is a written commitment to so guarantee]

The provisions of this subsection shall not be construed to apply to a purchase money mortgage taken by an association upon real property owned by it nor to the readjustment or refinancing in any other manner of a mortgage loan owed to the association upon the effective date of this act

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48.

Barr,	Farrell,	Letzler,	Tarr,
Becker,	Frazier,	Lord,	Taylor,
Berger,	Geltz,	Mahany,	Tyler,
Blass,	Haluska,	Mallery,	Wade,
Carr,	Hare,	Rahauser,	Wagner,
Chapman,	Heyburn,	Rosenfeld,	Walker,
Crider,	Holland,	Ruth,	Watson,
Crowe,	Homsher,	Scarlett,	Wilson,
Dent,	Jaspan,	Snowden,	Wolfe,
DiSilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,
Donlan,	Leader,	Tallman,	Woodring,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

BILL POSTPONED

Mr. TALLMAN. Mr. President, I move that further consideration of Senate Bill No. 263, on third reading entitled:

An Act to further amend section two and amend sections three and five of the act approved the eighteenth day of July one thousand nine hundred thirty-five (P. L. 1303) entitled "An act to regulate the sale of certain hypnotic analgesic and body-weight reduction drugs in the interest of public health" extending requirements as to contents of labels conditions under which barbiturate drugs may be sold or handled and increasing penalties for violations thereof

be placed on the Third Reading Postponed Calendar.

Mr. HEYBURN. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 282, as follows:

An Act to amend article IX of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 457) entitled "An act relating to the business of building and loan associations providing for the organization and voluntary dissolution of such associations defining the rights powers duties liabilities and immunities of such associations and of their officers directors shareholders solicitors and other employes prohibiting the transaction of business in this Commonwealth by foreign building and loan associations conferring powers and imposing duties upon the courts recorders of deeds and certain State departments commissions and officers establishing limitations of actions imposing penalties and repealing certain acts and parts of acts" by authorizing building and loan associations to grant chattel mortgages in certain cases

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Article IX of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 457) entitled "An act relating to the business of building and loan associations providing for the organization and voluntary dissolution of such associations defining the rights powers duties liabilities and immunities of such associations and of their officers directors shareholders solicitors and other employes prohibiting the transaction of business in this Commonwealth by foreign building and loan associations conferring powers and imposing duties upon the courts recorders of deeds and certain State departments commissions and officers establishing limitations of actions imposing penalties and repealing certain acts and parts of acts" is hereby amended by adding at the end thereof a new section to read as follows

Section 915 Chattel Mortgages When an association holds a mortgage on real estate as security for a loan it may also grant a chattel mortgage to the mortgagor of the real estate to assist him in the purchase of consumer's durable goods such as electrical appliances ranges refrigerators awnings screens storm doors and sash furnace burners and equipment pertaining thereto space heaters air conditioning systems ventilating fans laundry equipment water heaters water supply equipment water treatment apparatus and similar items to be used in connection with the occupancy of the mortgaged premises Provided That the amount of such chattel mortgage shall not exceed seventy-five per cent (75%) of the purchase price of said article nor its term exceed five (5) years No such chattel mortgage may be granted unless it is a first lien on the chattels described therein nor shall the total of all chattel mortgages granted in connection with any one piece of mortgaged real estate exceed the sum of one thousand dollars ($1000) Any chattel mortgage granted in reliance on this section shall conform to the requirements of the act approved the first day of June one thousand nine hundred forty-five (P. L. 1358) its amendments and supplements In addition to the chattel mortgage the association shall also secure a bond or judgment note evidencing the borrower's agreement to repay the amount loaned such repayments to be made on a direct reduction basis in monthly installments over the term of the chattel mortgage The bond or note shall further provide that if the obligor shall sell the mortgaged real estate or remove thereform any chattel described in the chattel mortgage the entire balance remaining due on the chattel mortgage shall immediately become due and payable No title examination shall be required in connection with the granting of any chattel mortgage provided the seller of the chattels furnished the association with a receipted bill of sale for the chattels described in the mortgage

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—31.

Barr,	Haluska,	Rosenfeld,	Wade,
Berger,	Heyburn,	Ruth,	Wagner,
Chapman,	Homsher,	Scarlett,	Walker,
Crider,	Letzler,	Snowden,	Watson,
Crowe,	Lord,	Stevenson,	Wolfe,
Donlan,	Mahany,	Tallman,	Wood, L. H.,
Farrell,	Mallery,	Taylor,	Woodring,
Frazier,	Rahauser,	Tyler,	

NAYS—14.

Becker,	DiSilvestro,	Klein,	Stiefel,
Blass,	Geltz,	Lane,	Tarr,
Carr,	Holland,	Leader,	Wilson,
Dent.	Jaspan,		

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence,

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 296, as follows:

An Act relating to the incidents of legal and equitable interests in real and personal property including the validity thereof the powers rights and duties of persons with respect thereto and the disposition of interests which fail and containing provisions concerning termination of trusts releases and disclaimers of powers and interests perpetuities accumulations charitable estates rights of a surviving spouse in property as to which the decedent has retained certain powers spendthrift trusts limited estates in property rules of interpretation estates pur auter vie estates in fee tail and the Rule in Shelley's Case

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The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Definitions The following words and phrases when used in this act unless the context clearly indicates otherwise shall have the meanings ascribed to them in this section

(1) "Charity" or "charitable purposes" includes but is not limited to the relief of poverty the advancement of education the advancement of religion the promotion of health governmental or municipal purposes and other purposes the accomplishment of which is beneficial to the community

(2) "Conveyance" means an act by which it is intended to create an interest in real or personal property whether the act is intended to have inter vivos or testamentary operation

(3) "Trust" means any testamentary trust or trust inter vivos

Section 2 Termination of Trusts

(a) Failure of Original Purpose The court having jurisdiction of a trust regardless of any spendthrift or similar provision therein in its discretion may terminate such trust in whole or in part or make an allowance from principal to a conveyor his spouse issue parents or any of them who is an income beneficiary provided the court after hearing is satisfied that the original purpose of the conveyor cannot be carried out or is impractical of fulfillment and that the termination partial termination or allowance more nearly approximates the intention of the conveyor and notice is given to all parties in interest or to their duly appointed fiduciaries But distributions of principal under this section whether by termination partial termination or allowance shall not exceed an aggregate value of twenty-five thousand dollars from all trusts created by the same conveyor

(d) Distribution of Terminated Trust Whenever the court shall decree termination or partial termination of a trust under the provisions of this section it shall thereupon order such distribution of the principal and undistributed income as it deems proper and as nearly as possible in conformity with the conveyor's intention

(c) Other Powers Nothing in this section shall limit any power of the court to terminate or reform a trust under existing law

Section 3 Release or Disclaimer of Powers or Interests

(a) Powers and Interests Releasable Any power of appointment or power of consumption whether general or special other than a power in trust which is imperative and any interest in to or over real or personal property held or owned outright or in trust or in any other manner which is reserved or given to any person by deed will or otherwise and irrespective of any limitation of such power or interest by virtue of any restriction in the nature of a so-called spendthrift trust provision or similar provision may be released or disclaimed either with or without consideration by written instrument signed by the person possessing the power or the interest and delivered as hereinafter provided but nothing in this section shall authorize an income beneficiary of a spendthrift trust to release or disclaim his right to such income

(b) Form of Release or Disclaimer A power or interest which is releasable or disclaimable may be released or disclaimed either absolutely or conditionally and may also be released or disclaimed with respect to the whole or any part of the property subject to such power or interest and may also be released or disclaimed in such manner as to reduce or limit the persons or objects or classes of persons or objects in whose favor such power or interest would otherwise be exercisable No release or disclaimer of a power or of an interest shall be deemed to make imperative a power or interest which was not imperative prior to such release or disclaimer unless the instrument of release or disclaimer expressly so provides

(c) Delivery of Release or Disclaimer Such release or disclaimer may be delivered to any one of the following

(1) Any person specified for such purpose in the instrument creating the power or interest

(2) Any trustee of the property to which the power or interest relates

(3) The clerk of the court having jurisdiction of the trust for filing in said court

(4) The recorder of deeds for recording in the county in which the person possessing the power or interest resides or in which the deed will or other instrument creating the power or interest is recorded or filed

(d) Grantee or Lienholder A release or disclaimer shall be void as against a bona fide grantee of or holder of a lien on real estate in any county unless the release or disclaimer or a duplicate original or certified copy thereof is recorded in the county where the real estate lies before the recording or entering of the instrument or lien under which such grantee or lien-holder claims

(e) Application of Section This section shall apply to releases and disclaimers heretofore and hereafter delivered but shall not invalidate any release or disclaimer delivered pursuant to the law in effect prior to the effective date of this act

Section 4 Rule Against Perpetuities

(a) General No interest shall be void as a perpetuity except as herein provided

(b) Void Interest Exceptions Upon the expiration of the period allowed by the common law rule against perpetuities as measured by actual rather than possible events any interest not then vested and any interest in members of a class the membership of which is then subject to increase shall be void This subsection shall not apply to

(1) Interests exempt at Common Law Interests which would not have been subject to the common law rule against perpetuities

(2) Cemetery Trusts Interests which are directed to be used for the maintenance care or adornment of any cemetery churchyard or other place for the burial of the dead or any portion thereof or any grave therein or any improvement on or about the same and which are subject to no condition precedent at the end of the period described in subsection (b)

(3) Pension or Profit-Sharing Plans Interests created by a bona fide trust inter vivos primarily for the benefit of business employees their families or appointees under a stock bonus pension disability or death benefit profitsharing or other employee benefit plan

(4) Administrative Powers Powers which contribute to the effective management of trust assets including powers to sell mortgage or lease trust assets powers relating to investment of trust assets powers to determine what is principal and what is income and powers to name successor trustees

(c) Time for Beginning Period The period allowed by the common law rule against perpetuities under subsection (b) of this section shall be measured from the expiration of any time during which one person while living has the unrestricted power to transfer to himself the entire legal and beneficial interest in the property

Section 5 Rule Against Perpetuities Disposition When Invalidity occurs

(a) Valid Interests Following Void Interests A valid interest following a void interest in income shall be accelerated to the termination date of the last preceding valid interest

(b) Void Interests on Condition Subsequent or Special Limitation A void interest following a valid interest on condition subsequent or special limitation shall vest in the owner of such valid interest

(c) Other Void Interests Any other void interest shall vest in the person or persons entitled to the income at the expiration of the period described in Section 4(b)

Section 6 Income Accumulations When Valid No direction or authorization to accumulate income shall be valid except

(1) Judicious Management For the purpose of creating a temporary reserve of a reasonable amount for administration of the trust or periodic distributions in specified amounts or the needs of a beneficiary

(2) Lifetime of the Settlor For a period expressly measured by the lifetime of the settlor

(3) Minority During the minority of any beneficiary who if living at the age of twenty-one will be entitled to such accumulations and earnings thereon or to the entire income from such accumulations and earnings thereon and a direction or authorization to accumulate income until a person reaches a designated age over twenty-one and thereafter to pay to such person if living such accumulations and earnings thereon or the entire income from such accumulations and earnings thereon shall be valid during minority and shall take effect as though twenty-one had been the designated age

(4) Incompetency For the exclusive benefit of a person who in the opinion of the trustee is incompetent to receive or judiciously use the income

(5) Charity For any charitable purpose or purposes

(6) Pension or Profit-Sharing Plans In a bona fide trust inter vivos primarily for the benefit of business employees their families or appointees under a stock bonus pension disability or death benefit profitsharing or other employee benefit plan

(7) Insurance Premiums In a trust consisting of or including a policy or polices of insurance a direction or authorization that the dividends on such policies may be applied in whole or in part for the payment of premiums on such policy or policies

(8) Apportionment Between Principal and Income The following directions or authorizations shall be valid

a To apply to principal in whole or in part extraordinary dividends regardless of the form in which they are paid and rights to subscribe to stock

b To amortize from income premiums paid for investments which are callable or have a fixed maturity

c To amortize from income the waste represented by the return from a wasting asset or dividends from a wasting asset corporation

d To pay carrying charges on unproductive or underproductive property from income

e To apply to principal in whole or in part the proceeds of the conversion of unproductive or under-productive property

Section 7 Disposition of Valid Income Accumulations

(a) During Lifetime of Settlor Except as may be otherwise directed or authorized in the conveyance accumulations during a period measured by the lifetime of the settlor shall be added to and form a part of the principal from which they originated

(b) During Minority Except as may be otherwise directed or authorized in the conveyance accumulations during the minority of a beneficiary shall be added to any principal from which the beneficiary is to receive the income Notwithstanding any direction or authorization to accumulate income during the minority of a beneficiary it shall be lawful for the court where other means for his maintenance and education shall be insufficient to make an adequate allowance from income for such purpose

(c) During Incompetency Notwithstanding any direction or authorization to accumulate income for the benefit of an incompetent person it shall be lawful for the court where other means for such incompetent's maintenance shall be insufficient to make an adequate allowance from income for such purpose

(d) Upon Competency or Death Accumulations during the incompetency of a person shall be distributed to him when he shall become competent or to his personal repsentative at his death

Section 8 Disposition of Invalid Income Accumulations

(a) Unlawful Authorization Any income authorized but not directed to be accumulated unlawfully shall be distributed as if no such accumulation had been authorized

(b) Unlawful Direction Any income directed to be accumulated unlawfully shall be distributed in the absence of a valid alternative direction in the following order of preference

(1) To the person or persons if any who are entitled to the immediate enjoyment of the income from which such accumulations were directed

(2) To the person or persons if any who would be entitled to the accumulations if the time fixed by the con-

veyance for the payment of the accumulations were accelerated to the time of the accrual of the income

(3) To the person or proportionately to the persons if any who when the income accrues are entitled to other income from the same trust

(4) To the person or persons if any entitled under the residuary clause of the conveyance

(5) To the person or persons entitled to property undisposed of by the conveyance

Section 9 Combination of Charitable Trusts Whenever two or more trusts heretofore have been or hereafter shall be created for substantially the same charitable purposes and the court having jurisdiction over any such trust upon the application of any party in interest shall find that they can be more effectively administered if they are combined the court in its discretion after such notice as the court shall direct may combine them in the manner and to the extent that the court shall approve but not so as to violate any express provision to the contrary in any conveyance creating any of the trusts so combined

Section 10 Administration of Charitable Estates Except as otherwise provided by the conveyor if the charitable purpose for which an interest shall be conveyed shall be or become indefinite or impossible or impractical of fulfilment or if it shall not have been carried out for want of a trustee or because of the failure of a trustee to designate such purpose the court may on application of the trustee or of any interested person or of the attorney general of the Commonwealth after proof of notice to the attorney general of the Commonwealth when he is not the petitioner order an administration or distribution of the estate for a charitable purpose in a manner as nearly as possible to fulfill the intention of the conveyor whether his charitable intent be general or specific

Section 11 Powers of Appointment Rights of Surviving Spouse A conveyance of assets by a person who retains a power of appointment by will or a power of revocation or consumption over the principal thereof shall at the election of his surviving spouse be treated as a testamentary disposition so far as the surviving spouse is concerned to the extent to which the power has been reserved but the right of the surviving spouse shall be subject to the rights of any income beneficiary whose interest in income becomes vested in enjoyment prior to the death of the conveyor

Section 12 Spendthrift Trusts Income of a trust subject to spendthrift or similar provisions shall nevertheless be liable for the support of anyone whom the income beneficiary shall be under a legal duty to support

Section 13 Limited Estates in Personalty and in the Proceeds of the Conversion of Real Estate A person having a present interest in personal property or in the proceeds of the conversion of real estate which is not in trust and which is subject to a future interest shall be deemed to be a trustee of such property and not a debtor to the remainderman with the ordinary powers and duties of a trustee except that he shall not be required to change the form of the investment to an investment authorized for Pennsylvania fiduciaries nor shall he be entitled to compensation as trustee Such person unless given a power of consumption or excused from entering security by the terms of the conveyance shall be required to enter such security for the protection of persons entitled to the future interests as the court in its discretion shall direct If a person having a present interest shall not enter security as directed the court shall appoint a trustee who shall enter such security as the court shall direct and who shall exercise all the ordinary powers and duties of a trustee except that he shall not be required to change the form of the investment to an investment authorized for Pennsylvania fiduciaries

Section 14 Rules of Interpretation In the absence of a contrary intent appearing therein conveyances shall be construed as to real and person estate in accordance with the following rules

(1) Meaning of "Heirs" and "Next of Kin" etc Time of Ascertaining Class A conveyance of real or personal property whether directly or in trust to the conveyor's or another designated person's "heirs" or "next of kin" or "relatives" or family or to "the persons thereunto entitled under the intestate laws" or to persons described by words of similar import shall mean those persons including the spouse who would take under the intestate laws if such conveyor or other designated person were to die intestate at the time when such class is to be ascertained a resident of the Commonwealth and owning the property so conveyed provided that the share of a spouse other than the spouse the conveyor shall not include the ten thousand dollar allowance under the intestate laws The time when such class is to be ascertained shall be when the conveyance to the class is to take effect in enjoyment

(2) Meaning of "Die Without Issue" and Similar Phrases In any conveyance of real or personal estate the words "die without issue" "die without leaving issue" "have no issue" or other words importing either a want or failure of issue of any person in his lifetime or at the time of his death or an indefinite failure of his issue shall be construed to mean a want or failure of issue in his lifetime or at his death and not an indefinite failure of his issue

(3) Adopted Children In construing a conveyance to a person or persons described by relationship to the conveyor or to another any person adopted before the effective date of the conveyance shall be considered the child of his adopting parent or parents and not the child of his natural parents provided that if a natural parent shall have married the adopting parent before the effective date of the conveyance the adopted person shall also be considered the child of such natural parent

(4) Illegitimates In construing a conveyance to a person or persons described by relationship to the conveyor or to another an illegitimate person shall be considered the child of his mother and not of his father provided that when the parents of a person born illegitimate shall have married each other he shall thereafter be considered legitimate

Section 15 Estates Pur Auter Vie An interest conveyed to a person for the life of another whether or not such conveyance is to him and his heirs shall on his death before expiration of the interest be considered as personal property forming a part of his estate and shall be subject to distribution in like manner as a lease for a term of years

Section 16 Estates in Fee Tail Abolished Whenever by any conveyance an estate in fee tail would be created according to the common law of the Commonwealth it shall pass an estate in fee simple and as such shall be inheritable and freely alienable

Section 17 Rule in Shelley's Case The rule in Shelley's case and its corollaries shall not be applied and a conveyance directly or in trust which shall express an intent to create an estate for life with remainder to the life tenant's heirs or the heirs of his body or his issue or his next of kin or persons described by words of similar import shall not operate to give such life tenant an estate in fee in real estate or an absolute estate in personalty

Section 18 Severability If any provision of this act or the application thereof to any person or circumstances is held invalid the remainder of this act and the application of such provision to other persons or circumstances shall not be affected thereby and to this end the provisions of this act are declared to be severable

Section 19 Short Title This act shall be known and may be cited as the Estates Act of 1947

Section 20 Repealer The following acts and parts of acts and all amendments of each are hereby repealed as respectively indicated but so far only as relates to conveyances effective on or after the first day of January one thousand nine hundred forty-eight

(1) Section 9 of the act aproved the eighteenth day of April one thousand eight hundred fifty-three (P. L. 503) entitled "An act relating to the sale and conveyance of real estate" absolutely

(2) Section 10 of the act approved the twenty-sixth

day of April one thousand eight hundred fifty-five (P. L. 328) entitled "An act relating to corporations and to estates held for corporate religious and charitable uses" absolutely

(3) The act approved the twenty-sixth day of May one thousand eight hundred seventy-six (P. L. 211) entitled "An act relating to trusts created for benevolent purposes" absolutely

(4) The act approved the seventh day of July one thousand eight hundred eighty-five (P. L. 259) entitled "An act relating to the disposition of property of decedents on failure of testamentary devises" absolutely

(5) The act approved the ninth day of May one thousand eight hundred eighty-nine (P. L. 173) entitled "An act relating to estates held for religious and charitable uses" absolutely

(6) The act approved the twenty-sixth day of May one thousand eight hundred ninety-one (P. L. 119) entitled "An act legalizing dispositions in perpetuity for the care of burial places" absolutely

(7) The act approved the ninth day of July one thousand eight hundred ninety-seven (P. L. 213) entitled "An act declaring the construction of words in a deed will or other instrument importing a failure of issue" absolutely

(8) Section 23 of the act approved the seventh day of June one thousand nine hundred seventeen (P. L. 447) entitled "An act relating to the administration and distribution of the estates of decedents and of minors and of trust estates including the appointment bonds rights powers duties liabilities accounts discharge and removal of executors administrators guardians and trustees herein designated as fiduciaries the administration and distribution of the estates of presumed decedents widow's and children's exemptions debts of decedents rents of real estate as assets for payment thereof the lien thereof sales and mortgages of real estate for the payment thereof judgments and executions therefor and the discharge of real estate from the lien thereof contracts of decedents for the sale or purchase of real estate legacies including legacies charged on land the discharge of residuary estates and to real estate from the lien of legacies and other charges the appraisement of real estate devised at a valuation the ascertainment of the curtilage of dwelling houses or other buildings devised the abatement and survival of actions and the substitution of executors and administrators therein the survival of causes of action and suits thereupon by or against fiduciaries investments by fiduciaries the organization of corporations to carry on the business of decedents the audit and review of accounts of fiduciaries refunding bonds transcripts to the court of common pleas of balances due by fiduciaries the rights powers and liabilities of nonresident and foreign fiduciaries the appointment bonds rights powers duties and liabilities of trustees durante absentia the recording and registration of decrees reports and other proceedings and the fees therefor appeals in certain cases and also generally dealing with the jurisdiction powers and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents" absolutely

(9) The act approved the twenty-ninth day of June one thousand nine hundred twenty-three (P. L. 914) entitled "An act declaring the construction to be given deeds wills and other instruments in writing in which real and personal property is donated granted devised or bequeathed either directly or in trust for the benefit of one or more persons for years or for life or upon condition with remainder over to the heirs or next of kin or to the persons thereunto entitled under the intestate laws or other similar or equivalent phrase" absolutely

(10) The act approved the fourth day of May one thousand nine hundred thirty-three (P. L. 271) entitled "An act relating to trusts for charitable or benevolent purposes and providing for the combining of the same under certain conditions" absolutely

(11) The act approved the fifteenth day of July one thousand nine hundred thirty-five (P. L. 1013) entitled "An act to limit the operation of the rule in Shelley's case by providing that certain grants and devises in trust or otherwise shall be construed not to create estates in fee" absolutely

(12) The act approved the twenty-fifth day of May one thousand nine hundred thirty-nine (P. L. 201) entitled "An act declaring valid provisions in wills and trusts instruments directing that certain dividends upon and profits realized from corporate stock be treated in whole or in part either as principal or income and repealing inconsistent legislation" absolutely

(13) The act approved the twenty-eighth day of May one stousand nine hundred forty-three (P. L. 797) entitled "An act relating to the release reduction or limitation of powers of appointment" absolutely

(14) All other acts and parts of acts inconsistent herewith are hereby repealed

Section 21 Effective Date This act shall take effect on the first day of January one thousand nine hundred forty-eight and except as set forth in section 3 hereof shall apply only to conveyenaces effective on or after that day As to conveyances effective before that day the existing laws shall remain in full force and effect

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. WALKER. Mr. President, before the roll is called on these bills, I would like to say just one word, not perhaps in defense of the bills, because they have been very thoroughly studied by the members of the Senate, but in appreciation of the advisory committee which worked in the preparation of these bills since July of 1945.

Under a Senate Resolution the Joint State Government Commission was authorized to make this study and present these bills to this present session of the Legislature. In order to have the best thinking possible which was available in Pennsylvania, the Joint State Government Commission invited various private citizens throughout the Commonwealth to serve on the advisory committee and give their best thought to the committee as to how these bills should be properly drafted and what phraseology should be used, taking into consideration the original code of 1874, the revised code of 1917 and the various decisions of our appellate courts since that time.

The members of this advisory committee, thirty-two in number, were selected on recommendations of various members of the Joint State Government Commission. They served without pay, they served loyally and they have made a valuable contribution to the welfare of the Commonwealth. It has been a rich experience to have the opportunity of sitting in on these meetings and listening to these distinguished and learned citizens of the Commonwealth give unstintingly of their tme, of their experience and their knowledge, and as these bills come before the Senate for final passage, I would like to read into the record the names of the distinguished citizens of this Commonwealth who made this contribution to the betterment of a very important part of the judicial procedure of the Commonwealth. There were a number of judges who served:

Honorable W. Walter Braham, President Judge of the Orphans' Court of Lawrence County

Honorable Ethan A. Gearhart, President Judge of the Orphans' Court of Lehigh County

Honorable Andrew Hourigan, President Judge of the Orphans' Court of Luzerne County
Honorable David G. Hunter, Judge of the Orphans' Court of Philadelphia County
Honorable Frederick A. Marx, President Judge of the Orphans' Court of Berks County
Honorable Karl E. Richards, President Judge of the Orphans' Court of Dauphin County
Honorable Thomas P. Trimble, President Judge of the Orphans' Court of Allegheny County
Honorable A. Kirk Wrenshall, President Judge of the Orphans' Court of Washington County
Honorable J. Colvin Wright, President Judge of the Common Pleas Court of Bedford County

In addition to these distinguished jurists, who have had years of experience in handling Orphans' Court practice, some of the finest legal minds in the Commonwealth also attended as members of this advisory committee and contributed to these bills. These men were:

Robert Brigham, Esquire, Philadelphia
Shippen Lewis, Esquire, Philadelphia
Robert W. Archbald, Jr., Esquire, Philadelphia
Paul Bedford, Esquire, Wilkes-Barre
Lieutenant Governor John C. Bell, Philadelphia
William Eckert, Esquire, Pittsburgh
Roland Fleer, Esquire, Norristown
W. Pitt Gifford, Esquire, Erie
A. J. White Hutton, Esquire, Chambersburg
Mark E. Lefever, Esquire, Philadelphia
William W. Litke, Esquire, Bellefonte
Alan S. Loose, Esquire, Mauch Chunk
J. Paul MacElree, Esquire, West Chester
Richard G. Miller, Esquire, Washington
Ralph D. McKee, Esquire, Pittsburgh
Raymond M. Remick, Esquire, Philadelphia
William Robinson, Esquire, Pittsburgh
Arthur Scully, Esquire, Pittsburgh
C. L. Shaver, Esquire, Somerset
Boyd Lee Spahr, Esquire, Philadelphia
Thomas Stokes, Esquire, Philadelphia
Paul C. Wagner, Esquire, Philadelphia
Adolph L. Zeman, Esquire, Washington

Mr. President, the Commonwealth of Pennsylvania owes these distinguished citizens a vote of thanks for a very meritorious job well done. The talent combined in the names that I have just placed on the record could not be hired; it is not within the realm of the Joint State Government Commission to attempt to employ for compensation the ability that is represented in the names that I have just placed upon this record. They have made a valuable contribution to the Commonwealth, and I think we should be deeply appreciative of the fact that they have done so. They not only have completed the first three bills before us, but this committee has agreed to serve during the next interim session so that there can be presented to the 1949 session of the Legislature a completion of the decedents code.

The members of the Joint State Government Commission appreciate the contribution which these citizens have made and, Mr. President, I know every member of the Senate will be proud of the record that these men have made and of the bills that are now before us.

And the question recurring,

Will the Senate agree to the bill on third reading?

It was agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	Farrell,	Letzler,	Tarr,
Becker,	Frazier,	Lord,	Taylor,
Berger,	Geltz,	Mahany,	Tyler,
Blass,	Haluska,	Mallery,	Wade,
Carr,	Hare,	Rahauser,	Wagner,
Chapman,	Heyburn,	Rosenfeld,	Walker,
Crider,	Holland,	Ruth,	Watson,
Crowe,	Homsher,	Scarlett,	Wilson,
Dent,	Jaspan,	Snowden,	Wolfe,
DiSilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,
Donlan,	Leader,	Tallman,	Woodring,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 297, as follows:

An Act relating to the descent of the real and personal estates of persons dying intestate and the procedure in reference thereto

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The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Intestate Descent The real and personal estate of a decedent whether male or female subject to payment of debts and charges and not disposed of by will or otherwise shall descend as hereinafter provided

Section 2 Share of Surviving Spouse The surviving spouse shall be entitled to the following share or shares

(1) More Than One Child One-third if the decedent is survived by more than one child or by one or more children and the issue of a deceased child or children or by the issue of more than one deceased child or

(2) One Child One-half if the decedent is survived by one child only or by no child but by the issue of one deceased child or

(3) No Issue The first ten thousand dollars in value and one-half of the balance of the estate if the decedent is survived by no issue or

(4) No Issue or Other Designated Person All of the estate if the decedent is survived by no issue parent brother sister child of a brother or sister grandparent uncle or aunt

Section 3 Shares of Others Than Surviving Spouse The share of the estate if any to which the surviving spouse is not entitled and the entire estate if there is no surviving spouse shall descend in the following order

(1) Issue To the issue of the decedent

(2) Parents If no issue survives the decedent then to the parents or parent of the decedent

(3) Brothers Sisters or Their Issue If no parent survives the decedent then to the issue of each of the decedent's parents

(4) Grandparents If no issue of either of the decedent's parents but at least one grandparent survives the decedent then half to the paternal grandparents or grandparent or if both are dead to the children of each of them and the children of the deceased children of each of them and half to the maternal grandparents or grandparent or if both are dead to the children of each of them and the children of the deceased children of each of them If both of the paternal grandparents or both of the maternal grandparents are dead leaving no child or grandchild to survive the decedent the half which would have passed to them or to their children and grandchildren shall be added to the half passing to the grandparents or grandparent on the other side

(5) Uncles Aunts and Their Children If no grandparent survives the decedent then to the uncles and aunts and the children of deceased uncles and aunts of the decedent

(6) Commonwealth In default of all persons hereinbefore described then to the Commonwealth of Pennsylvania

Section 4 Rules of Descent The provisions of this act shall be applied to both real and personal estate in accordance with the following rules

(1) Taking in Different Degrees The shares descending under this act to the issue of the decedent to the issue of his parents or grandparents or to his uncles or aunts or to their children shall descend to them as follows The part of the estate descending to any such persons shall be divided into as many equal shares as there shall be persons in the nearest degree of consanguinity to the decedent living and taking shares therein and persons in that degree who have died before the decednt and have left issue to survive him who take shares therein One equal share shall descend to each such living person in the nearest degree and one equal share shall descend by representation to the issue of each such deceased person except that no issue of a child of an uncle or aunt of the decedent shall be entitled to any share of the estate

(2) Whole and Half Blood Persons taking under this act shall take without distinction between those of the whole and those of the half blood

(3) After-Born Persons Time of Determining Relationships Persons begotten before the decedent's death but born thereafter shall take as if they had been born in his lifetime

(4) Source of Ownership Real estate shall descend under this act without regard to the ancestor or other relation from whom it has come

(5) Quantity of Estate Any person taking real or personel estate under this act shall take such interest as the decedent had therein

(6) Tenancy in Estate When real or personal estate or shares therein shall descend to two or more persons they shall take it as tenants in common except that if it shall descend to a husband and wife they shall take it as tenants by the entireties

(7) Alienage Real and personal estate shall descend without regard to whether the decedent or any person otherwise entitled to take under this act is or has been an alien

(8) Person Related to Decedent Through Two Lines A person related to the decedent through two lines of relationship shall take one share only which shall be the larger share

Section 5 Spouse's Rights

(a) Widow The shares of the estate to which the widow is entitled shall be in lieu and full satisfaction of her dower at common law so far as relates to real estate of which the husband dies seised and her share in real estate aliened by the husband in his lifetime without her joining in the conveyance shall be the same as her share in real estate of which the husband dies seized The widow shall receive the same share in a future estate owned by the husband as in an estate of which he dies seised although the particular estate shall not terminate before the death of the husband

(b) Surviving Husband The shares of the estate to which the surviving husband is entitled shall be in lieu and full satisfaction of his curtesy at common law The surviving husband shall receive the same share in a future estate owned by the wife as in an estate of which she dies seised although the particular estate shall not terminate before the death of the wife

Section 6 Forfeiture

(a) Husband's Share A husband who for one year or upwards previous to the death of his wife shall have wilfully neglected or refused to provide for her or who for that period or upwards shall have wilfully and maliciously destered her shall have no title or interest under this act in her real or her personal estate

(b) Wife's Share A wife who for one year or upwards previous to the death of her husband shall have wilfully and maliciously deserted him shall have no title or interest under this act in his real or personal estate

(c) Slayer's Share Any person who participates either as a principal or as an accessory before the fact in the wilful and unlawful killing of any person shall not in any way acquire property or receive any benefits as the result

of such killing but such property or benefits shall be distributed as provided by law

(d) Surviving Spouse as Witness The surviving husband or wife shall be a competent witness as to all matters pertinent to the issue of forfeiture under this section

Section 7 Illegitimates

(a) Child of Mother For purposes of descent by from and through an illegitimate he shall be considered the child of his mother but not of his father

(b) Marriage of Parents When the parents of a person born illegitimate shall have married each other he shall be legitimated for purposes of descent by from and through him as if he had been born during the wedlock of his parents

Section 8 Adopted Person For purposes of descent by from and through an adopted person he shall be considered the issue of his adopting parent or parents and not the issue of his natural parents Provided That if a natural parent shall have married the adopting parent the adopted person for purposes of descent by from and through him shall also be considered the issue of such natural parent

Section 9 Advancements

(a) In General If any person other than the surviving spouse taking real or personal estate from the decedent shall have received any estate by settlement or advancement of the decedent in either real or personal estate the value of such settlement or advancement shall be charged against the share of the person who shall have received it so that the total share received by him including the value of such settlement or advancement shall not exceed the share received by each of the other persons who take equally from the decedent

(b) Valuation The settlement or advancement shall be considered as of its value when the advancee came into enjoyment of it or at the death of the decedent which ever occurred first

Section 10 Spouse's Allowances Procedure

(a) Right of Selection Subject to the rights of creditors and to existing liens the surviving spouse or his successor in interest shall have the right to claim all or part of his ten thousand dollar allowance out of real estate of the decedent

(b) From Real Estate If the allowance is to be set apart in whole or in part out of real estate the appraisement of the real estate shall be made by two appraisers who shall be appointed by the orphans' court The orphans' court of the county where letters testamentary or of administration have been granted or should no letters have granted then of the county within which was the family of principal residence of the decedent shall have jurisdiction concerning the allowance whether the real estate is situate in that county or in any other county of the Commonwealth If the decedent was a non-resident of the Commonwealth then the appraisers shall be appointed by the orphans' court of any county wherein any real estate of the decedent shall lie and that court shall thereupon have jurisdiction concerning the allowance with respect to all of the real estate of the decedent within the Commonwealth When real estate is located outside of the county of original jurisdiction the orphans' court of the county of original jurisdiction may in its discretion direct that an application for the appointment of appraisers shall me made to the orphans' court of the county in which the real estate is located to fix the value of such real estate The appraisers so appointed shall fix the value of the real estate as of the date the claim is presented in court and shall receive such compensation as shall be allowed by the court appointing them Exceptions to appraisements wherever made shall be filed with the court of original jurisdiction which may in its discretion refer the exceptions to the orphans' court of the county in which the real estate is located Upon compliance with such requirements of notice as the court shall prescribe the court of original jurisdiction may confirm such appraisement and set apart such real estate to the surviving spouse

(e) Real Estate Valued at More Than the Amount Claimed Whenever the real estate of the decedent cannot be divided so as to set apart the amount claimed in value without prejudice to or spoiling the whole or any parcel of it and the appraisers shall value such real estate or parcel thereof at any sum exceeding the amount claimed it shall be lawful for the orphans' court of original jurisdiction to confirm the appraisement and to set apart such real estate or parcel thereof for the use of the surviving spouse conditioned however that the surviving spouse shall pay the amount of the valuation in excess of the amount claimed without interest within six months from the date of confirmation of the appraisement If the surviving spouse shall refuse to take the real estate or parcel thereof at the appraisement or shall fail to make payment as provided above the court on application of any person interested shall direct the executor or administrator or a trustee appointed by the court to sell the same and the procedure in such case shall be the same as is provided by law in cases of sales of real estate for the payment of debts of a decedent

(d) Payment of Surplus The real estate if taken by the surviving spouse shall vest in him upon his paying the surplus above so much of the allowance as shall be claimed out of the real estate to the parties entitled thereto or to the personal representatives of the decedent as the court in its discretion shall direct If the real estate is sold so much of the allowance as shall be claimed out of it shall be paid out of the purchase money to the surviving spouse and the balance after payment of costs shall be distributed to the parties entitled thereto or to the personal representatives of the decedent as the court in its discretion shall direct

(e) Income When the spouse's allowance does not exhaust the entire real and personal estate the income therefrom shall be equitably prorated between the surviving spouse and the others taking the estate

(f) Recording and Registering Decrees A certified copy of every decree confirming an appraisement of real estate and setting it apart to the surviving spouse shall be recorded in the deed book in the office of the recorder of deeds of each county where the real estate shall lie shall be indexed by the recorder in the grantor's index under the name of the decedent and in the grantee's index under the name of the surviving spouse and shall be registered in the survey bureau or with the proper authorities empowered to keep a register of real estate in the county Provided That no decree conditioned upon payment of any surplus by the surviving spouse shall be recorded or registered unless there is offered for recording concurrently therewith written evidence of the payment of such surplus

(g) Other Remedies The surviving spouse may also collect the allowance out of real and personal estate together with income thereon in the manner provided by law for the collection of legacies

(h) Costs and Expenses All costs appraisers' fees and expenses of recording and registering incurred in claiming the allowance shall be part of the general administration expenses of the estate

Section 11 Procedure to Establish Title to Real Estate When Spouse Claims Entire Estate The surviving spouse or his successors in interest claiming the entire estate under this act may after the expiration of one year from the death of the decedent present a petition to establish title to real estate in the orphans' court of the county where letters testamentary or of administration have been granted or should no letters have been granted then of the county within which was the family or principal residence of the decedent setting forth that the decedent died leaving no known heirs other than the surviving spouse entitled to take under the provisions of this act and seised of real estate which by virtue of this act has vested in the surviving spouse If the decedent was a non-resident of the Commonwealth the petition may be presented in the orphans' court of any county wherein any real estate of the decedent shall lie and such court shall

thereupon have jurisdiction of proceedings under this section with respect to all of the real estate of the decedent within the Commonwealth The court being satisfied concerning the facts set forth in the petition aided if necessary by the report of a master may enter its decree nisi adjudging that the title to such real estate is in the surviving spouse or his successor in interest Notice of the decree nisi shall be published for such length of time and in such manner as the court shall direct If within six months from the last publication of such notice exceptions shall be filed with the court alleging the existence of other heirs entitled to interests in the real estate the court after hearing thereon and upon evidence satisfactory to it aided if necessary by the report of a master shall vacate the decree nisi or confirm it absolutely If no exceptions are filed the decree shall be confirmed absolutely A certified copy of the decree shall be recorded in the deed book in the office of the recorder of deeds of each county where real estate of the decedent shall lie shall be indexed by the recorder in the grantor's index under the name of the decedent and in the grantee's index under the name of the surviving spouse and shall be registered in the survey bureau or with the proper authorities empowered to keep a register of real estate in the county

Section 12 Property Distributable to the Commonwealth All of the real and personal estate of the decedent to which the Commonwealth shall be entitled under this act shall be sold by the executor or administrator after notice to the Attorney General The proceeds of sale shall be accounted for by the executor or administrator to the court having jurisdiction of the estate and the net amount remaining for distribution shall be paid by him through the Department of Revenue into the State Treasury as in the case of unclaimed funds in the hands of fiduciaries Sales of real estate under this section shall be made in the manner and form prescribed for sales of real estate by the act approved the seventh day of June one thousand nine hundred seventeen (P. L. 383) known as the Revised Price Act as now or hereafter amended or recodified

Section 13 Limitations of Claims

(a) Shares Not Claimed Within Seven Years Any person entitled under this act to a share of the estate of the decedent must make legal claim to his share of the personal estate within seven years of the death of the decedent or be debarred from claiming such share thereof as shall have been distributed pursuant to adjudication or decree Provided That if any such person shall be a minor at the death of the decedent the seven year period shall commence to run upon his attaining majority

(b) Pleading Limitation The bar of this section may be pleaded by any person interested in the estate including the Commonwealth but it may not be pleaded by a personal representative of the decedent to enable him to retain any part of the decedent's estate to which he is not legally entitled

Section 14 Personal Estate of Non-resident Nothing contained in this act with respect to a distribution of personal estate shall extend to the estate of a decedent whose domicile at his death is out of the Commonwealth

Section 15 Short Title This act shall be known and may be cited as the Intestate Act of 1947

Section 16 Repealer This act is intended as an entire and complete system regulating the descent of the real and personal estates of persons dying wholly or partially intestate on or after the first day of January one thousand nine hundred forty-eight The following acts and parts of acts and all amendments of each are hereby repealed as respectively indicated but so far only as relates to the real and personal estates of persons dying intestate on or after the first day of January one thousand nine hundred forty-eight

(1) The act approved the twenty-third day of February one thousand seven hundred ninety-one (three Smith's Laws four) entitled "A supplement to the act entitled 'An act to declare and regulate escheats'" in so far as it relates to inheritance

(2) The act approved the seventh day of June one thousand nine hundred seventeen (P. L. 429) entitled "An act relating to the descent and distribution of the real and personal property of persons dying intestate and to provide for the recording and registering of the decrees of the Orphans' Court in connection therewith and the fees therefor" absolutely

(3) The act approved the twenty-fourth day of April one thousand nine hundred thirty-one (P. L. 46) entitled "An act making the surviving spouse competent to testify in all cases where the right of such spouse to share in a deceased spouse's estate is disputed because of alleged desertion or non-support of the decedent whether decedent died testate or intestate" in so far as it relates to inheritance

(4) All other acts and parts of acts inconsistent herewith are hereby repealed

Section 17 Effective Date This act shall take effect on the first day of January one thousand nine hundred forty-eight and shall apply to the real and personal estates of all persons dying on or after that day The existing laws shall remain in full force and effect for the real and personal estates of all persons dying before that day

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48.

Barr,	Farrell,	Letzler,	Tarr,
Becker,	Frazier,	Lord,	Taylor,
Berger,	Geltz,	Mahany,	Tyler,
Blass,	Haluska,	Mallery,	Wade,
Carr,	Hare,	Rehauser,	Wagner,
Chapman,	Heyburn,	Rosenfeld,	Walker,
Crider,	Holland,	Ruth,	Watson,
Crowe,	Homsher	Scarlett,	Wilson,
Dent,	Jaspan,	Snowden,	Wolfe,
DiSilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,
Donlan,	Leader,	Tallman,	Woodring,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 298, as follows:

An Act relating to the form execution revocation operation and interpretation of wills to nuncupative wills to the appointment of testamentary guardians to elections to take under or against wills and the procedure in reference thereto

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The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Who May Make a Will

(a) Persons Twenty-one or Older Any person of sound mind twenty-one years of age or older may by will dispose of all his real and personal estate subject to payment of debts and charges

(b) Persons in Military Service and Mariners During any war in which the United States is engaged a person of sound mind eighteen years of age or older and being in the Armed Forces of the United States in active service at home or abroad or being a mariner on land or at sea may by will dispose of all his real and personal estate subject to payment of debts and charges and may thereafter revoke such will whether or not the United States is engaged in war and whether or not he is still in such service or is a mariner

Section 2 Form and Execution of a Will Every will except nuncupative wills but including wills of mariners and persons in the Armed Forces of the United States shall be in writing and shall be signed by the testator at the end thereof subject to the following rules and exceptions

(1) Words Following Signature The presence of any writing after the signature to a will whether written before or after its execution shall not invalidate that which precedes the signature

(2) Signature by Mark If the testator is unable to sign his name for any reason a will to which he makes his mark and to which his name is subscribed in his presence before or after he makes his mark shall be as valid as though he had signed his name thereto Provided He makes his mark in the presence of two witnesses who sign their names to the will in his presence

(3) Signature by Another If the testator is unable to sign his name or to make his mark for any reason a will to which his name is subscribed in his presence and by his express direction shall be as valid as though he had signed his name thereto Provided He declares the instrument to be his will in the presence of two witnesses who sign their names to it in his presence

Section 3 Nuncupative Wills

(a) When Permissible A nuncupative will may be made only by a person in imminent peril of death whether from illness or otherwise shall be valid only if the testator died as a result of the peril and must be declared to be his will by the testator before two disinterested witnesses reduced to writing by or under the direction of both of the witnesses within ten days after such declaration and submitted for probate within three months of the death of the testator

(b) Property Disposable A nuncupative will attempting to dispose of personal property of an aggregate value in excess of five hundred dollars or of real estate in any amount shall be wholly void

(c) Effect on Prior Will A nuncupative will shall neither revoke nor change an existing written will

Section 4 Witnesses No will shall be valid unless proved by the oaths or affirmations of two competent witnesses

Section 5 Revocation of a Will No will or codicil in writing or any part thereof can be revoked or altered otherwise than

(1) Will or Codicil By some other will or codicil in writing

(2) Other Writing By some other writing declaring the same executed and proved in the manner required of wills or

(3) Act to the Document By being burnt torn canceled obliterated or destroyed with the intent and for the purpose of revocation by the testator himself or by another person in his presence and by his express direction If such act is done by any person other than the testator the direction of the testator must be proved by the oaths or affirmations of two competent witnesses

Section 6 Revival of Revoked or Invalid Will If after the making of any will the testator shall execute a later will which expressly or by necessary implication revokes the earlier will the revocation of the later will shall not revive the earlier will unless the revocation is in writing and declares the intention of the testator to revive the earlier will or unless after such revocation the earlier will shall be re-executed Oral republication of itself shall be ineffective to revive a will

Section 7 Modification by Circumstances Wills shall be modified upon the occurrence of any of the following circumstances among others

(1) Death Within Thirty Days Religious and Charitable Gifts Any bequest or device for religious or charitable purposes included in a will or codicil executed within thirty days of the death of the testator shall be invalid

unless all who would benefit by its invalidity agree that it shall be valid The thirty-day period shall be so computed as to include the day on which the will or codicil is written and to exclude the day of death Unless the testator directs otherwise if such a will or codicil shall revoke or supersede a prior will or codicil executed at least thirty days before the testator's death and not theretofore revoked or superseded and the original of which can be produced in legible condition and if each instrument shall contain an identical gift for substantially the same religious or charitable purpose the gift in the later will or codicil shall be valid or if each instrument shall give for substantially the same religious or charitable purpose a cash legacy or a share of the residuary estate or a share of the same asset payable immediately or subject to identical prior estates and conditions the later gift shall be valid to the extent to which it shall not exceed the prior gift

(2) Divorce If the testator is divorced from the bonds of matrimony after making a will all provisions in the will in favor of his spouse so divorced shall be thereby revoked

(3) Marriage If the testator marries after making a will the surviving spouse shall receive the share of the estate to which he would have been entitled had the testator died intestate unless the will shall give him a greater share

(4) Birth or Adoption If the testator fails to provide in his will for his child born or adopted after making his will unless it appears from the will that the failure was intentional such child shall receive out of the testator's property not passing to a surviving spouse such share as he would have received if the testator had died unmarried and intestate owning only that portion of his estate not passing to a surviving spouse

(5) Slaying Any person who participates either as a principal or as an accessory before the fact in the wilful and unlawful killing of any person shall not in any way acquire property or receive any benefits as the result of the wilful and unlawful killing but such property or benefits shall be distributed as provided by law

Section 8 Change by Election of Surviving Spouse

(a) Right of Election When a married person dies testate as to any part of his estate the surviving spouse while living shall have a right of election under the limitations and conditions hereinafter stated

(b) Share of Estate The surviving spouse upon an election to take against the will shall be entitled to one-third of the real and personal estate of the testator if the testator is survived by more than one child or by one or more children and the issue of a deceased child or children or by the issue of more than one deceased child and in all other circumstances the surviving spouse shall be entitled to one-half of the real and personal estate of the testator

(c) Powers of Appointment The surviving spouse upon an election to take against the will shall not be entitled to any share in property passing under a power of appointment given by someone other than the testator and exercised by the will of the testator whether or not such power has been exercised in favor of the surviving spouse and whether or not the appointed and the individual estates have been blended

Section 9 Forfeiture of Right of Election

(a) By Husband A husband who for one year or upwards previous to the death of his wife shall have wilfully neglected or refused to provide for her or who for that period or upwards shall have wilfully and maliciously deserted her shall have no right of election

(b) By Wife A wife who for one year or upwards previou to the death of her husband shall have wilfully and maliciously deserted him shall have no right of election

(c) Slayer Any surviving spouse who participates either as a principal or as an accessory before the fact in the wilful and unlawful killing of the testator shall have no right of election

(d) Surviving Spouse as Witness The surviving husband or wife shall be a competent witness as to all matters pertinent to the issue of forfeiture under this section

Section 10 How Election Made The surviving spouse electing to take under or against the will shall manifest the election in writing signed by him and acknowledged before an officer authorized by law to take acknowledgments of deeds The election or a copy thereof shall be mailed or delivered to the personal representative of the testator or his attorney The election shall be filed in the office of the clerk of the orphans' court of the county where the will was probated and a record shall be made of such filing by the clerk When the estate includes real estate the election or a duplicate original or a certified copy thereof shall be recorded in the office of the recorder of deeds of each county in which any of the real estate of the testator lies and shall be indexed by the recorder in the grantors' index under the name of the testator and in the grantees' index under the name of the surviving spouse The costs of filing and recording the election shall be paid out of the estate as a part of the administration expenses

Section 11 Time for Making Election As between the surviving spouse and other legatees and devisees the spouse's election shall be in time if within one year after the probate of the will the surviving spouse shall (1) mail or deliver the election or a copy thereof to the personal representative of the testator or his attorney or (2) file it in the office of the clerk of the orphans' court and mail or deliver a copy to the personal representative or his attorney or (3) record such election or a duplicate original or certified copy thereof in the office of the recorder of deeds of any county in which real estate of the testator lies and mail or deliver a copy to the personal representative or his attorney The orphans' court on application of the surviving spouse made within one year after the probate of the will may extend the time for making the election for such period and upon such terms and conditions as the court shall deem proper under the circumstances A certified copy of the decree of the court extending the time for making the election may be recorded and indexed in the office of the recorder of deeds in any county in which any of the real estate of the testator lies in the manner provided in Section 10 hereof

Section 12 Failure to Make an Election

(a) Effect Except as provided in section 7(3) hereof failure to make an election in the manner and within the time limits set forth in Section 11 hereof shall be deemed an election to take under the will or an acquiescence in the provisions thereof No payment or distribution from the estate except the exemption allowed by law to the widow shall be required to be made to the surviving spouse within one year after the probate of the will unless his election to take under or acquiesce in the will shall have been made and filed as provided in Section 10 hereof

(b) Personal Right The right of election shall be personal to the surviving spouse and shall not be exercised after his death

Section 13 Grantee or Lineholder An election shall be void as against a bona fide grantee of or holder of a lien on real estate in any county unless (1) the election or a duplicate original or certified copy thereof is recorded in such county within one year after the probate of the will or if thereafter then before the recording or entering of the instrument or lien under which such grantee or lienholder claims or (2) a certified copy of the decree of the court extending the time for making the election has been recorded in such county within one year after the probate of the will or if thereafter then before the recording or entering of such instrument or lien and the election or a duplicate original or certified copy thereof has been recorded in such county within the time set by the court or if thereafter then before the recording or entering of such instrument or lien

Section 14 Rules of Interpretation In the absence of a contrary intent appearing therein wills shall be construed as to real and personal estate in accordance with the following rules

(1) Wills Construed As If Executed Immediately Before Death Every will shall be construed with reference

to the testator's real and personal estate to speak and take effect as if it had been executed immediately before the death of the testator

(2) After-Acquired Property The real and personal estate acquired by a testator after making his will shall pass by a general devise or bequest

(3) Devises of Real Estate All devises of real estate shall pass the whole estate of the testator in the premises devised although there be no words of inheritance or to perpetuity

(4) Meaning of "Heirs" and "Next of Kin" etc Time of Ascertaining Class A devise or bequest of real or personal estate whether directly or in trust to the testator's or another designated person's "heirs" or "next of kin" "relatives" or "family" or to "the persons thereunto entitled under the intestate laws" or to persons described by words of similar import shall mean those persons including the spouse who would take under the intestate laws if the testator or other designated person were to die intestate at the time when such class is to be ascertained a resident of the Commonwealth and owning the estate so devised or bequeathed Provided however That the share of a spouse other than the spouse of the testator shall not include the ten thousand dollar allowance under the intestate laws The time when such class is to be ascertained shall be the time when the devise or bequest is to take effect in enjoyment

(5) Meaning of "Die Without Issue" and Similar Phrases In any devise or bequest of real or personal estate the words "die without issue" "die without leaving issue" "have no issue" or other words importing either a want or failure of issue of any person in his lifetime or at the time of his death or an indefinite failure of his issue shall be construed to mean a want or failure of issue in his lifetime or at his death and not an indefinite failure of his issue

(6) Adopted Children In construing a will making a devise or bequest to a person or persons described by relationship to the testator or to another any person adopted before the death of the testator shall be considered the child of his adopting parent or parents and not the child of his natural parents Provided That if a natural parent shall have married the adopting parent before the testator's death the adopted person shall also be considered the child of such natural parent

(7) Illegitimates In construing a will making a devise or bequest to a person or persons described by relationship to the testator or to another an illegitimate person shall be considered the child of his mother and not of his father Provided That when the parents of a person born illegitimate shall have married each other he shall thereafter be considered legitimate

(8) Lapsed and Void Devises and Legacies Substitution of Issue A devise or bequest to a child or other issue of the testator or to his brother or sister or to a child of his brother or sister whether designated by name or as one of a class shall not lapse if the beneficiary shall fail to survive the testator and shall leave issue surviving the testator but shall pass to such surviving issue who shall take per stirpes the share which their deceased ancestor would have taken had he survived the testator provided that such a devise or bequest to a brother or sister or to the child of a brother or sister shall lapse to the extent to which it will pass to the testator's spouse or issue as a part of the residuary estate or under the intestate laws

(9) Lapsed and Void Devises and Legacies Shares Not in Residue A devise or bequest not being part of the residuary estate which shall fail or be void because the beneficiary fails to survive the testator or because it is contrary to law or otherwise incapable of taking effect or which has been revoked by the testator or is undisposed of or is released or disclaimed by the beneficiary if it shall not pass to the issue of the beneficiary under the provisions of clause (8) hereof and if the disposition thereof shall not be otherwise expressly provided for by law shall be included in the residuary devise or bequest if any contained in the will

(10) Lapsed and Void Devises and Legacies Shares in Residue When a devise or bequest as described in clause (9) hereof shall be included in a residuary clause of the will and shall not be available to the issue of the devisee or legatee under the provisions of clause (8) hereof and if the disposition shall not be otherwise expressly provided for by law it shall pass to the other residuary devisees or legatees if any there be in proportion to their respective shares or interests in the residue

(11) Lapsed and Void Devises and Legacies Adopted Persons and Illegitimates For the purposes of the foregoing clauses of this section the words "child" or "issue" shall include persons claiming by or through adoption and an illegitimate person shall be considered the child of his mother and not of his father provided that when the parents of a person born illegitimate shall have married each other he shall thereafter be considered legitimate

(12) Real Estate Subject to a Mortgage The devisee of real estate which is subject to a mortgage shall take subject thereto and shall not be entitled to exoneration out of the other estate of the testator real or personal and this whether the mortgage was created by the testator or by a previous owner or owners and notwithstanding any general direction by the testator that his debts be paid

(13) Lien of Pecuniary Legacies Pecuniary legacies of one hundred dollars or less shall not be a charge on any of the testator's real estate All pecuniary legacies in excess of the principal sum of one hundred dollars shall be charged upon and payable out of any real estate not specifically devised where the personal estate is or becomes insufficient for their payment

(14) Power of Appointment A general devise of the real estate of the testator or of the real estate of the testator in any place or in the occupation of any person mentioned in his will or otherwise described in a general manner shall be construed to include any real estate or any real estate to which such description shall extend as the case may be which he shall have power to appoint in any manner he shall think proper and shall operate as an execution of such power In like manner a bequest of the personal estate of the testator or any bequest of personal property described in a general manner shall be construed to include any personal estate or any personal estate to which such description shall extend as the case may be which he shall have power to appoint in any manner he shall think proper and shall operate as an execution of such power In like manner a general pecuniary legacy when the assets of the individual estate of the testator are not sufficient for its payment shall to the extent necessary to make possible the payment of the legacy be construed to include any estate which the testator shall have power to appoint in any manner he shall think proper and shall to such extent operate as an execution of such power

Section 15 Devise in Fee Tail Abolished Whenever by any devise an estate in fee tail would be created according to the common law of the Commonwealth it shall pass an estate in fee simple and as such shall be inheritable and freely alienable

Section 16 Rule in Shelley's Case The rule in Shelley's Case and its corollaries shall not be applied and a devise or bequest directly or in trust which shall express an intent to create an estate for life with remainder to the life tenant's heirs or the heirs of his body or his issue or his next of kin or persons described by words of similar import shall not operate to give such life tenant an estate in fee in real estate or an absolute estate in personalty

Section 17 Alienage Real and personal estate shall pass without regard to whether the testator or any devisee or legatee is or has been an alien

Section 18 Testamentary Guardian

(a) Guardian of the Person A person competent to make a will being the sole surviving parent or adopting parent of any unmarried minor child may appoint a testamentary guardian of the person of such child during his minority or for any shorter period Provided That no

father who for one year or upwards previous to his death shall have wilfully neglected or refused to provide for his child and no mother who for a like period shall have deserted her child or wilfully failed to perform her parental duties shall have the right to appoint a testamentary guardian of the person of such child

(b) Guardian of the Estate Any person may by will appoint a testamentary guardian of the real or personal estate which he shall devise bequeath or appoint to a minor

Section 19 Personal Estate of Non-Resident Nothing contained in this act shall be construed to apply to the disposition of personal estate by a testator whose domicile at the time of his death is out of the Commonwealth

Section 20 Short Title This act shall be known and may be cited as the Wills Act of 1947

Section 21 Repealer The following acts and parts of acts of assembly and all amendments of each are hereby repealed as respsctively indicated but so far only as relates to the estates real and personal of any person or persons dying on or after the first day of January one thousand nine hundred forty-eight

(1) The act approved the twenty-third day of February one thousand seven hundred ninety-one (three Smith's Laws four) entitled "A supplement to the Act entitled 'An act to declare and regulate escheats'" in so far as it relates to dispositions of real or personal estate by wills

(2) The act approved the seventh day of June one thousand nine hundred seventeen (P. L. 403) entitled "An act relating to the form execution revocation and interpretation of wills to nuncupative wills to the appointment of testamentary guardians to spendthrift trusts to forfeiture of devise or legacy in case of murder of testator to elections to take under or against wills and to the recording and registering of such elections and of decrees relative thereto and to the fees therefor" absolutely

(3) The Act approved the twenty-fourth day of April one thousand nine hundred thirty-one (P. L. 46) entitled "An act making the surviving spouse competent to testify in all cases where the right of such spouse to share in a deceased spouse's estate is disputed because of alleged desertion or nonsupport of the decedent whether decedent died testate or intestate" in so far as it relates to dispositions of real or personal estate by wills

(4) All other acts and parts of acts inconsistent herewith are hereby repealed

Section 22 Effective Date This act shall take effect on the first day of January one thousand nine hundred forty-eight and shall apply only to the wills of all persons dying on or after that day As to the wills of persons dying before that day the existing law shall remain in full force and effect

And said bill having been read at length the third time, and agreed to, and the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48.

Barr,	Farrell,	Letzler,	Tarr,
Becker,	Frazier,	Lord,	Taylor,
Berger,	Geltz,	Mahany,	Tyler,
Blass,	Haluska,	Mallery,	Wade,
Carr,	Hare,	Rahauser,	Wagner,
Chapman,	Heyburn,	Rosenfeld,	Walker,
Crider,	Holland,	Ruth,	Watson,
Crowe,	Homsher	Scarlett,	Wilson,
Dent,	Jaspan,	Snowden,	Wolfe,
DiSilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,
Donlan,	Leader,	Tallman,	Woodring,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 310, as follows:

An Act to amend section four of the act approved the twenty-fifth day of May one thousand nine hundred forty-five (P. L. 1050) entitled "An act relating to the collecion of taxes levied by counties county institution districts cities of the third class boroughs towns townships certain school districts and vocational school districts conferring power and imposing duties on tax collectors courts and various officers of said political subdivisions and prescribing penalties" requiring taxing districts to pay the premiums on corporate bonds of tax collectors in boroughs towns and townships of the second class and fixing the time when such tax collectors shall file their bonds

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section four of the act approved the twenty-fifth day of May one thousand nine hundred forty-five (P. L. 1050) entitled "An act relating to the collection of taxes levied by counties county institution districts cities of the third class boroughs towns townships certain school districts and vocational school districts conferring powers and imposing duties on tax collectors courts and various officers of said political subdivisions and prescribing penalties" is hereby amended to read as follows

Section 4 Bonds of Tax Collectors (a) In cities of the third class and in townships of the first class the treasurer as tax collector for the various taxing districts shall give bond secured and conditioned as provided by the laws relating to such cities and townships

(b) In boroughs towns, and townships of the second class the elected tax collector shall be the collector of borough town or township taxes as the case may be and of county and institution school and vocational school district taxes He shall before he enters upon the duties of his office take and subscribe and oath of office and file the same in the office of the clerk of the court of quarter sessions of the county He shall enter into one surety bond to the Commonwealth for all taxes to be collected by him in an amount to be fixed by the court of quarter sessions of the county which amount shall never exceed the estimated amount of taxes charged in the duplicates to be delivered to him in one year Such bond may at the option of the tax collector be an annual bond or may cover the full term of office for which the tax collector shall have been elected Such bond shall have thereon at least two sufficient sureties or one bonding company and the sufficiency of the sureties on the bond shall be approved by the court of quarter sessions at any time prior to the delivery of a tax duplicate to the tax collector The bond shall be filed in the office of the clerk of the court of quarter sessions on or before the fifteenth day of March of the year in which the tax collector qualifices for office and annually thereafter except where the first bond given by the tax collector covers the full term of office for which he was elected Should any of the taxing districts be of the opinion at any time that the bond given by the tax collector is not sufficient in amount or as to the surety thereon the said taxing district may apply to the court by petition to have the tax collector furnish additional bond in the manner provided by this section Thereupon the tax collector shall furnish such additional bond if any as the court of quarter sessions may prescribe but not exceeding the limitation as to amount hereinbefore prescribed After the thirty-first day of December one thou-

sand nine hundred forty-nine where the surety on a tax collector's bond is a bonding company the premium on the bond shall be paid by the respective taxing districts Each taxing district shall be liable to pay that percentage of the bond premium as the total taxes charged in the duplicate of the taxing district bears to the toal taxes charged in the duplicate of all of the taxing districts In any case where a tax collector is required to furnish additional bond the premium on such additional bond shall be paid by the taxing district which petitioned the court for the additional bond prior to the first day of January one thousand nine hundred fifty where the surety on a tax collector's bond is a bonding company any taxing district may pay its percentage of the bond premium as above provided

(c) In boroughs towns and townships of the second class the condition of the bond shall be that the collector as tax collector for the borough town or township as the case may be and for the county and the institution school and vocational school district shall account for any pay over all taxes penalties and interest received and collected by him to the taxing districts entitled thereto

(d) The tax collector of boroughs towns and townships of the second class and his sureties shall be discharged from further liability on his bond for the taxes charged in a duplicate delivered to him as soon as all tax items contained in the said duplicate are either (1) collected and paid over to the proper taxing district or (2) certified to the taxing authority for entry as liens in the office of the prothonotary or (3) returned to the county commissioners for sale of the real estate by the county treasurer or (4) in the case of occupation poll and per capita and personal property taxes accounted for by the payment over or by exoneration which shall be granted by the taxing district upon oath or affirmation by the tax collector that he has complied with section twenty of this act

(e) The bond given by a borough town or township tax collector shall be for the use of the borough town or township as the case may be and for the county and the institution school and vocational school district

(f) In case where a tax collector shall be appointed in a borough town or township of the second class to fill a vacancy in said office or where the elected tax collector shall have failed to qualify or to furnish bond or where a tax collector shall have failed to settle a duplicate as provided in section thirty-one of this act the person appointed in accordance with existing laws including an individual corporation or the county treasurer to collect such taxes shall give bond secured and conditioned as above provided where a township of the second class or a school district shall in such cases exercise its power to appoint a separate tax collector to collect its taxes such appointee shall give bond secured and conditioned as above provided

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47.

Barr,	Frazier,	Lord,	Taylor,
Becker,	Geltz,	Mahany,	Tyler,
Berger,	Haluska,	Mallery,	Wade,
Blass,	Hare,	Rahauser,	Wagner,
Carr,	Heyburn,	Rosenfeld,	Walker,
Chapman,	Holland,	Ruth,	Watson,
Crowe,	Homsher	Scarlett,	Wilson,
Dent,	Jaspan,	Snowden,	Wolfe,
DiSilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,
Donlan,	Leader,	Tallman,	Woodring,
Farrell,	Letzler,	Tarr,	

NAYS—1.

Crider,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 318, as follows:

An Act validating and confirming titles to real estate conveyed by cities of the third class unless proceedings to attack such sales are instituted within one year after the effective date of this act

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title to real estate heretofore sold by any city of the third class of this Commonwealth if the sale was authorized by an ordinance or resolution of the city council of said city and shall not be attacked in any proceedings instituted within one year after the effective date of this act is hereby declared to be good and valid and free and clear of any defects and any such person partnership or corporation grantee thereunder and his or her or its respective heirs successors and assigns shall hold and may convey such title and estate and all such conveyances heretofore made are hereby ratified and confirmed Nothing in this act shall be construed to apply to property which the city acquired other than by purchase

Section 2 All acts and parts of acts inconsistent herewith are hereby repealed

Section 3 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48.

Barr,	Farrell,	Letzler,	Tarr,
Becker,	Frazier,	Lord,	Taylor,
Berger,	Geltz,	Mahany,	Tyler,
Blass,	Haluska,	Mallery,	Wade,
Carr,	Hare,	Rahauser,	Wagner,
Chapman,	Heyburn,	Rosenfeld,	Walker,
Crider,	Holland,	Ruth,	Watson,
Crowe,	Homsher,	Scarlett,	Wilson,
Dent,	Jaspan,	Snowden,	Wolfe,
DiSilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,
Donlan,	Leader,	Tallman,	Woodring,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence,

BILLS OVER IN ORDER

Mr. BARR. Mr. President, I ask unanimous consent that House Bill No. 332, on third reading, entitled:

An Act to amend the title and section one of the act approved the twenty-eighth day of July one thousand

nine hundred forty-one (P. L. 560) entitled "An act authorizing and empowering school districts of the first and second class to furnish food including milk to undernourished and poor school children in their districts and providing that the acceptance and distribution of surplus commodities furnished by the Federal Government to such school districts shall not affect or limit the provisions hereof" etending the provisions thereof to all classes of school districts.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BARR. Mr. President, I ask unanimous consent that House Bill No. 333, on third reading, entitled:

An Act to provide for the establishment maintenance operation and expansion of nonprofit school lunch programs in schools in the Commonwealth of Pennsylvania.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BECKER. Mr. President, on behalf of my cosponsor, Senator Dent and myself I ask unanimous consent that Senate Bill No. 334, on third reading, entitled:

An Act to amend the act approved the second day of May one thousand nine hundred forty-five (P. L. 382) entitled "An act providing for the incorporation as bodies corporate and politic of 'Authorities' for municipalities counties and townships prescribing the rights powers and duties of such Authorities heretofore or hereafter incorporated authorizing such Authorities to acquire construct improve maintain and operate projects and to borrow money and issue bonds therefor providing for the payment of such bonds and prescribing the rights of the holders thereof conferring the right of eminent domain on such Authorities authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof and conferring exclusive jurisdiction on certain courts over rates" by further providing for the incorporation of such Authorities and further prescribing the rights powers and duties of such Authorities

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BECKER. Mr. President on behalf of Senator Dent and myself, I ask unanimous consent that Senate Bill No. 336, on third reading, entitled:

An Act to amend the title to further amend section two and to amend section seven of the act approved the fourth day of June one thousand nine hundred forty-three (P. L. 886) entitled "An act creating a Municipal Employes' Retirement System for the payment of retirement allowances to officers and employes of political subdivisions and institutions supported and maintained by them and providing for the administration of the same by a board composed of certain state officers and others appointed by the Governor imposing certain duties on the State Employes' Retirement Board and the actuary thereof providing the procedure whereby political subdivisions may join such system and imposing certain liabilities and obligations on such political subdivisions in connection therewith and as to certain existing retirement and pension systems and upon officers and employes of such political subdivisions and institutions supported and maintain by them providing certain exemptions from taxation execution attachment levy and sale and making an appropriation" including employes of municipal authorities within the provisions of the act and prescribing the procedure by which municipal authorities may join the retirement system.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BECKER. Mr. President on behalf of Senator Dent and myself, I ask unanimous consent that Senate Bill No. 337, on third reading, entitled:

An Act to further amend the act approved the seventh day of June one thousand nine hundred seventeen (P. L. 447) entitled as amended "An act relating to the administration and distribution of the estates of decedents and of minors and of trust estates including the appointment bonds rights powers duties diabilities accounts discharge and removal of executors administrators guardians and trustees herein designated as fiduciaries the administration ad distribution of the estates of presumed decedents widow's and children's exemptions debts of decedents rents of real estate as assets for payment thereof the lien thereof sales and mortgages of real estate for the payment thereof judgments and executions therefor and the discharge of real estate legacies including legacies charged on land the discharge of residuary estates and of real estate from the lien of legacies and other charges and appraisement of real estate devised at a valuation the ascertainment of the curtilage of dwelling houses or other buildings devised the abatement and survival of actions and the substitution of executors and administrators therein the survival of causes of action and suits thereupon by or against firuciaries investments by fiduciaries the organization of corporations to carry on the business of decedents the audit and review of accounts of fiduciaries refunding bonds transcripts to the court of common pleas of balances due by fiduciaries the rights powers and liabilities of nonresident and foreign fiduciaries the appointment bonds rights powers duties and liabilities of trustees durante absentia the recording and registration of decrees reports and other proceedings and the fees therefor appeals in certain cases and also generally dealing with the jurisdiction powers and procedure of the orphan's court in all matters relating to fiduciaries concerned with the estates of decedents" by permitting the investment of trust funds by fiduciaries in municipality authority bonds

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BECKER. Mr. President, on behalf of Senator Dent and myself, I ask unanimous consent that Senate Bill No. 338, on third reading, entitled:

An Act to further amend clause (c) of section three of the act approved the first day of June one thousand nine hundred thirty-seven (P. L. 1168) entitled "An act to protect the right of employes to organize and bargain collectively creating the Pennsylvania Labor Relations Board conferring powers and imposing duties upon the Pennsylvania Labor Relations Board officers of the State government and courts providing for the right of employes to organize and bargain collectively declaring certain labor practices by employers to be unfair further providing that hepresentatives of a majority of the employes be the exclusive representatives of all the employes authorizing the board to conduct hearings and elections and certify as to representatives of employes for purposes of collective bargaining empowering the board to prevent any person from engaging in any unfair labor practice and providing a procedure for such cases including the issuance of a complaint the conduct-

ing of a hearing and the making of an order empowering the board to petition a court of common pleas for the enforcement of its order and providing a procedure for such cases providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order and establishing a procedure for such cases providing for an appeal from the common pleas court to the Supreme Court providing the board with investigatory powers including the power to issue subpoenas and the compelling of obedience to them through application to the proper court providing for service of papers and process of the board prescribing certain penalties" excluding municipal authorities from the definition of employer

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL POSTPONED

Mr. TALLMAN, Mr. President, I move that further consideration of Senate Bill No. 351, on third reading, entitled:

An Act to amend section four of the act of one thousand seven hundred five (1 Sm. L. 25) entitled "An act to restrain people from labour on the first day of the week" by authorizing the service of execution on Sunday of certain warrants and other instruments in cases of misdemeanors involving gambling

be placed on the Third Reading Postponed Calendar.

Mr. BECKER, Mr. President, I second the motion.

The motion was agreed to.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 356, as follows:

An Act to further amend section three hundred twelve and section three hundred twenty-four of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public sschool system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by excluding school districts of the first class from the requirement that school orders must be signed by the President or any other member or other officer of the Board

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 312 of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as last amended by the act approved the first day of June one thousand nine hundred thirty-three (P. L. 1152) is hereby further amended to read as follows

Section 312 The president shall be the executive officer of the board of school directors and as such he together with the secretary when directed by the board shall execute any and all deeds contracts warrants to tax collectors reports and other papers pertaining to the business of the board requiring the signature of the president In school districts other than in school districts of the first class he [He] shall after the board has acted on and approved any bill or account for the payment of money authorized by this act sign an order on the treasurer for the payment of the same [Provided That in any school district of the first class the board of school directors may direct that any member or other officer of the board than the president shall approve all school orders] He shall in no case except as this section otherwise provides sign any order for any sum unless the same has first been acted upon and approved by the board and the amount thereof and the name of the payee properly inserted Any orders which shall be for the payment of amounts owing under any contracts which shall previously have been approved by the board and by the prompt payment of which the district will receive a discount or other advantage may be signed without the approval of the board first having been secured all such orders shall be presented to the board at its next meeting The president shall perform such other duties as the board may direct and as pertain to his office

Section 2 Section 324 of said act as last amended by the act approved the seventh day of August one thousand nine hundred forty-one (P. L. 891) is hereby further amended to read as follows

Section 324 The treasurer of each school district shall receive all State appropriations district school tax and other funds belonging to the school district and pay out of the same on proper orders approved by the board of school directors signed except in districts of the first class by the president and in any school district of the first class [by any other properly authorized person and attested] by the secretary Provided That the treasurer may pay out such funds on orders which have been prepared and signed by the secretary and signed in school districts other than school districts of the first class by the president for the payment of amounts owing under any contracts which shall previously have been approved by the board and by the prompt payment of which the district will receive a discount or other advantage without the approval of the board first having been secured Provided further That in all school districts of the first class all school orders before being paid by the school treasurer shall be approved by the school controller of such district The school treasurer of each school district of the first class may recommend to the board of public education for appointment a deputy school treasurer The board of public education shall appoint as deputy school treasurer the candidate recommended by the school treasurer who in case of death resignation or inability of the school treasurer to act for any cause whatsoever shall have the same powers and shall perform the same duties as imposed by law on the school treasurer In case the school treasurer does not recommend to the board of public education for appointment a deputy school treasurer the board of public education may elect a deputy school treasurer who shall serve until such time as the school treasurer recommends to the board of public education the appointment of a deputy school treasurer The salary of the deputy school treasurer shall be fixed by the board of public education He shall furnish bond in the sum of ten thousand ($10,000) dollars

Section 3 This act shall become effective immediately upon its passage by the General Assembly and its approval by the Governor

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	Farrell,	Letzler,	Tarr,

Becker,	Frazier,	Lord,	Taylor,
Berger,	Geltz,	Mahany,	Tyler,
Blass,	Haluska,	Mallery,	Wade,
Carr,	Hare,	Rahauser,	Wagner,
Chapman,	Heyburn,	Rosenfeld,	Walker,
Crider,	Holland,	Ruth,	Watson,
Crowe,	Homsher	Scarlett,	Wilson,
Dent,	Jaspan,	Snowden,	Wolfe,
DiSilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,
Donlan	Leader,	Tallman,	Woodring,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 371, on third reading, entitled:

An Act to amend section six and section thirteen of the act approved the twenty-third day of May one thousand nine hundred forty-five (P. L. 926) entitled "An act for the protection of the public health by regulating the conduct and operation of public eating and drinking places within this Commonwealth requiring their licensing imposing certain duties on the Department of Health of this Commonwealth and on local health authorities and providing penalties" by conferring on local health authorities power to suspend or revoke licenses and making fines collected in cities boroughs and townships of the first class payable to these political subdivisions.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. DISILVESTRO. Mr. President, I ask unanimous consent that House Bill No. 402, on third reading, entitled:

An Act to amend section three of the act approved the fifteenth day of June one thousand nine hundred thirty-seven (P. L. 1743 Number 368) entitled "An act relating to magistrates and magistrates' courts in the city of Philadelphia imposing certain duties upon and prohibiting certain practices by magistrates imposing certain duties on the city controller in regard thereto authorizing the employment by him of additional clerks and fixing their compensation regulating the practice in magistrates' courts the entering of bail and the issuance of discharges in criminal cases in the county of Philadelphia conferring certain powers over magistrates and magistrates' courts and imposing certain duties in connection therewith upon the judges of the court of common pleas of the county of Philadelphia providing for the appointment and employment of stenographers to report proceedings in certain cases heard by magistrates fixing salaries of persons employed by authority of this act providing penalties for violations of the provisions thereof and repealing certain prior acts" by removing the restrictions against magistrates participating in political activities

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING CALENDAR

BILL OVER IN ORDER

Mr. BARR. Mr. President, I ask unanimous consent that House Bill No. 135, on second reading, entitled:

An Act to amend sections one thousand three and one thousand one hundred ten of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and conosildating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," changing method of determining priority of political parties on ballot.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 146, entitled:

An Act to further amend subsection (b) and to amend subsection (d) of section four hundred twelve of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" making further provision for the compensation of judges inspectors clerks and machine inspectors at primaries and elections.

And said bill having ben read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 237, on second reading, entitled:

An Act to further amend the act, approved the twenty-second day of June, one thousand nine hundred thirty-one (P. L. 594), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance, and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act," adding new routes in Monroe and Carbon counties.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 313, entitled:

An Act to reenact amend and revise the act approved the first day of May one thousand nine hundred and thirty-three (P. L. 103) as amended, entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto"

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. TALLMAN. Mr. President, I move that House Bill No. 317, on second reading, entitled:

An Act to reenact and amend the title and the act approved the second day of May one thousand nine hundred forty-five (P. L. 375) entitled "An act conferring upon the councils of cities of the first class the power and devolving upon them the duty of fixing and determining the salaries wages and other compensation payable out of the treasury of such cities from and after the first day of January one thousand nine hundred and forty-six of all public officers clerks and other public employes except the salaries of elected officers whose salaries are fixed by law and except the salaries wages or other compensation of officers clerks and employes of the courts which are fixed by law or by the courts" by vesting in city council of cities of the first class the power to fix the salaries wages or other compensation of employes of the courts

be recommitted to the Committee on Local Government.

Mr. HEYBURN. Mr. President, I second the motion.

The motion was agreed to.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 401, entitled:

An Act to further amend section one thousand nine hundred two of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" further regulating the letting of contracts

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS ON FIRST READING

Mr. TALLMAN. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. WADE. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 7, entitled:

An Act making an appropriation to the National Farm School at Doylestown, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 66, entitled:

An Act making a deficiency appropriation to the Pennsylvania Institution for the Deaf at Mount Airy, Philadelphia, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 72, entitled:

An Act to further amend section three hundred twenty of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," by providing for the payment of retirement allowances to widows of deceased county employes and for crediting employes with time spent in military service, in counties of the second class.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 105, entitled:

An Act to prohibit the payment of appropriations to institutions which pay for insurance or annuity contracts to insurance companies associations and exchanges of other states and foreign countries not legally doing business in Pennsylvania and not subject to the jurisdiction of the Insurance Commissioner.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 118, entitled:

An Act to further amend the third paragraph of section five of the act approved the eleventh day of June one thousand nine hundred thirty-five (P. L. 326) entitled "An act relating to counties of the first class defining deceased service persons providing for contributions by the county to the funeral expenses for such persons and their widows providing for the erection and care of markers headstones and flags and for the compilation of war records" authorizing the erection of headstones for deceased service persons whose bodies will not or cannot be returned to the United States and increasing amount of costs in certain cases.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 120, entitled:

An Act to further amend the third paragraph of section four hundred twenty-six of the act approved the second day of May one thousand nine hundred twenty-nine (P.

L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" authorizing the erection of headstones for deceased service persons whose bodies will not or cannot be returned to the United States and increasing amount of costs in certain cases

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 136, entitled:

An Act making an appropriation to the Pennsylvania Museum and School of Industrial Art, Philadelphia.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 234, entitled:

An Act to amend section fifteen of the act, approved the seventeenth day of July, one thousand nine hundred thirty-five (P. L. 1092), entitled "An act defining fraternal benefit societies and their status; authorizing such societies to create subordinate lodges and to pay benefits to members and their beneficiaries from funds collected, and regulating such benefits and collections; provxiding for the organization and incorporation of such societies and for their supervision, regulation, and examination by the Insurance Commissioner, and for the admission of foreign societies; designating tables of mortality as a basis for rates of contribution; requiring all societies to make annual and other reports; and appointing the Insurance Commissioner as attorney for service of process; providing penalties for any violations of the act; exempting such societies from taxation and certain other societies from its provisions; and requiring beneficial associations, other than fraternal benefit societies, to report to and be supervised by the Insurance Commissioner; and repealing existing laws," by further providing for the investment of funds by domestic societies.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 235, entitled:

An Act to establish The Brandywine Battlefield Park Commission and to authorize the acquisition by purchase condemnation or gift of lands for the establishment of the Brandywine Battlefield Park providing for the control management and supervision of the property to be acquired for such park by such commission authorizing the commission to make and to enforce rules and regulations for its preservation development and visitation and making appropriations.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 315, entitled:

An Act making an appropriation to the Department of Forests and Waters for the acquisition by purchase or condemnation of forest land and the development and use thereof for reforestation for the work of the department with respect to forests and forest land and for the acquisition by purchase condemnation or gift of lands buildings or other properties for State parks and for the development thereof for the operation maintenance development and improvement of existing parks for recreation facilities for any flood control purposes including purchase and maintenance of flood forecasting equipment and services and the payment of the employes and expenses of the Flood Control Commission and for stream channel improvement for construction of dams to create lakes and other stream clearance of any type for flood control and for encouragement of proper forest practices by private land owners.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 337, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to convey to the Borough of Ebensburg Cambria County certain property located in Cambria County and commonly known as the "Keystone Airport."

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 341, entitled:

An Act to amend section ten of the act approved the twenty-fifth day of May, one thousand nine hundred forty-five, (P. L. 1050), entitled "An act relating to the collection of taxes levied by counties, county institution districts, cities of the third class, boroughs, towns, townships, certain school districts and vocational school districts; conferring powers and imposing duties on tax collectors, courts and various officers of said political subdivisions; and prescribing penalties," providing for interest on unpaid taxes.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 342, entitled:

An Act making an appropriation to the Senate, and the House of Representatives to pay the expenses of their committees directed to visit State institutions under the supervision of the Department of Welfare.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 362, entitled:

An Act to amend section two of the act approved the eleventh day of April, one thousand nine hundred forty-five (P. L. 203), entitled "An act to provide assistance for typhoid fever carriers, and persons having typhoid fever carriers in their households, and imposing certain responsibilities upon the Secretary of Health, the Secretary of Public Assistance, and the Secretary of Welfare in connection therewith," by fixing the date on which financial assistance shall begin.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 364, entitled:

An Act to add sections four hundred ninety-six point five and four hundred ninety-six point six to the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," by prescribing the procedure and entering into contracts for establishment, operation and maintenance of aviation landing fields and air dromes.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 366, entitled:

An Act to amend section five of the act, approved the sixteenth day of May, one thousand nine hundred forty-five (P. L. 577), entitled "An act for the prevention, control and cure of venereal diseases by requiring certain persons to submit to physical examination and blood tests; providing for the treatment of certain persons; requiring reports to be made to the State Department of Health, imposing duties upon and authorizing and directing the Secretary of Health to make rules and regulations, and to disseminate certain information; rgeulating the advertisement and restricting the sale of certain drugs and remedies; and imposing penalties," authorizing county jails to receive persons under quarantine; and providing for reimbursement by the Commonwealth.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 369, entitled:

An Act to authorize railroad corporations incorporated in this Commonwealth to hold directors' meetings at such places within this Commonwealth, or elsewhere, as appointed by a majority of the directors.

And said bill having been read at length the first time Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 370, entitled:

An Act validating charters of and amendments of the articles of incorporation of certain non-profit corporations incorporated under the Nonprofit Corporation Law.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 393, entitled:

An Act authorizing certain existing beneficial or protective societies, heretofore incorporated, to reincorporate, or to merge and reincorporate, as limited life insurance companies for the purpose of making insurance upon the health of individuals and against personal injury and disablement and death, including endowment insurance; regulating such corporations and limiting the amounts for which such corporations may issue policies.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 394, entitled;

An Act to further amend section four hundred nineteen of the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 682), entitled "An act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," by permitting certain additional stock insurance companies to come within the provisions thereof.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 408, entitled:

An Act authorizing the Pennsylvania Historical and Museum Commission to accept, on behalf of the Commonwealth, certain real estate comprising the Crispin Cemetery in Philadelphia; and providing for its restoration and maintenance as an historic shrine.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 433, entitled:

An Act authorizing the Secretary of Property and Supplies to sell and convey a tract of land in Limerick Township, Montgomery County, Pennsylvania, with the approval of the Governor.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 434, entitled:

An Act to further amend section two of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 685), entitled "An act designating certain life insurance companies as limited life insurance companies, and further describing the powers thereof," further describing the powers of limited life insurance c npanies under certain conditions.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 436, entitled:

An Act making an appropriation to the Pennsylvania Historical and Museum Commission for the preservation and permanent casing of battle flags and war relics.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 447, entitled:

An Act to amend the act, approved the fourth day of June, one thousand nine hundred forty-five (Appropriation Acts, page 106), entitled "An act making an appropriation for the preparation of the Eightieth Division History, and creating a commission for such purposes," continuing the commission and reappropriating the unexpended balance.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 462, entitled:

An Act relating to Federal aid to political subdivision for the development of public airports.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 463, entitled:

An Act to add clause IL to section one thousand five hundred two of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-one (P. L. 1206), entitled "An act concerning townships of the first class; amending, revising, consolidating, and changing the law relating thereto," authorizing either alone or jointly with other political subdivisions, the acquisition of land for, and the operation, and leasing of airports, airdromes, landing fields and airport facilities.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 464, entitled:

An Act to add clause XXVI to section seven hundred two of the act, approved the first day of May, one thousand nine hundred thirty-three (P. L. 103), entitled "An act concerning townships of the second class; and amending, revising, consolidating, and changing the law relating thereto," authorizing either alone or jointly with other political subdivisions, the acquisition of land for, and the operation and leasing of airports, airdromes, landing fields and airport facilities.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 472, entitled:

An Act to amend section one of the act approved the fourth day of June, one thousand nine hundred forty-five entitled "An act making an appropriation to the Department of Health for the acquisition of land, by purchase or condemnation, the construction and equipment of a State Health Laboratory, the construction of buildings, the improvement, furnishings and repairs of the State Sanatoria and the Crippled Children's Hospital, for the payment by the Commonwealth of a share of the cost of preparing plans and surveys for sewage or industrial waste treatment plants, and for the payment by the Commonwealth of a share of the cost of constructing such industrial waste plants, for sealing abandoned coal mines, for stream clearance including the purchase or condemnation of lands, easements, o rrights of ways, and acquisition or construction of pipes, conduits or tunnels, and pumps and pumping equipment, and for the experimental and research work relating to the pollution of streams and the prevention thereof;" by reducing the amount appropriated by said act.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 475, entitled:

An Act to further amend section two of the act, approved the tenth day of July, one thousand nine hundred thirty-five (P. L. 645), entitled "An act imposing certain requirements on certain hospitals receiving State aid; authorizing the withholding of appropriation; and imposing duties on the Department of Welfare," extending temporary wartime provisions.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 477, entitled:

An Act to amend sections three, four and nine of the act, approved the twenty-fifth day of May, one thousand nine hundred thirty-seven (P. L. 808), entitled "An act providing for the use of the Pennsylvania Industrial School at Huntingdon as an institution for the reception, care, maintenance, detention, employment, and training of defective delinquents; authorizing the preparation and equipment (including necessary construction) of the institution for such purposes, either by the Department of Property and Supplies or the General State Authority, and authorizing the necessary leases or conveyances for this purpose; changing the name of the Board of Trustees of Pennsylvania Industrial School; providing for the tion and discharge therefrom; conferring powers and imcommitment and transfer of such persons to such instituposing duties on the aforesaid board of trustees, the Department of Welfare and courts; and imposing certain charges on counties," further providing for the mental examination of juvenile delinquents and their release or retention.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 478, enttiled:

An Act to further amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing, or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in

which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by extending the wartime purchasing powers of the Department of Property and Supplies for a period of not longer than two years after the state of war ceases; and by further prescribing the methods of making purchases and entering into contracts by the Department of Property and Supplies.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 501, entitled:

An Act to amend article seven, section seven hundred one, paragraph (i) of the act approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor, Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by authorizing the substitution of a facsimile signature of the Governor on official documents requiring his signature or approval.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

BILLS INTRODUCED AND REFERRED

Mr. STEVENSON. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. STEVENSON read in place and presented to the Chair Senate Bill No. 536, entitled:

An Act regulating the discharge of police officers in townships of the second class and in boroughs and townships of the first class having police forces of less than three members.

Which was committed to the Committee on Local Government.

Mr. JASPAN. Mr. President, I ask unanimous consent to introduce bills at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Messrs. JASPAN and STIEFEL read in place and presented to the Chair Senate Bill No. 537, entitled:

An Act making an appropriation to the Trustees of the Hahnemann Medical College and Hospital of Philadelphia, Pennsylvania.

Which was committed to the Committee on Appropriations.

They also read in place and presented to the Chair Senate Bill No. 538, entitled:

An Act making an appropriation to the Hahnemann Hospital, Philadelphia, Pennsylvania.

Which was committed to the Committee on Appropriations.

ADJOURNMENT

Mr. TALLMAN. Mr. President, I move that the Senate do now adjourn until Wednesday, April 9, 1947, at 12:30 o'clock, p. m., Eastern Standard Time.

Mr. CRIDER. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 3:59 o'clock, p. m., Eastern Standard Time until Wednesday, April 9, 1947, at 12:30 o'clock, p. m., Eastern Standard Time.

HOUSE OF REPRESENTATIVES

TUESDAY, April 8, 1947

The House met at 12:00 o'clock noon.

The SPEAKER (Franklin H. Lichtenwalter) in the Chair.

PRAYER

The Chaplain, Rev. Lester C. Updegrove offered the following prayer:

Almighty God, unto whom all hearts are open, all desires known, and from whom no secrets are hid, cleanse the thoughts of our hearts by the inspiration of Thy Holy Spirit, that we may perfectly love Thee and worthily magnify Thy Holy Name. Give, we beseech Thee, to these servants of the commonwealth clear vision, clean hands, and pure hearts as, facing great tasks and grave responsibilities, they ascend this holy hill of the state's life. Steady our purpose to give the best that is in us—body, mind and spirit—to the right that needs assistance; against the wrong that needs resistance; to the future in the distance and the good that we may do. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of Monday, April 7, 1947.

The Clerk proceeded to read the Journal of Monday, April 7, 1947, when, on motion of Mr. PATTEN unanimously agreed to, the further reading was dispensed with and the Journal approved.

BILLS INTRODUCED AND REFERRED

By Messrs. RICHTER and PROPERT.

HOUSE BILL No. 1222.

An Act to further amend section twenty-one of the act, approved the first day of June, one thousand eight hundred eighty-nine (P. L. 420), entitled "A further supplement to an act, entitled 'An act to provide revenue by taxation,' approved the seventh day of June, Anno Domini one thousand eight hundred and seventy-nine," establishing additional exemptions with regard to the capital stock tax and the franchise tax on domestic and foreign

corporations, joint-stock associations, limited partnerships and companies.

Referred to the Committee on Ways and Means.

By Mr. HORAN. HOUSE BILL No. 1223.

An Act to add a new section to the act, approved the thirteenth day of May, one thousand nine hundred twenty-seven (P. L. 988), entitled "An act providing for and regulating the State registration of nurses and licensed attendants, the annual recording of registration certificates; and regulating the profession of nursing; and repealing certain existing laws," providing for registration of graduate and undergraduate nurses.

Referred to the Committee on Professional Licensure.

By Mr. MYERS. HOUSE BILL No. 1224.

An Act providing compensation to certain persons who served in the naval forces of the United States during World War II; providing the method of making payment to representatives of persons who because of death or incapacity cannot personally receive compensation; imposing certain duties on the Adjutant General; and providing penalties.

Referred to the Committee on Military Affairs.

By Mr. McMILLEN. HOUSE BILL No. 1225.

An Act to further amend the fifth paragraph of section four hundred seven of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing of certain administrative departments, boards, commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards, and commissions shall be determined," by further providing for the terms of legislative members of the Pennsylvania Aeronautics Commission.

Referred to the Committee on Aeronautics.

By Mr. BLOOM. HOUSE BILL No. 1226.

An Act providing for the survey, construction, reconstruction, improvement and maintenance of a State highway in Delaware County; making the same part of the system of State highways; providing for the taking of certain roads and of certain private property therefor under the power of eminent domain and imposing certain powers and duties upon the Department of Highways.

Referred to the Committee on Highways.

By Messrs. ERB and O'NEILL. HOUSE BILL No. 1227.

An Act to further amend section seven hundred eleven of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, an dcommissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards, and commissions shall be determined," by regulating the dismissal, suspension, demotion and retirement of enlisted members of the Pennsylvania State Police.

Referred to the Committee on State Government.

By Mr. O'NEILL. HOUSE BILL No. 1228.

An Act to further amend clause seventeen of sections one and section fourteen of the act, approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043), entitled "An act establishing a public school employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing employes, defining the uses and purposes thereof and the manner of payment therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon boards having the employment of public school employes; exempting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," by changing the definition of the term "Final Salary"; guaranteeing a minimum superannuation retirement allowance; permitting retirement prior to superannuation age at certain reduced amounts and repealing authority of school directors to retire professional employes prior to age seventy.

Referred to the Committee on Education.

By Mr. O'NEILL. HOUSE BILL No. 1229.

An Act to amend paragraph five of section thirteen and to further amend section fourteen of the act, approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043), entitled "An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon boards having the employment of public school employes; exempting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," by increasing the minimum amount to be paid to said persons on retirement.

Referred to the Committee on Education.

By Mr. KEEN. HOUSE BILL No. 1230.

An Act to regulate the junk yard business in cities of the first class; to provide for the issuance of licenses for each junk yard; prescribing the method and manner of obtaining such licenses and prescribing the fees therefor; prohibiting junk yards within sight of a State highway and prescribing penalties.

Referred to the Committee on City and County—First Class.

By Mr. KEEN. HOUSE BILL No. 1231.

An Act providing all attorneys-at-law to file a bond with the prothonotary of the county in which they carry on the practice of law and providing penalties.

Referred to the Committee on Judiciary.

By Mr. DIX. HOUSE BILL No. 1232.

An Act authorizing the Secretary of Highways with the approval of the Governor to take over as State Highway public roads which connect existing State Highway routes with free interstate bridges and providing for construction reconstruction and maintenance at the expense of the Commonwealth.

Referred to the Committee on Highways.

By Mr. GALLAGHER. HOUSE BILL No. 1233.

An Act to further amend section one of the act, approved the tenth day of July, one thousand nine hundred nineteen (P. L. 903), entitled "An act regulating the fees of notaries public," increasing fees in certain cases.

Referred to the Committee on Judiciary.

By Messrs. BENTZEL and SNYDER. HOUSE BILL No. 1234.

An Act making an appropriation to the Department of Agriculture to be expended by the established institutions of said Department and the research agencies thereof, for the purpose of carrying on research and investigations in the field of agriculture.

Referred to the Committee on Appropriations.

By Mr. STOCKHAM. HOUSE BILL No. 1235.

An Act to further amend subsection (d) of section eight hundred fourteen of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," providing for off the roadway parking facilities for school buses in certain districts.

Referred to the Committe on Education.

By Messrs. DENNISON and DAGUE. HOUSE BILL No. 1236.

An Act to provide for payment of filing fees or other obligations due boards, commissions or other agencies of the Commonwealth, by uncertified checks.

Referred to the Committee on State Government.

By Mr. DENNISON. HOUSE BILL No. 1237.

An Act to further amend section eight hundred six of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," restricting the amount of ammunition which may be carried on one's person while hunting.

Referred to the Committee on Game and Forestry.

By Mr. BOWER. HOUSE BILL No. 1238.

An Act to amend section nineteen of the act, approved the sixteenth day o April, one thousand eight hundred thirty-eight (P. L. 637), entitled "An act relative to the laying out of a certain State Road from Curvinsville, Clearfield County, through the towns of Indiana and Saltsburg, in Indiana County, and through Westmoreland County to East Liberty, in Allegheny County, and for laying out certain other state roads, and for other purposes," by providing for perpendicular access to coal mines.

Referred to the Committee on Mines and Mining.

By Mr. RICHTER. HOUSE BILL No. 1239.

An Act to provide revenue by imposing a State tax, payable by those herein defined as distributors, on lubricating oil used or sold and delivered within the Commonwealth; providing for the collection and lien of the tax; requiring such distributors to secure permits, to give security, to file reports and to retain certain records; imposing duties on retail dealers, common carriers and such distributors; conferring powers and imposing duties on certain State officers and departments; providing for refunds; imposing penalties and making an appropriation.

Referred to the Committee on Ways and Means.

By Mr. GRIFFITHS. HOUSE BILL No. 1240.

An Act imposing the duty on persons finding money, goods or other property to turn over the same to the police department; requiring the same to be returned to the finder if not claimed; and providing penalties.

Referred to the Committee on Judiciary.

By Mr. IMBT. HOUSE BILL No. 1241.

An Act to further amend subsection (a) section nine hundred five of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vhicles, tractors, street cars, trackless trolley omnibuses. bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof; upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," further regulating issuance of permits for excessive size and weights.

Referred to the Committee on Motor Vehicles.

By Mr. YOUNG. HOUSE BILL No. 1242.

An Act to amend the title and certain sections of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-seven (P. L. 2051), entitled "An act relating to public assistance; providing for and regulating assistance to certain classes of persons designated and defined as dependent children, aged persons, blind persons and other persons requiring relief; providing for the administration of this act by the Department of Public

Assistance and county boards of assistance hereby created for this purpose; authorizing the Department of Public Assistance to cooperate with, and to accept and disburse moneys received from the United States Government for assistance to such persons; providing for the liquidation of the State Emergency Relief Board of Trustees of the Mothers' Assistance Fund, and Boards of Trustees of Pension Fund for the Blind; and repealing laws relating to mothers' assistance, pensions for the blind, old age assistance, and the Sttae Emergency Relief Board," by changing the name of the county boards to County Boards of Assistance and welfare; increasing the membership of said boards to establish child welfare programs; adding certain powers and duties to said boards; and providing that the Commonwealth shall defray certain expenditures in connection therewith; and making appropriations.

Referred to the Committee on Appropriations.

By Mr. ROSE. HOUSE BILL No. 1243.

An Act making an appropriation to the Cresson Volunteer Fire Company for the protection of State Property.

Referred to the Committee on Appropriations.

By Mr. GYGER. HOUSE BILL No. 1244.

An Act making an appropriation to the Senate and House of Representatives to pay the expenses of their committees directed to visit State institutions under the supervision of the Department of Welfare.

Referred to the Committee on Appropriations.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence, bills numbered and entitled as follows:

SENATE BILL No. 246.

An Act relating to trusts heretofore or hereafter created primarily for the benefit of employes under any stock bonus pension disability or death benefit profit-sharing or other employe-benefit plan and the application with respect thereto of any statute or rule of law against perpetuities accumulations or the suspension of the power of alienation.

Referred to the Committee on Judiciary.

SENATE BILL No. 254.

An Act to amend the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 289) entitled "An act relating to nonprofit corporations defining and providing for the organization merger consolidation and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and members prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the first class within the provisions of this act prescrbing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas prothonotaries of such courts recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" regulating the establishment and maintenance of common trust funds by nonprofit corporations.

Referred to the Committee on Judiciary.

SENATE BILL No. 311.

An Act to amend section four and subsection (a) of section ten of the act approved the fifth day of August one thousand nine hundred forty-one (P. L. 816) entitled "An act regulating and limiting the rights of slayers in real and personal property and in the benefits from insurance policies arising out of or as a result of the death of the person slain protecting and saving the rights of purchasers and insurers dealing with slayers without notice of the slaying and repealing certain legislation" by clarifying the wording thereof applicable when the slayer is a devisee legatee or appointee under the will of the person slain.

Referred to the Committee on Judiciary.

SENATE BILL No. 343.

An Act to amend sections five hundred twenty-four and two thousand eight hundred one A of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" further regulating examination and disposition of records imposing duties on and granting powers to the Pennsylvania Historical and Museum Commission and its executive director in regard to the study and preservation of public records and other archival materials and authorizing the commission to procure the advice of experts and to pay for such services

Referred to the Committee on State Government.

RESOLUTIONS INTRODUCED AND REFERRED

By Messrs. MIHM and POWERS. RESOLUTION No. 36.

In the House of Representatives, April 7, 1947.

Whereas, For many years floods in the Ohio River Valley, an area which extends through Pennsylvania, Ohio, West Virginia, Kentucky, Indiana, and Illinois, have caused damages amounting to hundreds of millions of dollars and immeasurable human sufferings. In 1936, Pittsburgh alone suffered a two hundred fifty million dollar property loss as a result of such a flood; and

Whereas, Within recent years, a project to control the occurrence of such floods has been designed and begun—the construction of the Conemaugh Dam near Blairsville, Cambria County, Pennsylvania, financed largely with Federal Government funds. Until said dam is completed, there will be a constant threat of floods with ensuing losses, and the work already finished will be worthless unless carried to completion; and

Whereas, The United States Congress in its effort to cut governmental expenses might be tempted to eliminate from the proposed budget the funds therein designated for the continuation of the work on the Conemaugh Dam: therefor be it

Resolved, That this House of Representatives urges the Congress of the United States to appropriate the neces-

sary funds for continuing the work on the Conemaugh Dam as designated in the proposed budget to the end that the people of this section of the nation and their economic life will be more secure from flood disaster and damage; and be it further

Resolved, That the Chief Clerk of the House of Representatives shall transmit copies of this resolution to the President of the United States Senate and to the Speaker of the House of Representatives of the United States.

Referred to the Committee on Rules.

By Mr. ANDREWS. RESOLUTION No. 37.

In the House of Representatives, April 7, 1947.

Whereas, the efficiency of various departments of the Commonwealth's government is being impaired by reason of the fact that men and women holding key positions which call for specialized professional training upon the part of those who hold them are leaving the service of the Commonwealth, and

Whereas, the salaries now paid are insufficient to attract and hold in key positions professional personnel, therefore be it

Resolved, That this House instruct its Committee on State Government to prepare a list of the key positions in the various departments of the state government which require specialized professional service; that the Committee also prepare a schedule indicating the compensation department heads should be privileged to pay professional people holding key positions in the state service and that the Committee be further instructed to suggest to this House such legislation as may be necessary in order to accomplish the objectives outlined, and be it further

Resolved, That this House petition and advise His Excellency the Governor that professional personnel be not required to obtain political sponsorship in order to enter the state service and that it be employed and retained in the service of the Commonwealth solely on a merit basis, merit to be determined in every instance by the head of the department immediately concerned.

Referred to the Committee on Rules.

REPORTS FROM COMMITTEES

Mr. DeLONG from the Committee on Cities—Third Class, reported as committed, House Bill No. 15, entitled:

An Act to further amend section one of the act, approved the eleventh day of May, one thousand nine hundred eleven (P. L. 275), entitled "An act to provide for the appointment of county and city inspectors of weights and measures; providing for their compensation and expenses; prescribing their duties; prohibiting vendors from giving false or insufficient weights; and fixing the penalties for the violation of the provisions hereof," requiring inspectors of weights and measures to be appointed by council in third class cities.

Mr. FISH from the Committee on Military Affairs, reported as committed, House Bill No. 173, entitled:

An Act to further amend the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh, and eighth classes and revising, amending, and consolidating the laws relating thereto," by increasing the maximum amount of funeral expenses of deceased service persons and their widows to be contributed by counties.

Mr. CORDIER from the Committee on Military Affairs, reported as committed, House Bill No. 206, entitled:

An Act to amend section two of the act, approved the third day of May, one thousand nine hundred twenty-three (P. L. 1034), entitled "An act making the proceedings of the conventions of the Departments of Pennsylvania of the Grand Army of the Republic and the United Spanish War Veterans a part of the public records of the State; and providing for their publication and distribution," by increasing the number of copies to be published.

Mr. PICKENS from the Committee on Military Affairs, reported as committed, House Bill No. 335, entitled:

An act to further amend section one of the act, approved the eighth day of April, one thousand eight hundred sixty-seven (P. L. 50), entitled "An act to permit disabled soldiers to peddle by procuring a license therefor, without charge," prohibiting the imposition of taxes on such licenses.

Mr. BROWN from the Committee on Fisheries, reported as amended, House Bill No. 365, entitled:

An Act to further amend the first paragraph of section two hundred twenty and to add clause (n) to section two hundred eighty-five of the act approved the second day of May, one thousand nine hundred twenty-five (P. L. 448), entitled "An act relating to fish; and amending, revising, consolidating, and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth," increasing the resident fishing license fee.

Mrs. McCOSKER from the Committee on Judiciary, reported as committed, House Bill No. 765, entitled:

An Act requiring persons elected or appointed as judges of any court of record to be residents of the judicial district for which they are elected or appointed two years prior to the time of such election or appointment.

Mr. O'CONNELL from the Committee on Judiciary, reported as committed, House Bill No. 791, entitled:

An Act to amend or further amend the title and certain sections of the act, approved the third day of June, one thousand nine hundred thirty-three (P. L. 1449), entitled "An act establishing a court of record in the county of Allegheny for control, care, guidance, treatment, trial, placement and commitment of delinquent, neglected and dependent children under sixteen years of age and of persons over sixteen years of age contributing to or encouraging delinquency, neglect or dependency of children; defining the jurisdiction and powers of the court, and regulating procedure therein; providing for the transfer thereto of certain powers, functions and duties from other courts, providing for the election of judges thereof, the appointment of probation officers, other necessary staff officials and assistants; providing for housing of same, and providing for detention of facilities; making the contributing to or encouraging of the delinquency, neglect or dependency of children a misdemeanor; and providing penalties," establishing a separate juvenile court for Luzerne County.

Mr. McDONALD from the Committee on Judiciary, reported as committed, House Bill No. 878, entitled:

An Act to further amend sections twenty-one and thirty-one of the act, approved the sixth day of August, one thousand nine hundred forty-one (P. L. 861), entitled "An act to create a uniform and exclusive system for the administration of parole in this Commonwealth; establishing the 'Pennsylvania Board of Parole'; conferring and defining its jurisdiction, duties, powers and functions, including the supervision of persons placed uon probation in certain designated cases; providing for the method of appointment of its members, regulating the appointment, removal and discharge of its officers, clerks and employes; dividing the Commonwealth into administrative districts for purposes of parole; fixing the salaries of members of the board and of certain other officers and employes thereof; making violations of cer-

tain provisions of this act misdemeanors; providing penalties therefor; and for other cognate purposes, and making an appropriation," further defining the jurisdiction, duties, powers and functions of the Pennsylvania Board of Parole.

Mr. CHUDOFF from the Committee on Insurance, reported as committed, House Bill No. 888, entitled:

An Act relating to the regulation of rates for insurance which may be written by stock or mutual fire, marine or fire and marine insurance companies, associations or exchanges; to rating and advisory organizations; to reports by rating organizations and insurers to the Pennsylvania State Police; conferring on the Insurance Commissioner the power and duty of supervising and regulating persons, associations, companies and corporations, and of enforcing the provisions of this act; prescribing and regulating the practice and procedure before the commissioner, and procedure for review by the courts; giving the Court of common pleas of Dauphin County exclusive jurisdiction over certain proceedings; prescribing penalties and providing for enforcement thereof; and repealing inconsistent acts.

Mr. HOOPES from the Committee on Insurance, reported as committed, House Bill No. 890, entitled:

An Act to further amend the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 789), entitled, as amended, "An act relating to insurance; establishing an insurance department; and amending, revising, and consolidating the law relating to the licensing, qualification, regulation, examination, suspension, and dissolution of insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and certain societies and orders, the examination and regulation of fire insurance rating bureaus, and the licensing and regulation of insurance agents and brokers; the service of legal process upon foreign insurance compensation, associations or exchanges; providing penalties; and repealing existing laws," making the provisions thereof applicable to rating organizations; authorizing the commissioner to collect prescribed fees, fines and penalties of such organizations; excluding from the definition of agent and broker, in the case of title insurance companies, attorneys, licensed real estate agents and brokers and repealing certain sections.

Mr. RAGOT from the Committee on Insurance, reported as committed, House Bill No. 895, entitled:

An Act to add section six hundred twenty-six to the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 789), entitled as amended "An act relating to insurance; establishing an insurance department; and amending, revising, and consolidating the law relating to the licensing, qualification, regulation, examination, suspension, and dissolution of insurance companies, Lloyds associations, reciprocal and inter-insurance companies, certain societies and orders, the examination and regulation of fire insurance rating bureaus, and the licensing and regulation of insurance agents and brokers; the service of legal process upon foreign insurance companies, associations or exchanges; providing penalties, and repealing existing laws," authorizing insurance companies, associations and exchanges to pay commissions to licensed brokers.

Mr. STIMMEL from the Committee on Insurance, reported as committed, House Bill No. 897, entitled:

An Act to further amend the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 682), entitled "An act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and interinsurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," excluding from the provisions thereof fire rating bureaus and repealing the section relating to fire insurance rates and rating bureaus.

Mr. MILLER from the Committee on Insurance, reported as committed, House Bill No. 910, entitled:

An Act relating to unfair methods and unfair or deceptive acts and practices in the business of insurance; defining and prohibiting such methods, acts and practices; conferring on the Insurance Commissioner the power and duty of enforcing the provisions of this act; prescribing and regulating the practice and procedure before the commissioner, and procedure for review by the courts; conferring upon the Court of Common Pleas of Dauphin County exclusive jurisdiction over certain proceedings; prescribing penalties and providing for enforcement thereof; and repealing inconsistent acts.

Mr. LOVETT from the Committee on Insurance, reported as committed, House Bill No. 983, entitled:

An Act to further amend clause (a) of section four hundred fifteen of the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 682), entitled "An act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulations, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and interinsurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," changing the definition of group life insurance.

Mr. ORBAN from the Committee on Judiciary, reported as committed, House Bill No. 1013, entitled:

A Joint resolution proposing an amendment to section one, article nine of the Constitution of the Commonwealth of Pennsylvania.

Mr. BLOOM from the Committee on Judiciary, reported as committed, House Bill No. 1053, entitled:

A Joint Resolution proposing the amendment to article nine of the Constitution of the Commonwealth of Pennsylvania by adding thereto a new section authorizing the creation of an additional debt by the Commonwealth for the payment of compensation to certain veterans.

Mr. TOMPKINS from the Committee on Judiciary, reported as committed, House Bill No. 1215, entitled:

A Joint Resolution ratifying the proposed amendment to the Constitution of the United States relative to the terms of the President of the United States.

Mr. GALLAGHER from the Committee on Insurance, reported as committed, House Bill No. 558, entitled:

An Act to amend section four hundred nineteen of the act approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 682), entitled "An act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and su-

pervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," by permitting certain additional insurance companies to come within the provisions thereof.

Mr. O'NEILL from the Committee on Insurance, reported as committed, House Bill No. 887, entitled:

An Act relating to the regulation of rates for insurance which may be written by stock or mutual casualty insurance companies, associations or exchanges, including fidelity, surety and guarantly bonds and all other forms of motor vehicle insurance and title insurance; to rating and advisory organizations, conferring on the Insurance Commissioner the power and duty of supervising and regulating persons, associations, companies and corporations, and of enforcing the provisions of this act; prescribing and regulating the practice and procedure before the commissioner, and procedure for review by the courts; giving the Court of Common Pleas of Dauphin County exclusive jurisdiction over certain proceedings; prescribing penalties and providing for enforcement thereof; and repealing inconsistent acts.

Mr. FLACK from the Committee on Insurance, reported as committed, House Bill No. 908, entitled:

An Act to add four new sections to the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 682), entitled "An act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Worken's Insurance Fund; providing penalties; and repealing existing laws," regulating ownership by domestic insurance companies of the capital stock of other insurance companies, conferring powers upon the Insurance Commissioner, prescribing procedure before the commissioner and on appeal and conferring powers and duties upon the Court of Common Pleas of Dauphin County.

BILL RE-REFERRED

Mr. DEPUY from the Committee on Townships, returned with the recommendation that it be re-referred to the Committee on Cities—Third Class, House Bill No. 1074, entitled:

An Act to amend and further amend certain sections of the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "An act relating to cities of the third class, and amending, revising, and consolidating the law relating thereto," by providing for the filing of the annual report to council of the city controller with the clerk of the Court of Quarter Sessions, and allowing appeal therefrom upon the filing of a bond; taking away the authority of council in such cities from time to time to make supplemental appropriations; providing for the budgetary control of all expenditures and designating the funds that may legally be expended during the fiscal year, and providing that all cash balances available from the prior fiscal year be included with all sources of revenue in fixing the annual tax rate.

PERMISSION TO ADD ADDITIONAL SPONSORS

Mr. VAUGHAN asked and obtained unanimous consent to add the names of Messrs. Haudenshield and Waldron to a bill he was about to introduce.

Mr. PICKENS asked and obtained unanimous consent to add the names of Messrs. Helm and Guthrie to a bill he was about to introduce.

STUDENTS OF WEST PHILADELPHIA CATHOLIC HIGH SCHOOL WELCOMED

The SPEAKER. The Chair is pleased to welcome this afternoon students of the West Philadelphia Catholic Girl's High School History Club under the supervision of Mother Mary Dorothy and Mother Mary Audrey. They are the guests of the gentlemen from Philadelphia Edwin S. Livingston and Edward J. Griffiths.

CLASS OF PETERSBURG VOCATIONAL HIGH SCHOOL WELCOMED

The SPEAKER. The Chair is also happy to welcome the Ninth Grade Class of the Petersburg Vocational School under the supervision of their principal Henry Stoudt as the guests of the gentleman from Huntingdon, Mr. Neff.

BILL ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 41, entitled:

An Act to amend section five hundred five of the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 571) entitled "An act relating to assessment for taxation in counties of the fourth fifth sixth seventh and eighth classes designating the subjects property and persons subject to and exempt from taxation for county borough town township school except in cities and county institution district purposes and providing for and regulating the assessment and valuation thereof for such purposes creating in each such county a board for the assessment and revision of taxes defining the powers and duties of such boards providing for the acceptance of this act by cities regulating the office of ward borough town and township assessors abolishing the office of assistant triennial assessor in townships of the first class providing for the appointment of a chief assessor assistant assessors and other employes providing for their compensation payable by such counties prescribing certain duties of and certain fees to be collected by the recorder of deeds and eliminating the triennial assessment" increasing the compensation of assessors

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 287, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to convey to the Borough of Towanda for use as an airport certain real estate located in the Township of Towanda County of Bradford and heretofore acquired by the Commonwealth for development as an airport

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 361, entitled:

An Act to further amend section two hundred twenty of the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" providing for free fishing licenses to certain disabled war veterans

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 508, entitled:

An Act to amend section five hundred twenty-one of the act approved the first day of June, one thousand nine hundred forty-five (P. L. 1242), entitled "An act relating to roads, streets, highways and bridges, amending, revising, consolidating and changing the laws administered by the Secretary of Highways and by the Department of Highways relating thereto," permitting the department to take over and maintain structures, bridges and viaducts in certain cities.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 531, entitled:

A Supplement to the Act approved the 7th day of March one thousand nine hundred and one (P. L. 20) entitled "An act for the government of cities of the second class" establishing a department of parks and recreation in said cities providing for its officers and employees and defining the powers duties and jurisdiction of said department.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 538, entitled:

An Act to further amend the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" creating a County Transit and Traffic Commission in counties of the second class providing for its membership and defining its powers and duties.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 595, entitled:

An Act to further amend section two of the act, approved the twenty-eighth day of June, one thousand eight hundred and ninety-five (P. L. 408), entitled "A supplement to the twenty-fourth section of an act, entitled 'An act to provide revenue by taxation, approved the seventh day of June, one thousand eight hundred and seventy-nine,' approved the first day of June, one thousand eight hundred and eighty-nine, amending the twenty-fourth section, by providing for the payment by the State Treasurer of one-half of the two per centum tax on premiums paid by foreign fire insurance companies to the treasurers of the several cities and boroughs within this Commonwealth," by providing a method for the allocation of the tax on premiums of foreign fire insurance companies to cities, boroughs, towns and townships for firemen's relief fund association uses.

The first section was read.

On the question,

Will the House agree to the section?

BILL POSTPONED

Mr. SORG. Mr. Speaker, I move that this bill be placed on the Second Reading postponed calendar.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 742, entitled:

An Act to amend section one hundred eighty-one of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" permitting sheriffs to succeed themselves

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 788, entitled:

An Act to add clause XXVI to section seven hundred two of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" authorizing the establishment of districts for police protection and providing for an equal assessment on all property benefited by such protection

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 815, entitled:

An Act to amend section two thousand eight hundred two of the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" authorizing management of borough burial grounds by a commission appointed by the borough council

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 919, entitled:

An Act to amend section four hundred fifty-one of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act pro-

viding for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant-Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" changing the membership of the State Planning Board

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 947, entitled:

An Act to further amend section one thousand three hundred one of the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" increasing the maximum mill tax rate

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1000, entitled:

An Act to further amend section eight and to amend section nine of the act approved the eleventh day of June one thousand nine hundred thirty-five (P. L. 326) entitled "An act relating to counties of the first class defining deceased service persons providing for contributions by the county to the funeral expenses for such persons and their widows providing for the erection and care of markers headstones and flags and for the compilation of war records" authorizing the director of veterans' affairs to join in the formation of a State association and the payment by such counties of certain expenses in connection therewith

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1008, entitled:

An Act to add article XXX-A to the act approved the twenty-fourth day of June one thousand nine hundred and thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" empowering boards of township commissioners to establish land subdivision regulating

The first section was read.

On the question,

Will the House agree to the section?

Mr. SPROUL offered the following amendments:

Amend Section 1, on page 3, by inserting in line 5, after the first word "paper" the following: "if one has been designated by the Board of Township Commissioners."

Amend Section 1, on page 3, by inserting in line 5, after the word "or" the following: "if none has been so designated then in a."

They were agreed to.

The section was agreed to as amended.

The second section and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1089, entitled:

An Act to amend the act approved the eighth day of July one thousand nine hundred forty-one (P. L. 298) entitled "An act authorizing the creation of and providing for and regulating the maintenance and operation of a county employes' retirement system in counties of the fourth class imposing certain charges on counties and fixing penalties" by requiring superannuation retirement at the age of seventy providing minimum payments to certain beneficiaries and providing for thirty-year service retirement allowances.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

BILLS PASSED OVER

There being no objection

Senate Bill No. 51, Printer's No. 16 and

Senate Bill No. 114, Printer's No. 21,

were passed over at the request of Mr. SORG.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 174, entitled:

An Act to amend clause XLVIII of section one thousand five hundred two of the act approved the twenty-fourth day of June, one thousand nine hundred and thirty-one (P. L. 1206), entitled, "An act concerning townships of the first class; amending, revising, consolidating and changing the law relating thereto," further regulating garbage and treatment works.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 117, as follows:

An Act to amend the second paragraph of section nine of the act approved the twenty-ninth day of May one thousand nine hundred forty-five (P. L. 1112) entitled "An act to further amend the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled 'An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and

the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith' by further providing for the minimum compensation and increments of members of the teaching and supervisory staffs of school districts and vocational school districts county superintendents assistant county superintendents and dsitrict superintendents and providing for reimbursement by the Commonwealth and by school districts for pupils attending schools of other districts imposing duties on certain county officers and repealing certain provisions of said act and of other laws relating thereto" extending for additional time the temporary additional payments by the Commonwealth to school districts

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The second paragraph of section nine of the act approved the twenty-ninth day of May one thousand nine hundred forty-five (P. L. 1112) entitled "An act to further amend the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled 'An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith' by further providing for the minimum compensation and increments of members of the teaching and supervisory staffs of school districts and vocational school districts county superintendents assistant county superintendents and district superintendents and providing for reimbursement by the Commonwealth and by school districts for pupils attending schools of other districts imposing duties on certain county officers and repealing certain provisions of said act and of other laws relating thereto" is hereby amended to read as follows

Section 9 * * * * *

The amount of the payment to be made by the Commonwealth to any school district during the school [year] years 1946-1947 1947-1948 and 1948-1949 on account of the instruction of pupils under the provisions of section one thousand two hundred forty-two as added to the act amended hereby shall not be less than the amount paid to the district during the school year 1945-1946 on account of the salaries of full time members of the teaching and supervisory staff of the district

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201

Aaronson,	Frost,	McCullough,	Scanlon,
Andrews,	Gallagher,	McDonald,	Schuster,
Bane,	Getchey,	McKinney,	Scott,
Barrett,	Gibson,	McMillen,	Serrill,
Baumunk,	Goff,	Mihm,	Shoemaker,
Beech,	Goodling,	Mikula,	Simons,
Bender,	Gorman,	Miller,	Smith, C. C.,
Bentzel,	Graybill,	Mills,	Smith, C. M.,
Bloom,	Greenwood,	Mintess,	Snider,
Boies,	Greer,	Mohr,	Sollenberger,
Bonawitz,	Griffiths,	Mooney,	Sorg,
Boorse,	Guthrie,	Moore, C. E.,	Sproul,
Bower,	Gyger,	Moore, H. A.,	Stank,
Breisch,	Haller,	Murray,	Stimmel,
Brice,	Haudenshield,	Myers,	Stockham,
Brown,	Helm,	Najaka,	Stonier,
Brunner,	Henry,	Naumann,	Stuart,
Bucchin,	Hewitt,	Needham,	Swope,
Cadwalader,	Hocker,	Neff,	Tahl,
Capano,	Hoopes,	Nelson,	Thomassy,
Cassidy,	Horan,	O'Connor,	Thompson,
Chervenak,	Imbt,	O'Dare,	Tittle,
Chudoff,	Jennings,	O'Donnell,	Tompkins,
Clevenger,	Johnson,	O'Neill,	Toomey,
Cochran,	Johnston,	Orban,	Turner,
Cole,	Jones,	Patten,	Upshur,
Cook,	Jump,	Petrosky,	Vaughan,
Cooper,	Kean,	Pichney,	Verona,
Cordier,	Kelley,	Pickens,	Wachhaus,
Costa,	Kemp,	Polaski,	Wagner,
Crowley,	Kent,	Powers,	Waldron,
Dague,	Kirley,	Price,	Wallin,
Dalrymple,	Kline,	Propert,	Walton,
Davison,	Kohl,	Ragot,	Waterhouse,
De Long,	Kratz,	Readinger,	Watkins,
Demech,	Krise,	Reagan,	Watson,
Dennison,	Kurtz,	Reese, D. P.,	Weidner,
Depuy,	Laughner,	Reese, R. E.,	Weiss,
Dix,	Layer,	Reilly, J. M.,	Wescott,
Dye,	Lee,	Reilly, W. J.,	West,
Efenberg,	Leisey,	Richter,	Wheeler,
Elder,	Livingston,	Riley,	Wolf,
Erb,	Livingstone,	Robbins,	Wood,
Evans,	Loftus,	Robertson,	Worley,
Ewing,	Lovett,	Root,	Yeakel,
Feola,	Lyons,	Rose,	Yester,
Fish,	Madden,	Rowen,	Yetzer,
Fiss,	Madigan,	Royer,	Young,
Flack,	Mazza,	Sarraf,	Lichtenwalter,
Fleming,	McCormack,	Sax,	Speaker.
Foor,	McCosker,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 200, as follows:

An Act to further amend the act approved the twenty-ninth day of June one thousand nine hundred thirty-seven (P. L. 2423) entitled as amended "An act establishing a Pennsylvania State Police Retirement System providing for payments upon retirement death disability involuntary retirement and of certain medical expenses from the State Employes' Retirement Fund under the Administration of the State Employes' Retirement Board providing for contribution by members of the Pennsylvania State Police and the Commonwealth providing for the guarantee by the Commonwealth of certain of said funds providing for the Commonwealth to the rights of the member or dependents against certain third parties exempting annuities allowances returns benefits and rights from taxation and judicial processes and providing penalties" by increasing the amounts of the State annuities removing cretain restrictions on the payment of such annuities and further regulating certain retirement allowances paid under said act

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section ten of the act approved the twenty-ninth day of June one thousand nine hundred thirty-seven (P. L. 2423) entitled as amended "An act establishing a Pennsylvania State Police Retirement System providing for payments upon retirement death disability involuntary retirement and of certain medical expenses from the State Employes' Retirement Fund under the Administration of the State Employes' Retirement Board providing for contributions by members of the Pennsylvania State Police and the Commonwealth providing for the guarantee by the Commonwealth of certain of said funds providing for the subrogation of the Commonwealht to the rights of the member or dependents against certain third parties exempting annuities allowances re-

turns benefits and rights from taxation and judicial processes and providing penalties" as amended by the act approved the twenty-eighth day of April one thousand nine hundred forty-three (P. L. 106) is hereby further amended to read as follows

Section 10 Contributions by the Commonwealth The Commonwealth shall contribute from the General Fund and from the Motor License Fund from time to time sufficient moneys to build up the reserves required to pay to each contributor upon superannuation retirement a State annuity equal to (a) [one] two one-hundredth (2/100) of his final salary for each year of total service and in addition thereto if an original member of [one] two one-hundredth (2/100) of his final salary for each year of prior service and (b) an additional State annuity which shall be equivalent to the additional member's annuity which the accumulated deductions standing to the credit of the contributor would purchase if he retired at age sixty under the State Employes' Retirement System

The amounts to be paid by the Commonwealth from the General Fund and the Motor License Fund into the State Employes' Retirement Fund shall be apportioned in the same ratio as the salaries of the members of the Pennsylvania State Police

Section 2 Sections eleven twelve thirteen and fourteen of said act are hereby amneded to raed as follows

Section 11 Payments Upon Death If the board shall find that a contributor died as a direct and proximate result of injuries received in the course of his employment or while on disability retirement allowance resulting from such injuries a retirement allowance shall be paid to his widow so long as she remains his widow and if and when such widow dies or remarries then to his children under eighteen (18) years of age while they are under eighteen (18) years of age and if and when there are no children under eighteen (18) years of age then to the member's parent or parents if they are dependent

Such rtirement allowance shall consist of (a) a member's annuity which shall be the actuarial equivalent of the contributor's accumulated deductions standing to his credit and (b) a State annuity equal to 50% of the final salary of the contributor less the amount which is paid to any such widow or children or dependent parent or parents under the Workmen's Compensation Laws of this Commonwealth during the period such compensation is paid or payable

Section 12 Superannuation Retirement Allowance Any contributor may retire for superannuation by filing with the board a written application for retirement duly attested setting forth on what date he desires to be retired Said application shall make the superannuation retirement allowance effective on the date so specified if such application was filed in the offices of the board or deposited in the United States mail addressed to the board before the date specified in the application and before the death of th contributor Provided however That the date so specified in the application shall not be more than thirty days from the date of filing or depositing the aplication in the mail

When a contributor retires for superannuation under the provisions of this section he shall be paid a retirement allowance disbursed according to his election as provided in section [17] 15 Such retirement allowance shall consist of (a) member's annuity which shall be the actuarial equivalent of his accumulated deductions standing to his credit in the Member's Annuity Reserve Account and (b) a State annuity equal to [one] two one-hundredth (2/100) of his final salary for each year of total service and if an original member in addition thereto of [one] two one-hundredth (2/100) of his final salary for each year of prior service and an additional state annuity which shall be equivalent to the additional members annuity which the accumulated deductions standing to the credit of the contributor would purchase if he retired at age sixty under the State Employes' Retirement System but the State annuity shall not exceed fifty (50%) per cent of the contributor's final salary

Section 13 Disability Retirement Allowance In case of the disability of a contributor regardless of the length of service of the contributor a retirement allowance shall be granted the contributor [in an amount calculated in accordance with the provisions of the State Employes' Retirement Act relating to disability retirement allowances and subject to the same terms conditions and rights as provided by said act] which shall consist of (a) a member's annuity which shall be the actuarial equivalent of his accumulated deductions standing to his credit in the Members Annuity Reserve Account and (b) a State annuity equal to two one-hundredth (2/100) of his final salary multiplied by the number of years service but in any case not less than thirty per centum (30%) nor more than fifty per centum (50%) of said salary

Section 14 Involuntary Retirement Allowances Should a contributor be discontinued from service not voluntarily after having completed ten years of total service or volnutarily after having completed twenty-five years of total service but before reaching superannuation retirement age he shall upon filing of application in the manner herein provided or superannuation retirement be paid as he may elect as follows (a) The full amount of the accumulated deductions standing to his credit or (b) a member's annuity of equivalent actuarial value to his accumulated deductions standing to his credit and in addition a State annuity having a value equal to the present value of a State annuity beginning at superannuation retirement age as provided in this act with respect to State annuities for superannuation retirement The same options shall be available to beneficiaries in case of involuntary retirement as provided herein in the case of superannuation retirement

Section 3 Section twenty-one of said act is hereby repealed

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201

Aaronson,	Frost	McCullough,	Scanlon,
Andrews,	Gallagher,	McDonald,	Schuster,
Bane,	Getchey,	McKinney,	Scott,
Barrett,	Gibson,	McMillen,	Serrill,
Baumunk,	Goff,	Mihm,	Shoemaker,
Beech,	Goodling,	Mikula,	Simons,
Bender,	Gorman,	Miller,	Smith, C. C.,
Bentzel,	Graybill,	Mills,	Smith, C. M.,
Bloom,	Greenwood,	Mintess,	Snider,
Boles,	Greer,	Mohr,	Sollenberger,
Bonawitz,	Griffiths,	Mooney,	Sorg,
Boorse,	Guthrie,	Moore, C. E.,	Sproul,
Bower,	Gyger,	Moore, H. A.,	Stank,
Breisch,	Haller,	Murray,	Stimmel,
Brice,	Haudenshield,	Myers,	Stockham,
Brown,	Helm,	Najaka,	Stonier,
Brunner,	Henry,	Naumann,	Stuart,
Bucchin,	Hewitt,	Needham,	Swope,
Cadwalader,	Hocker,	Neff,	Tahl,
Capano,	Hoopes,	Nelson,	Thomassy,
Cassidy,	Horan,	O'Connor,	Thompson,
Chervenak,	Imbt,	O'Dare,	Tittle,
Chudoff,	Jennings,	O'Donnell,	Tompkins,
Clevenger,	Johnson,	O'Neill,	Toomey,
Cochran,	Johnston,	Orban,	Turner,
Cole,	Jones,	Patten,	Upshur,
Cook,	Jump,	Petrosky,	Vaughan,
Cooper,	Kean,	Pichney,	Verona,
Cordier,	Kelley,	Pickens,	Wachhaus,
Costa,	Kemp,	Polaski,	Wagner,
Crowley,	Kent,	Powers,	Waldron,
Dague,	Kirley,	Price,	Wallin,
Dalrymple,	Kline,	Propert,	Walton,
Davison,	Kohl,	Ragot,	Waterhouse,
De Long,	Kratz,	Readinger,	Watkins,
Demech,	Krise,	Reagan,	Watson,

Dennison,	Kurtz,	Reese, D. P.,	Weidner,
Depuy,	Laughner,	Reese, R. E.,	Weiss,
Dix,	Layer,	Reilly, J. M.,	Wescott,
Dye,	Lee,	Reilly, W. J.,	West,
Efenberg,	Leisey,	Richter,	Wheeler,
Elder,	Livingston,	Riley,	Wolf,
Erb,	Livingstone,	Robbins,	Wood,
Evans,	Loftus,	Robertson,	Worley,
Ewing,	Lovett,	Root,	Yeakel,
Feola,	Lyons,	Rose,	Yester,
Fish,	Madden,	Rowen,	Yetzer,
Fiss,	Madigan,	Royer,	Young,
Flack	Mazza,	Sarraf,	Lichtenwalter,
Fleming,	McCormack,	Sax,	Speaker.
Foor,	McCosker.		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeable to order,

The House proceeding to third reading and consideration of House Bill No. 215, as follows:

An Act to further amend paragraph six of section one of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" including within the definition of State employe employes of the Pennsylvania Turnpike Commission

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Paragraph six of section one of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" as last amended by the act approved the twenty-fith day of June one thousand nine hundred forty-one (P. L. 202) is hereby further amended to read as follows

Section 1 Be it enacted &c That the following words and phrases as used in this act unless a different meaning is plainly required by the context shall have the following meaning

* * * * *

6 "State employe" shall mean any person holding a State office or position under the Commonwealth of Pennsylvania employed and paid on a yearly or monthly basis by the State Government of the Commonwealth of Pennsylvania in any capacity whatsoever and shall include also any attorney solicitor investigator appraiser and clerk employed by the year or by the month in the office of any register of wills howsoever appointed whose compensation is actually paid from Commonwealth moneys and shall also include all judges of the several courts of this Commonwealth whose salaries are paid by the Commonwealth and also all clerks and secretaries employed by judges and paid on a yearly or monthly basis basis by such judges from moneys appropriated by the Commonwealth for such purposes and also all officers and employes of the Pennsylvania State College paid on a yearly or monthly basis other than those paid wholly from Federal funds and also all officers and employes of the Delaware River Joint Commission [and of] the Delaware River Joint Toll Bridge Commission and of the Pennsylvania Turnpike Commission paid on a yearly or monthly basis if the Delaware River Joint Commission [and] the Delaware River Joint Toll Bridge Commission and the Pennsylvania Turnpike Commission shall agree to contribute and contributes to the State Employes' Retirement Fund from time to time the moneys required to build up the reserves necessary for the payment of the State annuities of such officers and employes without any liability on the part of the Commonwealth to make appropriations for such purposes and also but only for the purposes of this act all officers and employes of any separate independent public corporation created by act of Assembly (not including however any municipal or quasi-municipal corporation) who immediately prior to their employment by such public corporation were employes of the Commonwealth so long as they remain officers or employes of such public corporation if such public corporation shall agree to contribute and contributes to the State Employes' Retirement Fund from time to time the moneys required to build up the reserve necessary for the payment of the State annuities of such officers and employes without any liability on the part of the Commonwealth to make appropriations for such purposes But the term "State employe" shall not include those persons defined as employes in section one paragraph seven of the act approved the eighteenth day of July one thousand nine hundred and seventeen (P. L. 1043) entitled "An act establishing a public school employe's retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" as amended by section one paragraph seven of the act approved the and twenty-one (P. L. 245) exceoting such officers and twenty-first day of April one thousand nine hundred employes of the Department of Public Instruction as are not members or or who may withdraw from the public school employes' retirement association provided by said act and no member shall be deprived of credit for prior service as a State employe because of the fact that such service was rendered while he or she was a member of the public school employes retirement association

The term "State employe" shall also include all State officers and employes regularly employed by the year or by the month at a fixed annual or monthly compensation when the General Assembly is not in session but who during a legislative session instead of a fixed annual or monthly salary or compensation are paid upon a per diem basis or by a fixed salary or compensation from the legislative session

In all cases of doubt the retirement board shall determine whether any person is a State emplove as defined in this paragraph and its decision shall be final

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201

Aaronson,	Frost,	McCullough,	Scanlon,
Andrews,	Gallagher,	McDonald,	Schuster,
Bane,	Getchey,	McKinney,	Scott,
Barrett,	Gibson,	McMillen,	Serrill,
Baumunk,	Goff,	Mihm,	Shoemaker,
Beech,	Goodling,	Mikula,	Simons,
Bender,	Gorman,	Miller,	Smith, C. C.,
Bentzel,	Graybill,	Mills,	Smith, C. M.,
Bloom,	Greenwood,	Mintess,	Snider,
Boies,	Greer,	Mohr,	Sollenberger,
Bonawitz,	Griffiths,	Mooney,	Sorg,
Boorse,	Guthrie,	Moore, C. E.,	Sproul,
Bower,	Gyger,	Moore, H. A.,	Stank,
Breisch,	Haller,	Murray,	Stimmel,
Brice,	Haudenshield,	Myers,	Stockham,
Brown,	Helm,	Najaka,	Stonier,
Brunner,	Henry,	Naumann,	Stuart,
Bucchin,	Hewitt,	Needham,	Swope,
Cadwalader,	Hocker,	Neff,	Tahl,
Capano,	Hoopes,	Nelson,	Thomassy,
Cassidy,	Horan,	O'Connor,	Thompson,
Chervenak,	Imbt,	O'Dare,	Tittle,
Chudoff,	Jennings,	O'Donnell,	Tompkins,
Clevenger,	Johnson,	O'Neill,	Toomey,
Cochran,	Johnston,	Orban,	Turner,
Cole,	Jones,	Patten,	Upshur,
Cook,	Jump,	Petrosky,	Vaughan,
Cooper,	Kean,	Pichney,	Verona,
Cordier,	Kelley,	Pickens,	Wachhaus,
Costa,	Kemp,	Polaski,	Wagner,
Crowley,	Kent,	Powers,	Waldron,
Dague,	Kirley,	Price,	Wallin,
Dalrymple,	Kline,	Propert,	Walton,
Davison,	Kohl,	Ragot,	Waterhouse,
De Long,	Kratz,	Readinger,	Watkins,
Demech,	Krise,	Reagan,	Watson,
Dennison,	Kurtz,	Reese, D. P.,	Weidner,
Depuy,	Laughner,	Reese, R. E.,	Weiss,
Dix,	Layer,	Reilly, J. M.,	Wescott,
Dye,	Lee,	Reilly, W. J.,	West,
Efenberg,	Leisey,	Richter,	Wheeler,
Elder,	Livingston,	Riley,	Wolf,
Erb,	Livingstone,	Robbins,	Wood,
Evans,	Loftus,	Robertson,	Worley,
Ewing,	Lovett,	Root,	Yeakel,
Feola,	Lyons,	Rose,	Yester,
Fish,	Madden,	Rowen,	Yetzer,
Fiss,	Madigan,	Royer,	Young,
Flack,	Mazza,	Sarraf,	Lichtenwalter,
Fleming,	McCormack,	Sax,	Speaker.
Foor,	McCosker,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 285, as follows:

An Act to further amend section seven of the act approved the twenty-seventh day of April one thousand nine hundred twenty-seven (P. L. 450) entitled as amended "An act relating to fires and fire prevention imposing duties and conferring powers upon the Pennsylvania State Police authorizing the appointment of the chiefs of fire departments and certain public officers and other as assistants to the Pennsylvania State Police and defining their powers and duties providing for the investigation of the cause origin and circumstance of fires and the inspection of all and the removal or change of certain buildings by owners and occupants thereof including political subdivisions imposing duties on school authorities and on certain corporations associations and fire rating agencies providing for the attendance of witnesses before the Pennsylvania State Police and the enforcement of its orders and prescribing penalties" by further imposing duties on certain school authorities

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section seven of the act approved the twenty-seventh day of April one thousand nine hundred twenty-seven (P. L. 450) entitled as amended "An act relating to fires and fire prevention imposing duties and conferring powers upon the Pennsylvania State Police authorizing the appointment of the chiefs of fire departments and certain public officers and others as assistants to the Pennsylvania State Police and defining their powers and duties providing for the investigation of the cause origin and circumstance of fires and the inspection of all and the removal or change of certain buildings by owners and occupants thereof including political subdivisions imposing duties on school authorities and on certain corporations associations and fire rating agencies providing for the attendance of witnesses before the Pennsylvania State Police and the enforcement of its orders and prescribing penalties" as last amended by the act approved the twenty-eighth day of April one thousand nine hundred forty-three (P. L. 123) is hereby further amended to read as follows

Section 7 It shall be the duty of the [Pennsylvania State Police] Department of Public Instruction to prepare in consultation with the [Superintendent of Public Instruction] Pennsylvania State Police books of instruction for use of Teachers in the public and private schools [of students] of all grades with regard to the dangers of fire and the prevention of fire waste It shall be the duty of the Superintendent of Public Instruction and of the principals or other persons in charge of the various schools of this Commonwealth to provide for the instruction and training of pupils of such schools by means of drills so that they may in sudden emergencies be able to leave the school buildings in the shortest possible time without confusion or panic Such drills shall be held at least once a month when the schools are in session Books of instruction with regard to the dangers of fire and the prevention of fire waste as above specified shall be published at the expense of the [State] Commonwealth under the direction of the Superintendent of Public Instruction and shall be distributed in sufficient quantities for the use of the [school] teachers of the schools as herein provided and the curriculum of such schools shall include [some] regular and continuous study of such subjects during the entire school year

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201

Aaronson,	Frost,	McCullough,	Scanlon,
Andrews,	Gallagher,	McDonald,	Schuster,
Bane,	Getchey,	McKinney,	Scott,
Barrett,	Gibson,	McMillen,	Serrill,
Baumunk,	Goff,	Mihm,	Shoemaker,
Beech,	Goodling,	Mikula,	Simons,
Bender,	Gorman,	Miller,	Smith, C. C.,
Bentzel,	Graybill,	Mills,	Smith, C. M.,
Bloom,	Greenwood,	Mintess,	Snider,
Boies,	Greer,	Mohr,	Sollenberger,
Bonawitz,	Griffiths,	Mooney,	Sorg,
Boorse,	Guthrie,	Moore, C. E.,	Sproul,
Bower,	Gyger,	Moore, H. A.,	Stank,
Breisch,	Haller,	Murray,	Stimmel,
Brice,	Haudenshield,	Myers,	Stockham,
Brown,	Helm,	Najaka,	Stonier,
Brunner,	Henry,	Naumann,	Stuart,
Bucchin,	Hewitt,	Needham,	Swope,
Cadwalader,	Hocker,	Neff,	Tahl,
Capano,	Hoopes,	Nelson,	Thomassy,
Cassidy,	Horan,	O'Connor,	Thompson,

Chervenak,	Imbt,	O'Dare,	Tittle,
Chudoff,	Jennings,	O'Donnell,	Tompkins,
Clevenger,	Johnson,	O'Neill,	Toomey,
Cochran,	Johnston,	Orban,	Turner,
Cole,	Jones,	Patten,	Upshur,
Cook,	Jump,	Petrosky,	Vaughan,
Cooper,	Kean,	Pichney,	Verona,
Cordier,	Kelley,	Pickens,	Wachhaus,
Costa,	Kemp,	Polaski,	Wagner,
Crowley,	Kent,	Powers,	Waldron,
Dague,	Kirley,	Price,	Wallin,
Dalrymple,	Kline,	Propert,	Walton,
Davison,	Kohl,	Ragot,	Waterhouse,
De Long,	Kratz,	Readinger,	Watkins,
Demech,	Krise,	Reagan,	Watson,
Dennison,	Kurtz,	Reese, D. P.,	Weidner,
Depuy,	Laughner,	Reese, R. E.,	Weiss,
Dix,	Layer,	Reilly, J. M.,	Wescott,
Dye,	Lee,	Reilly, W. J.,	West,
Efenberg,	Leisey,	Richter,	Wheeler,
Elder,	Livingston,	Riley,	Wolf,
Erb,	Livingstone,	Robbins,	Wood,
Evans,	Loftus,	Robertson,	Worley,
Ewing,	Lovett,	Root,	Yeakel,
Feola,	Lyons,	Rose,	Yester,
Fish,	Madden,	Rowen,	Yetzer,
Fiss,	Madigan,	Royer,	Young,
Flack,	Mazza,	Sarraf,	Lichtenwalter,
Fleming,	McCormack,	Sax,	Speaker.
Foor,	McCosker,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 336, as follows:

An Act to further amend section two hundred three of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by further changing the provisions of the act relating to the titling of commercial motor vehicles

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two hundred three of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnimuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehciles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as last amended by the act approved the twenty-seventh day of June one thousand nine hundred thirty-nine (P. L. 1135) is hereby further amended to read as follows

Section 203 Contents Delivery Effect and Life of Certificate of Title

(a) A certificate of title shall contain such description and other evidence of identification of the motor vehicle trailer or semi-trailer for which it is issued as the secretary may deem necessary together with a statement of any lines or encumbrances which the applicant may show to be thereon together with the name and addresses of the holder or holders of any such or encumbrances If the motor vehicle is a motor bus other than those designated in section 707 herein as classes A and B or a commercial motor vehicle the certificate of title shall not describe by number or otherwise the motor or engine in said motor bus or commercial vehicle

(b) Where there are no liens or encumbrances upon the motor vehicle trailer or semi-trailer the certificate of title shall be delivered to the owner but otherwise the certificate of title shall be delivered to the person holding the first lien or encumbrance upon said motor vehicle trailer or semi-trailer and be retained by such person until the entire amount of such first lien or encumbrance is fully paid by the owner of said motor vehicle trailer or semi-trailer The certificate of title when issued by the secretary showing a lien or encumbrance shall be adequate notice to the Commonwealth creditors and purchasers that a lien against the motor vehicle trailer or semi- trailer exists and failure to transfer possession of the vehicle trailer or semi-trailer shall not invalidate said lien or encumbrance Upon the final payment being made of any lien or encumbrance the certificate of title shall be delivered immediately to the owner of said motor vehicle trailer or semi-trailer with proper evidence of satisfaction of same providing there are no subsequent liens or encumbrances If there are any subsequent liens or encumbrances upon the motor vehicle trailer or semi-trailer the certificate of title upon final payment being made of any lien or encumbrance shall be returned to the department by the person whose lien or encumbrance has been discharged by such payment within forty-eight (48) hours of such payment A corrected certificate of title together with a statement of the remaining liens or encumbrances on record shall be delivered to the person holding the next lien or encumbrance upon said motor vehicle trailer or semi-trailer and be retained by such person until the entire amount of such lien or encumbrance is fully paid by the owner of said motor vehicle trailer or semi-trailer A corrected certificate of title without statement of liens or encumbrances shall be issued by the department upon request of the owner when original certificate of title is returned with proper evidence that all said liens or encumbrances have been satisfied or when the original certificate of title cannot be returned and proper evidence is produced that all said liens or encumbrances have been satisfied or when the lien or encumbrance upon the motor vehicle trailer or semi-trailer has not

been renewed within the three years immediately preceding the issuance of such corrected certificate of title providing that the computation of three years shall not include time before June first one thousand nine hundred thirty-seven

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201

Aaronson,	Frost,	McCullough,	Scanlon,
Andrews,	Gallagher,	McDonald,	Schuster,
Bane,	Getchey,	McKinney,	Scott,
Barrett,	Gibson,	McMillen,	Serrill,
Baumunk,	Goff,	Mihm,	Shoemaker,
Beech,	Goodling,	Mikula,	Simons,
Bender,	Gorman,	Miller,	Smith, C. C.,
Bentzel,	Graybill,	Mills,	Smith, C. M.,
Bloom,	Greenwood,	Mintess,	Snider,
Boies,	Greer,	Mohr,	Sollenberger,
Bonawitz,	Griffiths,	Mooney,	Sorg,
Boorse,	Guthrie,	Moore, C. E.,	Sproul,
Bower,	Gyger,	Moore, R. A.,	Stank,
Breisch,	Haller,	Murray,	Stimmel,
Brice,	Haudenshield,	Myers,	Stockham,
Brown,	Helm,	Najaka,	Stonier,
Brunner,	Henry,	Naumann,	Stuart,
Bucchin,	Hewitt,	Needham,	Swope,
Cadwalader,	Hocker,	Neff,	Tahl,
Capano,	Hoopes,	Nelson,	Thomassy,
Cassidy,	Horan,	O'Connor,	Thompson,
Chervenak,	Imbt,	O'Dare,	Tittle,
Chudoff,	Jennings,	O'Donnell,	Tompkins,
Clevenger,	Johnson,	O'Neill,	Toomey,
Cochran,	Johnston,	Orban,	Turner,
Cole,	Jones,	Patten,	Upshur,
Cook,	Jump,	Petrosky,	Vaughan,
Cooper,	Kean,	Pichney,	Verona,
Cordier,	Kelley,	Pickens,	Wachhaus,
Costa,	Kemp,	Polaski,	Wagner,
Crowley,	Kent,	Powers,	Waldron,
Dague,	Kohl,	Price,	Wallin,
Dalrymple,	Kirley,	Propert,	Walton,
Davison,	Kline,	Ragot,	Waterhouse,
De Long,	Kratz,	Readinger,	Watkins,
Demech,	Krise,	Reagan,	Watson,
Dennison,	Kurtz,	Reese, D P.,	Weidner,
Depuy,	Laughner,	Reese, R. E.,	Weiss,
Dix,	Layer,	Reilly, J. M.,	Wescott,
Dye,	Lee,	Reilly, W. J.,	West,
Efenberg,	Leisey,	Richter,	Wheeler,
Elder,	Livingston,	Riley,	Wolf,
Erb,	Livingstone,	Robbins,	Wood,
Evans,	Loftus,	Robertson,	Worley,
Ewing,	Lovett,	Root,	Yeakel,
Feola,	Lyons,	Rose,	Yester,
Fish,	Madden,	Rowen,	Yetzer,
Fiss,	Madigan,	Royer,	Young,
Flack,	Mazza,	Sarraf,	Lichtenwalter,
Fleming,	McCormack,	Sax,	Speaker.
Foor,	McCosker,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 406, as follows:

An Act to further amend clauses six and nine of section one and section three of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" further defining State employes and original members and making further exception to compulsory membership in the system

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clauses six and nine of section one of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" clause six as last amended by the Act approved the twenty-fifth day of June one thousand nine hundred forty-one (P. L. 202) and clause nine as last amended by the act approved the eighteenth day of May one thousand nine hundred thirty-seven (P. L. 683) are hereby further amended to read as follows

Section 1 Be it enacted &c That the following words and phrases as used in this act unless a different meaning is plainly required by the context shall have the following meanings

* * * * *

6 "State employe" shall mean any person holding a State office or position under the Commonwealth of Pennsylvania employed and paid on a yearly or monthly basis by the State Government of the Commonwealth of Pennsylvania in any capacity whatsover and shall include also any attorney solicitor investigator appraised and clerk employed by the year or by the month in the office of any register of wills howsoever appointed whose compensation is actually paid from Commonwealth moneys and shall also include all judges of the several courts of this Commonwealth whose salaries are paid by the Commonwealth and also all clerks and secretaries employed by judges and paid on a yearly or monthly basis by such judges from moneys appropriated by the Commonwealth for such purposes and also all officers and employes of the Pennsylvania State College paid on a yearly or monthly basis other than those paid wholly from Federal funds and also all officers and employes of the Delaware River Joint Commission and of the Delaware River Joint Toll Bridge Commission paid on a yearly or monthly basis if the Delaware River Joint Commission and the Delaware River Joint Toll Bridge Commission shall agree to contribute and contributes to the State Employes' Retirement Fund from time to time the moneys required to build up the reserves necessary for the payment of the State annuities of such officers and employes without any liability on the part of the Commonwealth to make appropriations for such purposes and also but only for the purposes of this act all officers and employes of any seprate independent public corporation created by act of Assembly (not including however any municipal or quasi-municipal corporation) who immediately prior to their employment by such public corporation were employes of the Commonwealth so long as they remain officers or employes of such public corporation if such public corporation shall agree to contribute and contributes to

the State Employes' Retirement Fund from time to time the moneys required to build up the reserve necessary for the payment of the State annuities of such officers and employes without any liability on the part of the Commonwealth to make appropriations for such purposes But the term "State Employes" shall not include those persons defined as employes in section one paragraph seven of the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" as amended by section one paragraph seven of the act approved the twenty-first day of April one thousand nine hundred twenty-one (P. L. 245) excepting such officers and employes of the Department of Public Instruction as are not members of or who may withdraw from the public school employes' retirement association provided by said act and no member shall be deprived of credit for prior service as a State employe because of the fact that such service was rendered while he or she was a member of the public school employes' retirement association

The term "State employe" shall also include all State officers and employes regularly employed by the year or by the month at a fixed annual or monthly compensation when the General Assembly is not in session but who during the legislative session instead of a fixed annual or monthly salary or compensation are paid upon a per diem basis or by a fixed salary or compensation from the legislative session or who receive no fixed annual or monthly salary but are paid only upon a per diem basis during legislative sessions ad subsequent thereto

In all cases of doubt the retirement board shall determine whether any person is a State employe as defined in this paragraph and its decision shall be final

* * * * *

9 "Original member" of the retirement association shall mean a State employe who was at any time a State employe prior to January first one thousand nine hundred twenty-five whether or not such employment has been continuous and who shall have become a member of the retirement association on or before December thirty-first one thousand nine hundred thirty-five or in any case where subsequent to such date the definition of State employe has been changed so as to include additional persons not previously classed as State employes if any such person shall have become a member of the retirement association on or before the thirty-first day of December next following the effective date of the act under the provisions of which he was enabled to become a member of the association

Any such State employe who shall become an original member of the association after the approval of this amendment including those who having heretofore become a new member thereof shall become an original member under the provisions hereof shall pay to the retirement association a sum equal to all the back payments which such person would have made had he or she become a member of the retirement association when the retirement system was established Such back payments may be spread over a period of years by having such regular payroll deduction of such person increased by not less than one-third of the amount thereof which deduction increase shall be credited to such back payments owing and shall be continued until the amount thereof shall be paid in full unless such member is retire under the provisions of this act before such back payments have been completed Any such deduction increase may be anticipated in full by the member at any time and shall be anticipated in full at the time of retirement before a retirement allowance is granted and if not so anticipated then the member's annuity shall be calculated on the total accumulated deductions standing to his credit and his State annuity shall be reduced by an amount equivalent to the reduction which occurs in the member's annuity due to the amount of the back payments not so anticipated

Original member of the retirement association shall also mean any judge in service on the second Monday of January one thousand nine hundred thirty who shall elect to become a member of the retirement association at any time during the term for which he was then elected or appointed and any person hereafter elected or appointed a judge who at the time of his election or appointment is an original member of the retirement association or who was retired voluntarily or involuntarily as an original member and is at the time of his election or appointment as a judge receiving a retirement allowance as an original member

Section 2 Section three of said act as last amended by the act approved the eighteenth day of May one thousand nine hundred thirty-seven (P. L. 683) is hereby further amended to read as follows

Section 3 A State employes' retirement association is hereby organized the membership of which shall consist of all State employes as defined in paragraph six of section one of this act who by written application to the Retirement Board shall either as an original member or a new member elect to be covered by the retirement system Any State employe who becomes a State employe subsequent to the thirty-first day of December nineteen hundred twenty-four except as provided in paragraphs nine and ten of section one of this act as to judges shall during the first six months of employment as a State employe have the option of membership but after the first six months of such employment as a State employe membership as a new member shall be compulsory Provided however That neither the Governor nor the Lieutenant Governor nor the head or deputy heads of any administrative deartment nor the members of any indepenedent administrative board or commission or of any departmental administrative board or commission or of any advisory board or commossion nor the secretary to the Governor nor the budget secretary nor any legislative employe nor any person over the age of fifty years shall be compelled to become members of said State employes' retirement association

The head of each department board commission or other agency of the State government shall see to it that an application for membership is executed by each new State employe within said six months period and that payroll deductions are not delayed beyond said period

Section 3 This act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question.

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201

Aaronson,	Frost,	McCullough,	Scanlon,
Andrews,	Gallagher,	McDonald,	Schuster,
Bane,	Getchey,	McKinney,	Scott,
Barrett,	Gibson,	McMillen,	Serrill,
Baumunk,	Goff,	Mihm,	Shoemaker,
Beech,	Goodling,	Mikula,	Stations,
Bender,	Gorman,	Miller,	Smith, C. C.,
Bentzel,	Graybill,	Mills,	Smith, J. M.,
Bloom,	Greenwood,	Mintess,	Snider,
Boies,	Greer,	Mohr,	Sollenberger,
Bonawitz,	Griffiths,	Mooney,	Sorg,
Boorse,	Guthrie,	Moore, C. E.,	Sproul,
Bower,	Gyger,	Moore, H. A.,	Stank,
Breisch,	Haller,	Murray,	Stimmel,
Brice,	Haudenshield,	Myers,	Stockham,
Brown,	Helm,	Najaka,	Stonier,
Brunner,	Henry,	Naumann,	Stuart,

Bucchin,	Hewitt,	Needham,	Swope,
Cadwalader,	Hocker,	Neff,	Tahl,
Capano,	Hoopes,	Nelson,	Thomassy,
Cassidy,	Horan,	O'Connor,	Thompson,
Chervenak,	Imbt,	O'Dare,	Tittle,
Chudoff,	Jennings,	O'Donnell,	Tompkins,
Clevenger,	Johnson,	O'Neill,	Toomey,
Cochran,	Johnston,	Orban,	Turner,
Cole,	Jones,	Patten,	Upshur,
Cook,	Jump,	Petrosky,	Vaughan,
Cooper,	Kean,	Pichney,	Verona,
Cordier,	Kelley,	Pickens,	Wachhaus,
Costa,	Kemp,	Polaski,	Wagner,
Crowley,	Kent,	Powers,	Waldron,
Dague,	Kirley,	Price,	Wallin,
Dalrymple,	Kline,	Propert,	Walton,
Davison,	Kohl,	Ragot,	Waterhouse,
De Long,	Kratz,	Readinger,	Watkins,
Demech,	Krise,	Reagan,	Watson,
Dennison,	Kurtz,	Reese, D. P.,	Weidner,
Depuy,	Laughner,	Reese, R. E.,	Weiss,
Dix,	Layer,	Reilly, J. M.,	Wescott,
Dye,	Lee,	Reilly, W. J.,	West,
Efenberg,	Leisey,	Richter,	Wheeler,
Elder,	Livingston,	Riley,	Wolf,
Erb,	Livingstone,	Robbins,	Wood,
Evans,	Loftus,	Robertson,	Worley,
Ewing,	Lovett,	Root,	Yeakel,
Feola,	Lyons,	Rose,	Yester,
Fish,	Madden,	Rowen,	Yetzer,
Fiss,	Madigan,	Royer,	Young,
Flack,	Mazza,	Sarraf,	Lichtenwalter,
Fleming,	McCormack,	Sax,	Speaker.
Foor,	McCosker,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 432, as follows:

An Act to further amend subsections (b) and (c) or section one thousand two of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycle pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" providing for establishment of restricted speed zones in certain cases and further regulating the speed of motor buses and omnibuses

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (b) of section one thousand two of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of public safety regulating the use of highlys and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as last amended by the act approved the fifteenth day of April one thousand nine hundred forty-one (P. L. 17) is hereby further amended by adding thereto after clause seven a new clause to read as follows

Section 1002 Restrictions as to Speed

* * * *

(b) Subject to the provisions of subsection (a) of this section speeds in excess of the maximum limits hereinafter provided shall be unlawful

* * * *

8 The Secretary of Highways may after due investigation establish further restricted speed zones on State highways outside of business and residence districts where traffic conditions or other conditions of the highway make it unsafe to operate motor vehicles at the maximum speeds as provided by this act

Any such established restricted speed zone shall be indicated by the erection of official signs spaced not less than one-eighth of a mile apart on the right hand side of the highway facing the traffic to be controlled and at the end of the restricted speed zone there shall be an official sign indicating the end of such restricted speed zone

Section 2 Subsection (c) of section one thousand two of said act as last amended by the act approved the fifteenth day of April one thousand nine hundred forty-one (P. L. 17) is hereby further amended to read as follows

Section 1002 Restrictions as to Speed

* * * *

(c) Subject to the provisions of subsections (a) and (b) of this section it shall be unlawful for the following kinds types and classes of vehicles to be operated at a greater speed than hereinafter provided except when such vehicles are being operated on highways under the supervision and control of a Turnpike Commission in which case subject to speed restrictions by such Turnpike Commission as hereinbefore provided the maximum speed limits shall be twenty miles per hour greater than hereinafter provided

Commercial motor vehicle and truck tractors R class fifty miles per hour

[Motor buses and omnibuses forty-five miles per hour]

Commercial motor vehicles and truck tractors S T and L classes forty miles per hour

Commercial moteor vehicles and truck tractors V and W classes thirty-five miles per hour

All other commercial motor vehicles and truck tractors thirty miles per hour

All combinations of commercial motor vehicles or truck tractors and trailers or semi-trailers thirty miles per hour

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201

Aaronson,	Frost,	McCullough,	Scanlon,
Andrews,	Gallagher,	McDonald,	Schuster,
Bane,	Getchey,	McKinney,	Scott,
Barrett,	Gibson,	McMillen,	Serrill,
Baumunk,	Goff,	Mihm,	Shoemaker,
Beech,	Goodling,	Mikula,	Simons,
Bender,	Gorman,	Miller,	Smith, C. C.,
Bentzel,	Graybill,	Mills,	Smith, C. M.,
Bloom,	Greenwood,	Mintess,	Snider,
Boies,	Greer,	Mohr,	Sollenberger,
Bonawitz,	Griffiths,	Mooney,	Sorg,
Boorse,	Guthrie,	Moore, C. E.,	Sproul,
Bower,	Gyger,	Moore, H. A.,	Stank,
Breisch,	Haller,	Murray,	Stimmel,
Brice,	Haudenshield,	Myers,	Stockham,
Brown,	Helm,	Najaka,	Stonier,
Brunner,	Henry,	Naumann,	Stuart,
Bucchin,	Hewitt,	Needham,	Swope,
Cadwalader,	Hocker,	Neff,	Tahl,
Capano,	Hoopes,	Nelson,	Thomassy,
Cassidy,	Horan,	O'Connor,	Thompson,
Chervenak,	Imbt,	O'Dare,	Tittle,
Chudoff,	Jennings,	O'Donnell,	Tompkins,
Clevenger,	Johnson,	O'Neill,	Toomey,
Cochran,	Johnston,	Orban,	Turner,
Cole,	Jones,	Patten,	Upshur,
Cook,	Jump,	Petrosky,	Vaughan,
Cooper,	Kean,	Pichney,	Verona,
Cordier,	Kelley,	Pickens,	Wachhaus,
Costa,	Kemp,	Polaski,	Wagner,
Crowley,	Kent,	Powers,	Waldron,
Dague,	Kirley,	Price,	Wallin,
Dalrymple,	Kline,	Propert,	Walton,
Davison,	Kohl,	Ragot,	Waterhouse,
De Long,	Kratz,	Readinger,	Watkins,
Demech,	Krise,	Reagan,	Watson,
Dennison,	Kurtz,	Reese, D. P.,	Weidner,
Depuy,	Laughner,	Reese, R. E.,	Weiss,
Dix,	Layer,	Reilly, J. M.,	Wescott,
Dye,	Lee,	Reilly, W. J.,	West,
Efenberg,	Leisey,	Richter,	Wheeler,
Elder,	Livingston,	Riley,	Wolf,
Erb,	Livingstone,	Robbins,	Wood,
Evans,	Loftus,	Robertson,	Worley,
Ewing,	Lovett,	Root,	Yeakel,
Feola,	Lyons,	Rose,	Yester,
Fish,	Madden,	Rowen,	Yetzer,
Fiss,	Madigan,	Royer,	Young,
Flack,	Mazza,	Sarraf,	Lichtenwalter,
Fleming,	McCormack,	Sax,	Speaker.
Foor,	McCosker,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

Mr. ANDREWS. Mr. Speaker, with the understanding that the House wants to have an early adjournment today, and if hostilities are temporarily suspended, I would suggest that House Bill No. 554, Printer's No. 206 go over.

The SPEAKER. The Chair has also made that request, and might inform the gentleman from Cambria that the sponsor of the bill has very graciously consented that the bill be passed over. If there is no objection the bill will be passed over. The Chair hears no objection.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 592, as follows:

An Act authorizing the conveyance to the Borough of Norristown of a certain tract of land in the Borough of Norristown County of Montgomery Pennsylvania

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Department of Property and Supplies with the approval of the Governor and the Attorney General is hereby authorized to garnt and convey to the Borough of Norristown to be used exclusively for public park purposes the title of the Commonwealth to all that certain lot or tract of land situate in the Borough of Norristown County of Montgomery and Commonwealth of Pennsylvania bounded and described as follows

Beginning at a monument the intersection of the center line of West Johnson Highway and the West side of Harding Boulevard thence extending in a Southerly direction along the West side of Harding Boulevard South 45° 06′ West 845.50 feet to a point thence extending in a general Northerly direction said line dividing lands of the Borough of Norristown and the Commonwealth of Pennsylvania North 4° 38′ East 563.12 feet to a point thence extending North 45° 01′ East 434 feet to a point in the center of Johnson Highway thence along the center of said John Highway South 42° 16′ East 366.74 feet to the place of beginning containing 5.3424 acres

Section 2 The grant hereby made is upon the condition that if said land should ever be abandoned by the Borough of Norristown for public park purposes or should become devoted to any private or commercial use as distinguished from a public use it shall revert to the Commonwealth of Pennsylvania

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201

Aaronson,	Frost,	McCullough,	Scanlon,
Andrews,	Gallagher,	McDonald,	Schuster,
Bane,	Getchey,	McKinney,	Scott,
Barrett,	Gibson,	McMillen,	Serrill,
Baumunk,	Goff,	Mihm,	Shoemaker,
Beech,	Goodling,	Mikula,	Simons,
Bender,	Gorman,	Miller,	Smith, C. C.,
Bentzel,	Graybill,	Mills,	Smith, C. M.,
Bloom,	Greenwood,	Mintess,	Snider,
Boies,	Greer,	Mohr,	Sollenberger,
Bonawitz,	Griffiths,	Mooney,	Sorg,
Boorse,	Guthrie,	Moore, C. E.,	Sproul,
Bower,	Gyger,	Moore, H. A.,	Stank,
Breisch,	Haller,	Murray,	Stimmel,
Brice,	Haudenshield,	Myers,	Stockham,
Brown,	Helm,	Najaka,	Stonier,
Brunner,	Henry,	Naumann,	Stuart,
Bucchin,	Hewitt,	Needham,	Swope,
Cadwalader,	Hocker,	Neff,	Tahl,
Capano,	Hoopes,	Nelson,	Thomassy,
Cassidy,	Horan,	O'Connor,	Thompson,
Chervenak,	Imbt,	O'Dare,	Tittle,
Chudoff,	Jennings,	O'Donnell,	Tompkins,
Clevenger,	Johnson,	O'Neill,	Toomey,
Cochran,	Johnston,	Orban,	Turner,
Cole,	Jones,	Patten,	Upshur,
Cook,	Jump,	Petrosky,	Vaughan,
Cooper,	Kean,	Pichney,	Verona,
Cordier,	Kelley,	Pickens,	Wachhaus,
Costa,	Kemp,	Polaski,	Wagner,
Crowley,	Kent,	Powers,	Waldron,
Dague,	Kirley,	Price,	Wallin,
Dalrymple,	Kline,	Propert,	Walton,
Davison,	Kohl,	Ragot,	Waterhouse,

De Long,	Kratz,	Readinger,	Watkins,
Demech,	Krise,	Reagan,	Watson,
Dennison,	Kurtz,	Reese, D. P.,	Weidner,
Depuy,	Laughner,	Reese, R. E.,	Weiss,
Dix,	Layer,	Reilly, J. M.,	Wescott,
Dye,	Lee,	Reilly, W. J.,	West,
Efenberg,	Leisey,	Richter,	Wheeler,
Elder,	Livingston,	Riley,	Wolf,
Erb,	Livingstone,	Robbins,	Wood,
Evans,	Loftus,	Robertson,	Worley,
Ewing,	Lovett,	Root,	Yeakel,
Feola,	Lyons,	Rose	Yester,
Fish,	Madden,	Rowen,	Yetzer,
Fiss,	Madigan,	Royer,	Young,
Flack,	Mazza,	Sarraf,	Lichtenwalter,
Fleming,	McCormack,	Sax,	Speaker.
Foor,	McCosker,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 627, as follows:

An Act to further amend subsection (b) of section one thousand two of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject mater of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneosu receipts making an appropriation and providing for refunds" increasing maximum speed limits in certain cases and imposing a limit on passing stopped school buses

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (b) of section one thousand two of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as last amended by the act approved the twenty-seventh day of June one thousand nine hundred thirty-nine (P. L. 1135) and as amended in part by the act approved the fifteenth day of April one thousand nine hundred forty-one (P. L. 17) is hereby further amended to read as follows

Section 1002 Restrictions as to Speed

* * * *

(b) Subjection to the provisions of subsection (a) of this section speeds in excess of the maximum limits hereinafter provided shall be unlawful

1 [Ten (10)] Fifteen (15) miles an hour speed limit

All vehicles when passing any interurban or street car taking on or discharging passengers at an intersection where a safety zone has been established or where traffic is controlled by a peace officer or a traffic signal

All vehicles when meeting or overtaking from either direction any school bus stopped on the highway for the purpose of receiving or discharging school children

2 Fifteen (15) miles an hour speed limit

All vehicles except those restricted by this act to lower maximum speeds when passing a school building during school recess or while children are going to or leaving school during opening or closing hours

3 Twenty (20) miles an hour speed limit

All vehicles except those restricted by this act to lower maximum speeds when approaching within two hundred (200) feet of a railway grade crossing where official signs erected by the proper authorities are displayed

All vehicles except those being operated on through highways and those restricted by this act to lower maximum speeds when approaching within fifty (50) feet and in traversing an intersection of highways within a business or residence district or in traversing an intersection in a public park area when the driver's view is obstructed except on highways controlled at intersections by peace officer or traffic signal A driver's view shall be deemed to be obstructed if during the last fifty (50) feet of his approach to such intersection he does not have a clear and uninterrupted view of such intersection and of the traffic upon all of the highways entering such intersection and of the traffic upon all of the highways entering such intersection for a distance of two hundred (200) feet from such intersection

4 Twenty-five (25) or thirty-five (35) miles an hour speed limit All vehicles except those restricted by this act to lower maximum speeds within business or residence districts or public park areas where official signs erected by the proper authorities on the right-hand side of the highway facing the traffic to be controlled or on the left-hand side of one-way street are displayed This limit shall be observed for a distance beyond said sign for not more than one-eight (⅛) of a mile An additional sign shall be placed at intervals not greater than one-eighth (⅛) of a mile and any extension of such limited zone shall be marked by additional signs in like manner At the end of such limited zone there shall be an official sign similarly placed as to traffic indicating the end of the limited zone

5 Thirty-five (35) miles an hour speed limit All vehicles except those restricted by this act to lower maximum speeds while using auxiliary driving lamps as provided for in section eight hundred two (b)

6 Fifty (50) miles an hour speed limit All vehicles except those otherwise restricted by this act to lower maximum speeds

7 Seventy (70) miles an hour speed limit All vehicles when being operated on highways under the supervision and control of a Turnpike Commission except those otherwise restricted by this act to lower maximum speeds and except when restricted to lower maximum speeds by such Turnpike Commission upon the highways under its supervision and control or any zones or sections thereof where official signs erected by such Turnpike

Commission on the highway facing the office to be controlled are displayed

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201

Aaronson,	Frost,	McCullough,	Scanlon,
Andrews,	Gallagher,	McDonald,	Schuster,
Bane,	Getchey,	McKinney,	Scott,
Barrett,	Gibson,	McMillen,	Serrill,
Baumunk,	Goff,	Mihm,	Shoemaker,
Beech,	Goodling,	Mikula,	Simons,
Bender,	Gorman,	Miller,	Smith, C. C.,
Bentzel,	Graybill,	Mills,	Smith, C. M.,
Bloom,	Greenwood,	Mintess,	Snider
Boies,	Greer,	Mohr,	Sollenberger,
Bonawitz,	Griffiths,	Mooney,	Sorg,
Boorse,	Guthrie,	Moore, C. E.,	Spro..,
Bower,	Gyger,	Moore, H. A.,	Stank,
Breisch,	Haller,	Murray,	Stimmel,
Brice,	Haudenshield,	Myers,	Stockham,
Brown,	Helm,	Najaka,	Stonier,
Brunner,	Henry,	Naumann,	Stuart,
Bucchin,	Hewitt,	Needham,	Swope,
Cadwalader,	Hocker,	Neff,	Tahl,
Capano,	Hoopes,	Nelson,	Thomassy,
Cassidy,	Horan,	O'Connor,	Thompson,
Chervenak,	Imbt,	O'Dare,	Tittle,
Chudoff,	Jennings,	O'Donnell,	Tompkins,
Clevenger,	Johnson,	O'Neill,	Toomey,
Cochran,	Johnston,	Orban,	Turner,
Cole,	Jones,	Patten,	Upshur,
Cook,	Jump,	Petrosky,	Vaughan,
Cooper,	Kean,	Pichney,	Verona,
Cordier,	Kelley,	Pickens,	Wachhaus,
Costa,	Kemp,	Polaski,	Wagner,
Crowley,	Kent,	Powers,	Waldron,
Dague,	Kirley,	Price,	Wallin,
Dalrymple,	Kline,	Propert,	Walton,
Davison,	Kohl,	Ragot,	Waterhouse,
De Long,	Kratz,	Readinger,	Watkins,
Demech,	Krise,	Reagan,	Watson,
Dennison,	Kurtz,	Reese, D P.,	Weidner,
Depuy,	Laughner,	Reese, R E.,	Weiss,
Dix,	Layer,	Reilly, J. M.,	Wescott,
Dye,	Lee,	Reilly, W. J.,	West,
Efenberg,	Leisey,	Richter,	Wheeler,
Elder,	Livingston,	Riley,	Wolf,
Erb,	Livingstone,	Robbins,	Wood,
Evans,	Loftus,	Robertson,	Worley,
Ewing,	Lovett,	Root,	Yeakel,
Feola,	Lyons,	Rose	Yester,
Fish,	Madden,	Rowen,	Yetzer,
Fiss,	Madigan,	Royer,	Young,
Flack,	Mazza,	Sarraf,	Lichtenwalter,
Fleming,	McCormack,	Sax,	Speaker.
Foor,	McCosker,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 635, as follows:

An Act to amend sections three and eight of the act approved the sixth day of April one thousand eight hundred thirty (1829-30 P. L. 272) entitled "An act for the levy and collection of taxes upon proceedings in courts and in the offices of register and recorder and for other purposes" by further providing for the levy and collection of taxes in certain court proceedings.

On the question,

Will the House agree to the bill on third reading?

Mr. GRIFFITHS. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend Sec. 1, (Sec. 3), page 2, line 13, by underscoring the words "by which an action is started."

Amend Sec. 2 (Sec. 8), page 3, line 6, by striking out the word "renewal" and inserting in lieu thereof "removal."

Amend Sec. 2, (Sec. 8), page 3, lines 7 and 8, by underscoring the words "by which an action is started."

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

BILL PASSED OVER

There being no objection

House Bill No. 636, Printer's No. 210,

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 725, as follows:

An Act to amend the title of and to add sections seven point one and seven point two to the act approved the first day of June one thousand nine hundred forty-five (P. L. 1222) entitled "An act providing for the complete medical and dental examination of all children of school age and teachers and other school employes in the public and private elementary and secondary schools of the Comment of Health and the Department of Public Instruction monwealth and imposing certain duties upon the Depart- and making an appropriation" providing medical care for children in certain cases imposing duties on parents and the Department of Public Assistance and providing certain penalties.

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED

Mr. WATKINS. Mr. Speaker, I move that this bill be recommitted to the Committee on State Government for the purpose of further study and possible amendment.

The motion was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 770, as follows:

An Act to amend section two hundred seven of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 289) entitled "An act relating to nonprofit corporations defining and providing for the organization merger consolidation and dissolution of such corporations ocnferring certain rights powers duties and immunities upon them and their officers and

members prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the first class within the provisions of this act prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas prothonotaries of such courts recorders of deds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" permitting applications for charters to be referred by court to masters only upon objections being filed thereto

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two hundred seven of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 289) entitled "An act relating to nonprofit corporations defining and providing for the organization merger consolidation and dissolution of such corporations conferring certin rights powers duties and immunities upon them and their officers and members prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the first class within the provisions of this act prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas prothonotaries of such courts recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" is hereby amended to read as follows

Section 207 Court to Decree or Refuse Incorporation On the day specified in the advertisement or as soon thereafter as the matter may be heard the incorporators shall present an application fo ra charter to the court and shall present to the court the articles of incorporation proof of the advertisement required by the preceding section and the certificate of the Department of State pertaining to the registration of the corporate name The court shall consider the application It may hear evidence if any there be on behalf of the applicants and against the application or if objections are entered or raised to such application then in such cases it may refer the application to a master to make report as to the propriety of granting the application In such case upon the filing of the master's report the court shall grant the applicants and protestants a hearing if exceptions are filed by either of them If the court shall find the articles to be in proper form and within the provisions of this act and the purpose or purposes given in the articles to be lawful and not injurious to the community the court shall so certify on the articles and shall order and decree thereon that the articles are approved and that upon the recording of the articles and the order the corporation shall come into existence for the purpose or purposes and upon the terms stated therein otherwise the court shall refuse the application for a charter

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201

Aaronson,	Frost,	McCullough,	Scanlon,
Andrews,	Gallagher,	McDonald,	Schuster,
Bane,	Getchey,	McKinney,	Scott,
Barrett,	Gibson,	McMillen,	Serrill,
Baumunk,	Goff,	Mihm,	Shoemaker,
Beech,	Goodling,	Mikula,	Simons,
Bender,	Gorman,	Miller,	Smith, C. C.,
Bentzel,	Graybill,	Mills,	Smith, C. M.,
Bloom,	Greenwood,	Mintess,	Snider,
Boies,	Greer,	Mohr,	Sollenberger,
Bonawitz,	Griffiths,	Mooney,	Sorg,
Boorse,	Guthrie,	Moore, C. E.,	Sproul,
Bower,	Gyger,	Moore, H. A.,	Stank,
Breisch,	Haller,	Murray,	Stimmel,
Brice,	Haudenshield,	Myers,	Stockham,
Brown,	Helm,	Najaka,	Stonier,
Brunner,	Henry,	Naumann,	Stuart,
Bucchin,	Hewitt,	Needham,	Swope,
Cadwalader,	Hocker,	Neff,	Tahl,
Capano,	Hoopes,	Nelson,	Thomassy,
Cassidy,	Horan,	O'Connor,	Thompson,
Chervenak,	Imbt,	O'Dare,	Tittle,
Chudoff	Jennings,	O'Donnell,	Tompkins,
Clevenger,	Johnson,	O'Neill,	Toomey,
Cochran,	Johnston,	Orban,	Turner,
Cole,	Jones,	Patten,	Upshur,
Cook,	Jump,	Petrosky,	Vaughan,
Cooper,	Kean,	Pichney,	Verona,
Cordier,	Kelley,	Pickens,	Wachhaus,
Costa,	Kemp,	Polaski,	Wagner,
Crowley,	Kent,	Powers,	Waldron,
Dague,	Kirley,	Price,	Wallin,
Dalrymple,	Kline,	Propert,	Walton,
Davison,	Kohl,	Pagot,	Waterhouse,
De Long,	Kratz,	Readinger,	Watkins,
Demech,	Krise,	Reagan,	Watson,
Dennison,	Kurtz,	Reese, D. P.,	Weldner,
Depuy,	Laughner,	Reese R. E.,	Weiss,
Dix,	Layer,	Reilly, J. M.,	Wescott,
Dye,	Lee,	Reilly, W. J.,	West,
Efenberg,	Leisey,	Richter,	Wheeler,
Elder,	Livingston,	Riley,	Wolf,
Erb,	Livingstone,	Robbins,	Wood,
Evans,	Loftus,	Robertson,	Worley,
Ewing,	Lovett,	Root,	Yeakel,
Feola,	Lyons,	Rose,	Yester,
Fish,	Madden,	Rowen,	Yetzer,
Fiss,	Madigan,	Royer,	Young,
Flack,	Mazza,	Sarraf,	Lichtenwalter,
Fleming,	McCormack,	Sax,	Speaker.
Foor,	McCosker,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 790 as follows:

An Act to establish a separate orphans' court in and for the county of Beaver

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 In the thirty-sixth judicial district of the Commonwealth composed of the county of Beaver a separate orphans' court is hereby established as of the first Monday of January one thousand nine hundred forty-eight the name and style of which shall be the Orphans' Court of Beaver County which court shall be a court of record and shall consist of one judge learned in the law

Section 2 At the municipal election in the year one thousand nine hundred forty-seven a judge of said court learned in the law shall be elected and duly commissioned to hold office from the first Monday of January next succeeding such election for the same term and in the manner as the judges of the court of common pleas of the county The annual salary of the said judge shall be the same as is paid to the judges of the court of common pleas of the said county and shall be paid in the

same manner as the salaries of said judges of the court of common pleas are now or may be hereafter made by law payable

Section 3 The terms of court of the said orphans' court shall be the same as the terms of the court of common pleas of the said county and may also be held at such other times and as often as the judge thereof shall deem necessary and proper

Section 4 The said court shall have and exercise all the jurisdiction and powers now vested in or which may hereafter be conferred upon the orphans' court of the Commonwealth under and by virtue of the laws thereof

Section 5 The commissioners of the said county shall provide proper and suitable apartments in which the said orphans' court shall be held and its business transacted and in which the records thereof shall be safely and securely kept

Section 6 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201

Aaronson,	Frost,	McCullough,	Scanlon,
Andrews,	Gallagher,	McDonald,	Schuster,
Bane,	Getchey,	McKinney,	Scott,
Barrett,	Gibson,	McMillen,	Serrill,
Baumunk,	Goff,	Mihm,	Shoemaker,
Beech,	Goodling,	Mikula,	Simons,
Bender,	Gorman,	Miller,	Smith, C. C.,
Bentzel,	Graybill,	Mills,	Smith, C. M.,
Bloom,	Greenwood,	Mintess,	Snider,
Boles,	Greer,	Mohr,	Sollenberger,
Bonawitz,	Griffiths,	Mooney,	Sorg,
Boorse,	Guthrie,	Moore, C. E.,	Sproul,
Bower,	Gyger,	Moore, H. A.,	Stank,
Breisch,	Haller,	Murray,	Stimmel,
Brice,	Haudenshield,	Myers,	Stockham,
Brown,	Helm,	Najaka,	Stonier,
Brunner,	Henry,	Naumann,	Stuart,
Bucchin,	Hewitt,	Needham,	Swope,
Cadwalader,	Hocker,	Neff,	Tahl,
Capano,	Hoopes,	Nelson,	Thomassy,
Cassidy,	Horan,	O'Connor,	Thompson,
Chervenak,	Imbt,	O'Dare,	Tittle,
Chudoff,	Jennings,	O'Donnell,	Tompkins,
Clevenger,	Johnson,	O'Neill,	Toomey,
Cochran,	Johnston,	Orban,	Turner,
Cole,	Jones,	Patten,	Upshur,
Cook,	Jump,	Petrosky,	Vaughan,
Cooper,	Kean,	Pichney,	Verona,
Cordier,	Kelley,	Pickens,	Wachhaus,
Costa,	Kemp,	Polaski,	Wagner,
Crowley,	Kent,	Powers,	Waldron,
Dague,	Kirley,	Price,	Wallin,
Dalrymple,	Kline,	Propert,	Walton,
Davison,	Kohl,	Ragot,	Waterhouse,
De Long,	Kratz,	Readinger,	Watkins,
Demech,	Krise,	Reagan,	Watson,
Dennison,	Kurtz,	Reese, D. P.,	Weidner,
Depuy,	Laughner,	Reese, R. E.,	Weiss
Dix,	Layer,	Reilly, J. M.,	Wescott,
Dye,	Lee,	Reilly, W. J.,	West,
Efenberg,	Leisey,	Richter,	Wheeler,
Elder,	Livingston,	Riley,	Wolf,
Erb,	Livingstone,	Robbins,	Wood,
Evans,	Loftus,	Robertson,	Worley,
Ewing,	Lovett,	Root,	Yeakel,
Feola,	Lyons,	Rose,	Yester,
Fish,	Madden,	Rowen,	Yetzer,
Fiss,	Madigan,	Royer,	Young,
Flack,	Mazza,	Sarraf,	Lichtenwalter,
Fleming,	McCormack,	Sax,	Speaker.
Foor	McCosker,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 798, as follows:

An Act to amend the act approved the first day of June one thousand nine hundred forty-five (P. L. 1358) entitled "An act relating to chattel mortgages on any chattel or chattels of any kind or description including but not limited to livestock poultry farm machinery farm equipment and crops grown growing or to be grown designating the operation and effect of the lien of such mortgages providing for the filing indexing and docketing of such mortgages and related instruments in prothonotaries' offices and prescribing prothonotaries' fees providing for the filing in Pennsylvania of similar lien instruments originally filed or recorded in other states regulating the assignment release satisfaction and extension of the lien of such mortgages prescribing methods of foreclosure defining defaults and violations and fixing penalties" providing that chattel mortgages need not be acknowledged nor witnessed

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two of the act approved the first day of June one thousand nine hundred forty-five (P. L. 1358) entitled "An act relating to chattel mortgages on any chattel or chattels of any kind or description including but not limited to livestock poultry farm machinery farm equipment and crops grown growing or to be grown designating the operation and effect of the lien of such mortgages providing for the filing indexing and docketing of such mortgages and related instruments in prothonotaries' offices and prescribing prothonotaries' fees providing for the filing in Pennsylvania of similar lien instruments originally filed or recorded in other states regulating the assignment release satisfaction and extension of the lien of such mortgages prescribing methods of foreclosure defining defaults and violations and fixing penalties' 'is hereby amended to read as follows

Section 2 Any mortgage executed under and pursuant to this act shall be in writing and signed [witnessed and duly acknowleged] by the mortgagor or his agent duly authorized and constituted The property covered or to become covered by any such chattel mortgage may be described as all that property of a specified class so identified by reference to location brands marks numbers or otherwise as to distinguish it from other property of the same class or such property may be described in any other manner permitted or authorized by law

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—200

Aaronson,	Gallagher,	McCullough,	Scanlon,
Andrews,	Getchey,	McDonald,	Schuster,
Bane,	Gibson,	McKinney,	Scott,
Barrett,	Goff,	McMillen,	Serrill,
Baumunk,	Goodling,	Mihm,	Shoemaker,
Beech,	Gorman,	Mikula,	Simons,
Bender,	Graybill,	Miller,	Smith, C. C.,
Bentzel,	Greenwood,	Mills,	Smith, C. M.,
Bloom,	Greer,	Mintess,	Snider,
Boles,	Griffiths,	Mohr,	Sollenberger,
Bonawitz,	Guthrie,	Mooney,	Sorg,
Boorse,	Gyger,	Moore, C. E.,	Sproul,
Bower,	Haller,	Moore, H. A.,	Stank,
Breisch,	Haudenshield,	Murray,	Stimmel,

Brice,	Helm,	Myers,	Stockham,
Brown,	Henry,	Najaka,	Stonier,
Brunner,	Hewitt,	Naumann,	Stuart,
Bucchin,	Hocker,	Needham,	Swope,
Cadwalader,	Hoopes,	Neff,	Tahl,
Capano,	Horan,	Nelson,	Thomassy,
Cassidy,	Imbt,	O'Connor,	Thompson,
Chervenak,	Jennings,	O'Dare,	Tittle,
Clevenger,	Johnson,	O'Donnell,	Tompkins,
Cochran,	Johnston,	O'Neill,	Toomey,
Cole,	Jones,	Orban,	Turner,
Cook,	Jump,	Patten,	Upshur,
Cooper,	Kean,	Petrosky,	Vaughan,
Cordier,	Kelley,	Pichney,	Verona,
Costa,	Kemp,	Pickens,	Wachhaus,
Crowley,	Kent,	Polaski,	Wagner,
Dague,	Kirley,	Powers,	Waldron,
Dalrymple,	Kline,	Price,	Wallin,
Davison,	Kohl,	Propert,	Walton,
De Long,	Kratz,	Ragot,	Waterhouse,
Demech,	Krise,	Readinger,	Watkins,
Dennison,	Kurtz,	Reagan,	Watson,
Depuy,	Laughner,	Reese, D. P.,	Weidner,
Dix,	Layer,	Reese, R. E.,	Weiss,
Dye,	Lee,	Reilly, J. M.,	Wescott,
Efenberg,	Leisey,	Reilly, W. J.,	West,
Elder,	Livingston,	Richter,	Wheeler,
Erb,	Livingstone,	Riley,	Wolf,
Evans,	Loftus,	Robbins,	Wood,
Ewing,	Lovett,	Robertson,	Worley,
Feola,	Lyons,	Root,	Yeakel,
Fish,	Madden,	Rose,	Yester,
Fiss,	Madigan,	Rowen,	Yetzer,
Flack,	Mazza,	Royer,	Young,
Fleming,	McCormack,	Sarraf,	Lichtenwalter,
Foor,	McCosker,	Sax,	Speaker.
Frost,			

NAYS—1

Chudoff,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

FORMER SPEAKER WELCOMED

The SPEAKER. The Chair has a unique and extraordinary pleasure to inform the House that he has just learned that there is present in the Hall of the House one who has been a friend, I believe, of the majority of the Members of the House over a period of years, a former Speaker of this House and one who did a magnificent job in the Chair presiding over the session. It gives the Chair a great deal of pleasure to present the Honorable Elmer Kilroy.

FORMER MEMBERS WELCOMED

The SPEAKER. The Chair also understands a former Member from Allegheny County the Honorable Walter McVey is in the Hall of the House.

PERMISSION TO ADDRESS HOUSE

Mr. McMILLEN asked and obtained unanimous consent to address the House and make a brief observation.

Mr. Speaker, it gives the members of the "Bible Belt" considerable pleasure to observe that the former Speaker is sticking strictly to the "Bible Belt" back in this corner.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 838, as follows:

An Act to further amend the definition of "Extension education" in section one of the act approved the second day of May one thousand nine hundred twenty-five (P. L. 492) entitled "An act to provide for the equalization of educational opportunity and the encouragement of the study of citizenship by recognition of extension education for boys and girls who are employed and for adults as a function of the public schools of this Commonwealth and to facilitate the proper organization and administration of such exservice for youth and children within the meaning of the term "extension education"

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The definition of "Extension education" in section one of the act approved the second day of May one thousand nine hundred twenty-five (P. L. 492) entitled "An act to provide for the equalization of educational opportunity and the encouragment of the study of citizenship by recognition of extension education for boys and girls who are employed and for adults as a function of the public schools of this Commonwealth and to facilitate the proper organization and administration of such extension education" as amended by the act approved the seventh day of May one thousand nine hundred thirty-seven (P. L. 599) is hereby further amended to read as follows

Section 1 The following words and phrases as used in this act shall unless a different meaning is plainly required by the context have the following meaning

"Extension education" shall designate any instructional recreational or social service provided and administered by the board of school directors of any school district which is organized primarily for out-of-school youth and for adults or any such recreational or social service which is so provided and administered for other youth and for childrei during out-of-school hours but shall not include the [school] work of [continuation and other] vocational schools which are subsidized under the provisions of Federal enactment nor the coaching or supervision of interscholastic athletic teams or games

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201

Aaronson,	Frost,	McCullough,	Scanlon,
Andrews,	Gallagher,	McDonald,	Schuster,
Bane,	Getchey,	McKinney,	Scott,
Barrett,	Gibson,	McMillen,	Serrill,
Baumunk,	Goff,	Mihm,	Shoemaker,
Beech,	Goodling,	Mikula,	Simons,
Bender,	Gorman,	Miller,	Smith, C. C.,
Bentzel,	Graybill,	Mills,	Smith, C. M.,
Bloom,	Greenwood,	Mintess,	Snider,
Boies,	Greer,	Mohr,	Sollenberger,
Bonawitz,	Griffiths,	Mooney,	Sorg,
Boorse,	Guthrie,	Moore, C. E.,	Sproul,
Bower,	Gyger,	Moore, H. A.,	Stank,
Breisch,	Haller,	Murray,	Stimmel,
Brice,	Haudenshield,	Myers,	Stockham,
Brown,	Helm,	Najaka,	Stonier,
Brunner,	Henry,	Naumann,	Stuart,
Bucchin,	Hewitt,	Needham,	Swope,
Cadwalader,	Hocker,	Neff,	Tahl,
Capano,	Hoopes,	Nelson,	Thomassy,
Cassidy,	Horan,	O'Connor,	Thompson,
Chervenak,	Imbt,	O'Dare,	Tittle,
Chudoff,	Jennings,	O'Donnell,	Tompkins,
Clevenger,	Johnson,	O'Neill,	Toomey,
Cochran,	Johnston,	Orban,	Turner,
Cole,	Jones,	Patten,	Upshur,
Cook,	Jump,	Petrosky,	Vaughan,
Cooper,	Kean,	Pichney,	Verona,
Cordier,	Kelley,	Pickens,	Wachhaus,

Costa,	Kemp,	Polaski,	Wagner,
Crowley,	Kent,	Powers,	Waldron,
Dague,	Kirley,	Price,	Wallin,
Dalrymple,	Kline,	Propert,	Walton,
Davison,	Kohl,	Ragot,	Waterhouse,
De Long,	Kratz,	Readinger,	Watkins,
Demech,	Krise,	Reagan,	Watson,
Dennison,	Kurtz,	Reese, D. P.,	Weidner,
Depuy,	Laughner,	Reese, R. E.,	Weiss,
Dix,	Layer,	Reilly, J. M.,	Wescott,
Dye,	Lee,	Reilly, W. J.,	West,
Efenberg,	Leisey,	Richter,	Wheeler,
Elder,	Livingston,	Riley,	Wolf,
Erb,	Livingstone,	Robbins,	Wood,
Evans,	Loftus,	Robertson,	Worley,
Ewing,	Lovett,	Root,	Yeakel,
Feola,	Lyons,	Rose,	Yester,
Fish,	Madden,	Rowen,	Yetzer,
Fiss,	Madigan,	Royer,	Young,
Flack,	Mazza,	Sarraf,	Lichtenwalter,
Fleming,	McCormack,	Sax,	Speaker.
Foor,	McCosker,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 871, as follows:

An Act authorizing and directing the Board of Finance and Revenue of the Commonwealth of Pennsylvania to hear and determine petitions for refund of money paid as a filing fee for filing a delayed certificate of birth and prescribing a limitation period within which such petitions must be filed

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Board of Finance and Revenue of the Commonwealth of Pennsylvania shall have the power and it shall be its duty to hear and determine any petition for the refund of moneys paid into the State Treasury after September 1 1943 as a filing fee for filing a delayed certificate of birth provided such petition for refund is filed with the Board of Finance and Revenue within two years of the effective date of this act

Section 2 Any refunds allowed by the Board of Finance and Revenue under the provisions of this act shall be paid out of appropriations heretofore or hereafter made for such purpose

Section 3 The provisions of this act shall become effective immediately upon final enactment

Annd said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201

Aaronson,	Frost,	McCullough,	Scanlon,
Andrews,	Gallagher,	McDonald,	Schuster,
Bane,	Getchey,	McKinney,	Scott,
Barrett,	Gibson,	McMillen,	Serrill,
Baumunk,	Goff,	Mihm,	Shoemaker,
Beech,	Goodling,	Mikula,	Simons,
Bender,	Gorman,	Miller,	Smith, C. C.,
Bentzel,	Graybill,	Mills,	Smith, C. M.,
Bloom,	Greenwood,	Mintess,	Snider,
Boies,	Greer,	Mohr,	Sollenberger,
Bonawitz,	Griffiths,	Mooney,	Sorg,
Boorse,	Guthrie,	Moore, C. E.,	Sproul,
Bower,	Gyger,	Moore, H. A.,	Stank,
Breisch,	Haller,	Murray,	Stimmel,
Brice,	Haudenshield,	Myers,	Stockham,
Brown,	Helm,	Najaka,	Stonier,
Brunner,	Henry,	Naumann,	Stuart,
Bucchin,	Hewitt,	Needham,	Swope,
Cadwalader,	Hocker,	Neff,	Tahl,
Capano,	Hoopes,	Nelson,	Thomas,
Cassidy,	Horan,	O'Connor,	Thompson,
Chervenak,	Imbt,	O'Dare,	Tittle,
Chudoff,	Jennings,	O'Donnell,	Tompkins,
Clevenger,	Johnson,	O'Neill,	Toomey,
Cochran,	Johnston,	Orban,	Turner,
Cole,	Jones,	Patten,	Upshur,
Cook,	Jump,	Petrosky,	Vaughan,
Cooper,	Kean,	Pichney,	Verona,
Cordier,	Kelley,	Pickens,	Wachhaus,
Costa,	Kemp,	Polaski,	Wagner,
Crowley,	Kent,	Powers,	Waldron,
Dague,	Kirley,	Price,	Wallin,
Dalrymple,	Kline,	Propert,	Walton,
Davison,	Kohl,	Ragot,	Waterhouse,
De Long,	Kratz,	Readinger,	Watkins,
Demech,	Krise,	Reagan,	Watson,
Dennison,	Kurtz,	Reese, D. P.,	Weidner,
Depuy,	Laughner,	Reese, R. E.,	Weiss,
Dix,	Layer,	Reilly, J. M.,	Wescott,
Dye,	Lee,	Reilly, W. J.,	West,
Efenberg,	Leisey,	Richter,	Wheeler,
Elder,	Livingston,	Riley,	Wolf,
Erb,	Livingstone,	Robbins,	Wood,
Evans,	Loftus,	Robertson,	Worley,
Ewing,	Lovett,	Root,	Yeakel,
Feola,	Lyons,	Rose,	Yester,
Fish,	Madden,	Rowen,	Yetzer,
Fiss,	Madigan,	Royer,	Young,
Flack,	Mazza,	Sarraf,	Lichtenwalter,
Fleming,	McCormack,	Sax,	Speaker.
Foor,	McCosker,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 884, as follows:

An Act authorizing and directing the Board of Finance and Revenue of the Commonwealth of Pennsylvania to hear and determine petitions for refund of certain moneys paid into the State Treasury for documentary stamps under the "Documentary Stamp Tax Act" approved the sixteenth day of May one thousand nine hundred thirty-five (P. L. 203) and prescribing a limitation period within which such petitions must be filed

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Board of Finance and Revenue of the Commonwealth of Pennsylvania shall have the power and it shall be its duty to hear and determine any petition for the refund of moneys paid into the State Treasury under the provisions of the "Documentary Stamp Tax Act" approved the sixteenth day of May one thousand nine hundred thirty-five (P. L. 203) for documentary stamps which were not sold or used during the effective period of said act provided such petition for refund is filed with the Board of Finance and Revenue within one year of the effective date of this act

Section 2 Any refunds allowed by the Board of Finance and Revenue of moneys paid into the State Treasury under the "Documentary Stamp Tax Act" approved the sixteenth day of May one thousand nine hundred thirty-five (P. L. 203) shall be paid out of appropriations heretofore or hereafter made for such purpose

Section 3 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201

Aaronson,	Frost	McCullough,	Scanlon,
Andrews,	Gallagher,	McDonald,	Schuster,
Bane,	Getchey,	McKinney,	Scott,
Barrett.	Gibson,	McMillen,	Serrill,
Baumunk,	Goff,	Mihm,	Shoemaker,
Beech,	Goodling,	Mikula,	Simons,
Bender,	Gorman,	Miller,	Smith, C. C.,
Bentzel,	Graybill,	Mills,	Smith, C. M.,
Bloom,	Greenwood,	Mintess,	Snider,
Boies,	Greer,	Mohr,	Sollenberger,
Bonawitz,	Griffiths,	Mooney,	Sorg,
Boorse,	Guthrie,	Moore, C. E.,	Sproul,
Bower,	Gyger,	Moore, H. A.,	Stank,
Breisch,	Haller,	Murray,	Stimmel,
Brice,	Haudenshield,	Myers,	Stockham,
Brown,	Helm,	Najaka,	Stonier,
Brunner,	Henry,	Naumann,	Stuart,
Bucchin,	Hewitt,	Needham,	Swope,
Cadwalader,	Hocker,	Neff,	Tahl,
Capano,	Hoopes,	Nelson,	Thomassy,
Cassidy,	Horan,	O'Connor,	Thompson,
Chervenak,	Jones,	O'Dare,	Tittle,
Chudoff,	Imbt,	O'Donnell,	Tompkins,
Clevenger,	Jennings,	O'Neill,	Toomey,
Cochran,	Johnson,	Orban,	Turner,
Cole,	Johnston,	Patten,	Upshur,
Cook	Jump,	Petrosky,	Vaughan,
Cooper,	Kean,	Pichney,	Verona,
Cordier,	Kelley,	Pickens,	Wachhaus,
Costa,	Kemp,	Polaski,	Wagner,
Crowley,	Kent,	Powers,	Waldron,
Dague,	Kirley,	Price,	Wallin,
Dalrymple,	Kline,	Propert,	Walton,
Davison,	Kohl,	Ragot,	Waterhouse,
De Long,	Kratz,	Readinger,	Watkins,
Demech,	Krise,	Reagan,	Watson,
Dennison,	Kurtz,	Reese, D. P.,	Weidner,
Depuy,	Laughner,	Reese, R. E.,	Weiss
Dix,	Layer,	Reilly, J. M.,	Wescott,
Dye,	Lee,	Reilly, W. J.,	West,
Efenberg,	Leisey,	Richter,	Wheeler,
Elder,	Livingston,	Riley	Wolf,
Erb,	Livingstone,	Robbins,	Wood,
Evans,	Loftus,	Robertson,	Worley,
Ewing,	Lovett,	Root,	Yeakel,
Feola,	Lyons,	Rose,	Yester,
Fish,	Madden,	Rowen,	Yetzer,
Fiss,	Madigan,	Royer,	Young,
Flack,	Mazza,	Sarraf,	Lichtenwalter,
Fleming	McCormack,	Sax,	Speaker.
Foor,	McCosker,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1016, as follows:

An Act to amend section four hundred thirty-nine of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" increasing the membership of the Sanitary Water Board and providing compensation for certain members of such board

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section four hundred thirty-nine of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" is hereby amended to read as follows

Section 439 Sanitary Water Board The Sanitary Water Board shall consist of the Secretary of Health who shall be chairman thereof the Secretary of Forests and Waters the Secretary of Mines the Commissioner of Fisheries and three other members

Four members of the board shall constitute a quorum

Each member of the board except the Secretary of Health the Secretary of Forests and Waters the Secretary of Mines and the Commissioner of Fisheries shall receive fifteen dollars ($15) per diem when actually engaged in the work of the board

Section 2 The provisions of this act shall become effective the first day of July one thousand nine hundred forty-seven

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201

Aaronson,	Frost,	McCullough,	Scanlon,
Andrews,	Gallagher,	McDonald,	Schuster,
Bane,	Getchey,	McKinney,	Scott,
Barrett,	Gibson,	McMillen,	Serrill,
Baumunk,	Goff,	Mihm,	Shoemaker,
Beech,	Goodling,	Mikula,	Simons,
Bender,	Gorman,	Miller,	Smith, C. C.,
Bentzel,	Graybill,	Mills,	Smith, C. M.,
Bloom,	Greenwood,	Mintess,	Snider,
Boies,	Greer,	Mohr,	Sollenberger,
Bonawitz,	Griffiths,	Mooney,	Sorg,
Boorse,	Guthrie,	Moore, C. E.,	Sproul,
Bower,	Gyger,	Moore, H. A.,	Stank,
Breisch,	Haller,	Murray,	Stimmel,

Brice,	Haudenshield,	Myers,	Stockham,
Brown,	Helm,	Najaka,	Stonier,
Brunner,	Henry,	Naumann,	Stuart,
Bucchin,	Hewitt,	Naumann,	Swope,
Cadwalader,	Hocker,	Neff,	Tahl,
Capano,	Hoopes,	Nelson,	Thomassy,
Cassidy,	Horan,	O'Connor,	Thompson,
Chervenak,	Imbt,	O'Dare,	Tittle,
Chudoff,	Jennings,	O'Donnell,	Tompkins,
Clevenger,	Johnson,	O'Neill,	Toomey,
Cochran,	Johnston,	Orban,	Turner,
Cole,	Jones,	Patten,	Upshur,
Cook,	Jump,	Petrosky,	Vaughan,
Cooper,	Kean,	Pichney,	Verona,
Cordier,	Kelley,	Pickens,	Wachhaus,
Costa,	Kemp,	Polaski,	Wagner,
Crowley,	Kent,	Powers,	Waldron,
Dague,	Kirley,	Price,	Wallin,
Dalrymple,	Kline,	Propert,	Walton,
Davison,	Kohl,	Ragot,	Waterhouse,
De Long,	Kratz,	Readinger,	Watkins,
Demech,	Krise,	Reagan,	Watson,
Dennison,	Kurtz,	Reese, D. P.,	Weidner,
Depuy,	Laughner,	Reese, R. E.,	Weiss,
Dix,	Layer,	Reilly, J. M.,	Wescott,
Dye,	Lee,	Reilly, W. J.,	West,
Efenberg,	Leisey,	Richter,	Wheeler,
Elder,	Livingston,	Riley,	Wolf,
Erb,	Livingstone,	Robbins,	Wood,
Evans,	Loftus,	Robertson,	Worley,
Ewing,	Lovett,	Root,	Yeakel,
Feola,	Lyons,	Rose,	Yester,
Fish,	Madden,	Rowen,	Yetzer,
Fiss,	Madigan,	Royer,	Young,
Flack,	Mazza,	Sarraf,	Lichtenwalter,
Fleming,	McCormack,	Sax,	Speaker.
Foor,	McCosker,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection

House Bill No. 1057, Printer's No. 222,

was passed over at the request of Mr. ANDREWS.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1058, as follows:

An Act to amend Section 4 5 and subsection C of Section 11 and to further amend Section 3 of the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 955) entitled "An act to promote public health safety morals and welfare by declaring the necessity for creating public bodies corporate and politic to be known as housing authorities to engage in slum clearance and to undertake projects to provide dwelling accommodations for persons of low income providing for the organization of such housing authorities defining their powers and duties providing for the exercise of such powers including the acquisition of property by purchase gift or eminent domain the renting and selling of property and including borrowing money issuing bonds and other obligations and giving security therefor prescribing the remedies of obligees of housing authorities authorizing housing authorities to enter into agreements including agreements with the United States the Commonwealth and political subdivisions and municipalities thereof defining the application of zoning sanitary and building laws and regulations to projects built or maintained by such housing authorities exempting the property and securities of such housing authorities from taxation and imposing duties and conferring powers upon the State Board of Housing and certain other State officers and departments" including all cities of the third class all boroughs and all townships of the first class within its provisions

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section three of the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 955) entitled "An act to promote public health safety morals and welfare by declaring the necessity of creating public bodies corporate and politic to be known as housing authorities to engage in slum clearance and to undertake projects to provide dwelling accommodations for persons of low income providing for the organization of such housing authorities defining their powers and duties providing for the exercise of such powers including the acquisition of property by purchase gift or eminent domain the renting and selling of property and including borrowing money issuing bonds and other obligations and giving security therefor prescribing the remedies of obligees of housing authorities authorizing housing authorities to enter into agreements including agreements with the United State the Commonwealth and political subdivisions and municipalities thereof defining the application of zoning sanitary and building laws and regulations to projects built or maintained by such housing authorities exempting the property and securities of such housing authorities from taxation and imposing duties and conferring powers upon the State Board of Housing and certain other State officers and departments" clause (g) of which was amended by the act approved the twenty-sixth day of May one thousand nine hundred forty-three (P. L. 658) is hereby further amended to read as follows

Section 3 Definitions The following words terms and phrases where used or referred to in this act shall have the meanings ascribed to them in this section except in those instances where the context clearly indicates a different meaning

(a) "Authority" or "Housing Authority" A public body and a body corporate and politic created and organized in accordance with the prvisions of this act for the purposes with the powers and subject to the restrictions hereinafter set worth

(b) "Bonds" Any bonds interim certificates notes debentures or other obligations of the Authority issued pursuant to this act

(c) "City" Any city of the first second second class A or third class [of thirty thousand population or over] "The city" shall mean the particular city for which a particular housing authority is created

(d) "Clerk" The clerk of the city or the chief clerk of the county as the case may be or the officer charged with the duties customarily imposed on such clerk. In cities of the first class clerk shall mean the clerk of council

(e) "County" Any county of this Commonwealth other than a county of the first class "The county" shall mean the particular county for which a particular housing authority is created

(f) "Federal Government" The United States of America the Federal Emergency Administration of Public Works or any other agency or instrumentality corporate or otherwise of the United States of America

(g) "Field of Operation" The area within the territorial boundaries of the township borough city or county for which the particular housing authority is created Provided however That the field of operation of any county authority except as hereinafter provided shall [not include] exclude a city [having a population of thirty thousand inhabitants or over] twonship or borough already having its own housing authority For the purposes of section 14.1 of this act as amended only "field of operation" shall also include any county city borough or incorporated town or any portion thereof not included in said area in which the housing authority exercises its powers under the provisions of section 14.1 of this act as amended

(h) "Governing Body" In the case of a city or borough

the city or borough council or other legislative body thereof and in the case of a county or township the board of county or township commissioners or other legislative body thereof

(i) "Government" Include the State and Federal Governments or any subdivision agency or instrumentality corporate or otherwise or iether of them

(j) "Housing Project" or "Project" Any work or undertaking (1) To demolish clear or remove buildings from any slum area or to adapt such area to public purposes including parks playgrounds swimming pools or other recreational or community purposes or (2) to provide decent safe and sanitary urban or rural dwellings apartments or other living accommodations for persons of low income such work or undertaking may include buildings land equipment facilities and other real or personal property for necessary convenient or desirable appurtenances streets sewers water services parks site preparation gardening admiinstrative community health recreational educational welfare or other purposes or (3) to accomplish a combination of the foregoing The term "Housing Project" or "Project" may be applied to the planning of the buildings and improvements the acquisition of property the demolition of existing structures the construction reconstruction alteration and repair of existing improvements and all other work in connection therewith

(k) "Mayor" The mayor of the city or the officer thereof charged with the duties customarily imposed on the mayor or executive head of the city

(l) "Member" One of the members of an Authority appointed in accordance with the provisions of this act

(m) "Municipality" Any county city borough or town ship

(n) "Obligee of the Authority" or "Obligee" Any bondholder trustee or trustees for any bondholders any lessor demising property to the authority used in connection with a housing project or any assignee or assignees of such lessor's interest or any part thereof and the Federal Government when it is a party to any contract with the Authority

(o) "Persons of Low Income" Persons or families whose income shall not exceed the amount specified in section thirteen

(p) "Real Property" Lands lands under under water structures and any and all easements franchises and incorporeal hereditaments and every estate and right therein legal and equitable including terms for years and liens by way of judgment mortgage or otherwise

(q) "Sums" Any area in which there is a predominance of structures which by reason of dilapidation overcrowding faulty arrangement or design lack of ventilation light or sanitary facilities or any combination of these factors are dertimental to safety health and morals

(r) "Borough" Any borough "The borough" shall mean the particular borough for which a particular housing authority is created

(s) "Township" Any township of the first class "The township" shall mean the particular township for which a particular housing authority is created

The singular shall include the plural and the masculine the feminine and neuter

Section 2 Section four of said act is hereby amended to read as follows

Section 4 Formation of Housing Authorities (a) There are hereby created separate and distinct bodies corporate and politic one for each city borough and township (as herein defined) and one for each of the counties of the Commonwealth Each such Authority may be known as the housing authority of the city borough township or the county as the case may be but shall in no way be deemed to be an instrumentality of such city borough township or county or engaged in the performance of a municipal function Each such Authority shall transact no business or otherwise become operative until and unless a finding is made as hereinafter provided in this section

(b) The governing body of any city borough township or county may find and declare by proper resolution that there is need for an Authority to function within the territorial limits of said city borough township or county as the case may be in such event the clerk shall issue a certificate reciting the adoption of such resolution This procedure may be employed at any time after the passage of this act

(c) If the governing body of any city [or] county borough or township fails to adopt such a resolution and have such a certificate issued within ninety (90) days from the date of enactment of this act or the governing body of any borough township or city so fails to act within ninety (90) days of this amendment any twenty-fice (25) citizens and taxpayers resident in such city [or] county borough or township may submit over their signatures a petition to the Governor of the Commonwealth setting forth that in their estimation there is need that an Authority shall function within said city [or] county borough or township and the Governor after determining as hereinafter provided that there is such need shall issue a certificate so declaring

(d) The governing body of any city [or] county borough or township or the Governor as the case may be shall declare that there is need for a housing authority to function within such city [or] county borough or township if and only if the said governing body or the Governor shall find either that (1) unsanitary or unsafe dwelling accommodations exist in said city [or] county borough or township or that (2) there is a lack of sufficient safe and sanitary dwelling accommodations in said city [or] county borough or township available to persons of low income and that this results in any of the conditions described in section two (b) and (c) of this act In determining whether dwelling accommodations are unsafe or unsanitary said governing body or the Governor as the case may be shall take into consideration the degree of overcrowding the percentage of land coverage the light air space and access available to the inhabitants of such dwelling accommodations the size and arrangement of the rooms the sanitary facilities and the extent to which conditions exist in such buildings which endanger life health or property by fire disease or other causes

(e) The governing body or the Governor as the case may be shall cause the aforesaid certificate to be filed with the Department of State and a duplicate thereof with the State Board of Housing Whenever the Governor shall issue a certificate in the manner hereinbefore prescribed declaring the need for an Authority to operate within any city [or] county borough or township he shall notify the governing body of such city [or] county borough or township of such action

(f) In any suit action or proceeding involving the validity or enforcement of or relating to any contract of the Authority the Authority shall upon proof of the issuance of the aforesaid certificate by the governing body or the Governor as the case may be be conclusively deemed to have been established in accordance with the provisions of this act A copy of such certificate duly certified by the Department of State shall be admissible in evidence in any suit action or proceedings and shall be conclusive proof of the filing and contents of the certificate and that the Authority has been properly established

Section 3 Section five of said act is hereby amended by adding at the end thereof a new subsection to read as follows

Section 5 Appointment of Members of an Authority

* * * * *

(c) The governing body of any borough or township upon issuing a certificate declaring the need for an Authority to operate in such borough or township or upon receiving notice of the issuance of such certificates by the Governor shall appoint five citizens resident of the borough or township to be members of the housing authority which is to operate within such borough or township.

Section 4 Subsection (c) of section eleven of said act is hereby amended to read as follows

Section 11 Awards of Contracts Completion Bond Additional Bond for Protection of Materialmen and Others

* * * * *

(c) A housing authority shall require as a condition of the award of any contract pursuant to subsection (a) or (b) of this section that the contractor give to the Authority any bond (including bonds for the performance of the contract and for the prompt payment by the contractor for material supplies labor services and equipment) which are prescribed by law for contracts awarded by cities [or] counties boroughs or townships as the case may be of the same class as the city [or] county borough or township for which such Authority has been created

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201

Aaronson,	Frost,	McCullough,	Scanlon,
Andrews,	Gallagher,	McDonald,	Schuster,
Bane,	Getchey,	McKinney,	Scott,
Barrett,	Gibson,	McMillen,	Serrill,
Baumunk,	Goff,	Mihm,	Shoemaker,
Beech,	Goodling,	Mikula,	Simons,
Bender,	Gorman,	Miller,	Smith, C. C.,
Bentzel,	Graybill,	Mills,	Smith, C. M.,
Bloom,	Greenwood,	Mintess,	Snider,
Boies,	Greer,	Mohr,	Sollenberger,
Bonawitz,	Griffiths,	Mooney,	Sorg,
Boorse,	Guthrie,	Moore, C. E.,	Sproul,
Bower,	Gyger,	Moore, H. A.,	Stank,
Breisch,	Haller,	Murray,	Stimmel,
Brice,	Haudenshield,	Myers,	Stockham,
Brown,	Helm,	Najaka,	Stonier,
Brunner,	Henry,	Naumann,	Stuart,
Bucchin,	Hewitt,	Needham,	Swope,
Cadwalader,	Hocker,	Neff,	Tahl,
Capano,	Hoopes,	Nelson,	Thomassy,
Cassidy,	Horan,	O'Connor,	Thompson,
Chervenak,	Imbt,	O'Dare,	Tittle,
Chudoff,	Jennings,	O'Donnell,	Tompkins,
Clevenger,	Johnson,	O'Neill,	Toomey,
Cochran,	Johnston,	Orban,	Turner,
Cole,	Jones,	Patten,	Upshur,
Cook,	Jump,	Petrosky,	Vaughan,
Cooper,	Kean,	Pichney,	Verona,
Cordier,	Kelley,	Pickens,	Wachhaus,
Costa,	Kemp,	Polaski,	Wagner,
Crowley,	Kent,	Powers,	Waldron,
Dague,	Kirley,	Price,	Wallin,
Dalrymple,	Kline,	Propert,	Walton,
Davison,	Kohl,	Ragot,	Waterhouse,
De Long,	Kratz,	Readinger	Watkins,
Demech,	Krise,	Reagan,	Watson,
Dennison,	Kurtz,	Reese, D. P.,	Weidner,
Depuy,	Laughner,	Reese, R. E.,	Weiss,
Dix,	Layer,	Reilly, J. M.,	Wescott,
Dye,	Lee,	Reilly, W. J.,	West,
Eisenberg,	Leisey,	Richter,	Wheeler,
Elder,	Livingston,	Riley	Wolf,
Erb,	Livingstone,	Robbins,	Wood,
Evans,	Loftus,	Robertson	Worley
Ewing,	Lovett,	Root,	Yeakel,
Feola,	Lyons,	Rose,	Yester,
Fish,	Madden,	Rowen,	Yetzer,
Fiss,	Madigan,	Royer,	Young,
Flack,	Mazza,	Sarraf,	Lichtenwalter,
Fleming,	McCormack,	Sax,	Speaker
Foor,	McCosker,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

RESOLUTION

The SPEAKER. The Chair is informed that House Resolution No. 35, Printer's No. 245 which appears on today's calendar is not in print, and will be passed over.

SENATE MESSAGES

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 313.

An Act authorizing and empowering cities of the first class of this Commonwealth to acquire by purchase, lease or condemnation, any land within said cities with the buildings thereon, if any, for use as the site for parking lots or public garages; to operate subject to certain conditions or to lease such parking lots for garages for private operation, and to fix the terms and condition of such leases.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk read the amendments.

The Clerk read the amendments as follows:

Amend the title, page 1, lines 3 and 4, by striking out after the word "any" the words "for use as the site for parking lots or public garages" and inserting in lieu thereof the words "to construct buildings and facilities thereon"; page 1, line 5, by inserting after the word "operate" the words "the same as parking lots or public garages."

Amend section 1, page 2, line 4, by inserting after the word "buildings" the words "or structures"; page 2, lines 4 and 5, by inserting after the word "any" the words "and to construct buildings and facilities thereon"; page 2, line 6, by striking out the words "the site of"; page 2, line 7, by striking out the words "for the building upon it by such cities of public garages" and inserting in lieu thereof the words "or public garages".

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201

Aaronson,	Frost,	McCullough,	Scanlon,
Andrews,	Gallagher,	McDonald,	Schuster,
Bane,	Getchey,	McKinney,	Scott,
Barrett,	Gibson,	McMillen,	Serrill,
Baumunk,	Goff,	Mihm,	Shoemaker,
Beech,	Goodling,	Mikula,	Simons,
Bender,	Gorman,	Miller,	Smith, C. C.,
Bentzel,	Graybill,	Mills,	Smith, C. M.,
Bloom,	Greenwood,	Mintess,	Snider,
Boies,	Greer,	Mohr,	Sollenberger,
Bonawitz,	Griffiths,	Mooney,	Sorg,
Boorse,	Guthrie,	Moore, C. E.,	Sproul,
Bower,	Gyger,	Moore, H. A.,	Stank,
Breisch,	Haller,	Murray,	Stimmel,
Brice,	Haudenshield,	Myers,	Stockham,
Brown,	Helm,	Najaka,	Stonier,
Brunner,	Henry,	Naumann,	Stuart,
Bucchin,	Hewitt,	Needham,	Swope,
Cadwalader,	Hocker,	Neff,	Tahl,
Capano,	Hoopes,	Nelson,	Thomassy,
Cassidy,	Horan,	O'Connor,	Thompson,
Chervenak,	Imbt,	O'Dare,	Tittle,
Chudoff,	Jennings,	O'Donnell,	Tompkins,
Clevenger,	Johnson,	O'Neill,	Toomey,
Cochran,	Johnston,	Orban,	Turner,
Cole,	Jones,	Patten,	Upshur,
Cook,	Jump,	Petrosky,	Vaughan,

Cooper,	Kean,	Pichney,	Verona,
Cordier,	Kelley,	Pickens,	Wachhaus,
Costa	Kemp,	Polaski,	Wagner,
Crowley,	Kent,	Powers,	Waldron,
Dague,	Kirley,	Price,	Wallin,
Dalrymple,	Kline,	Propert,	Walton,
Davison,	Kohl,	Ragot,	Waterhouse,
De Long,	Kratz,	Readinger,	Watkins
Demech,	Krise,	Reagan,	Watson,
Dennison,	Kurtz,	Reese, D P.,	Weidner,
Depuy,	Laughner,	Reese, R. E.,	Weiss,
Dix,	Layer,	Reilly, J. M.,	Wescott,
Dye,	Lee,	Reilly, W. J.,	West,
Efenberg,	Leisey,	Richter,	Wheeler,
Elder,	Livingston,	Riley,	Wolf,
Erb,	Livingstone,	Robbins,	Wood,
Evans,	Loftus,	Robertson	Worley,
Ewing,	Lovett,	Root,	Yeakel,
Feola,	Lyons,	Rose,	Yester,
Fish,	Madden,	Rowen,	Yetzer,
Fiss,	Madigan,	Royer,	Young,
Flack,	Mazza,	Sarraf,	Lichtenwalter
Fleming,	McCormack,	Sax,	Speaker
Foor,	McCosker,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

TIME OF NEXT MEETING

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, April 7, 1947.

Resolved (if the House of Representatives concur), That when the Senate adjourns this week it reconvene on Monday, April 14, 1947, at four o'clock p. m., and when the House of Representatives adjourns this week it reconvene on Monday, April 14, 1947 at 4:30 o'clock, p. m.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, presented extracts from the Journal of the Senate:

Senate Bills for concurrence 15, 38, 103, 134, 273, 279, 289, 307, 314, 316, 382 and 385.

RESOLUTION

Mr. ANDREWS. Mr. Speaker, I am offering a Resolution, to which I would call the attention of the Majority Leader and request that he read it, and either act upon it or kill it.

The SPEAKER. The Resolution is not privileged, and will lie over under the Rules.

PERMISSION TO ADDRESS HOUSE

Mr. ANDREWS asked and obtained unanimous consent to address the House.

Mr. Speaker, we will have some very important insurance bills upon the calender next week. In order to conserve the time of the House I am suggesting that there be written into the record in presenting the bills a statement as to the purpose of the bills, what these insurance bills do that is not now being done; a statement that will set forth in the record the Legislative intent, what this House imagines it is doing when it passes the bills. If such statement can be read into the record it will be unnecessary to interrogate the sponsors of the bill. If such statements cannot be read into the record it will be necessary to interrogate the gentlemen who sponsor these bills at considerable length.

COMMITTEE MEETINGS

Cities-County—Second Class, Room No. 521, Wednesday, April 9, at 11:30 a. m.

Education, Room No. 324, Wednesday, April 9, at 11:00 a. m.

Game and Forestry, Room No. 331, Wednesday, April 9, at 10:30 a. m.

Judiciary, Room No. 438, Wednesday, April 9, at 10:00 a. m.

Municipal Corporations, Room No. 521, Wednesday, April 9, at 11:00 a. m.

Professional Licensure, Room No. 324, Wednesday, April 9, at 12:00 noon.

Welfare, Room No. 330, Wednesday, April 9, at 9:45 a. m.

The SPEAKER. The Chair wishes to announce a Republican Caucus immediately upon adjournment of the House in the New House Caucus Room.

ADJOURNMENT

Mr. SPROUL. Mr. Speaker, I move that this House do now adjourn until Wednesday, April 9, 1947 at 1:00 p. m.

The motion was agreed to, and (at 1:10 p. m.) the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1947. 137th of the General Assembly.

Vol. 30. HARRISBURG, PA., WEDNESDAY, APRIL 9, 1947. No. 36.

SENATE

WEDNESDAY, April 9, 1947

The Senate met at 12:30 o'clock, p. m., Eastern Standard Time.

The PRESIDENT (Lieutenant-Governor Daniel B. Strickler) in the Chair.

PRAYER

In the absence of the Chaplain, prayer was offered by the Reverend FRANK W. RUTH, Senator from Berks County.

Our kind Heavenly Father, for the blessings of this day we thank Thee; for Thy love and mercy unto us we praise Thee; for Thy guidance and direction in our deliberations we pray, not only for ourselves but for all those who stand in need of Thy love, we pray that Thou wilt mercifully look upon them and give them the guidance that shall direct them into the path which will mean good for all people. To those who need our help and love, may we stand in the place of he who said

"Let me live in a house by the side of the road,
Where the race of men go by;
The men that are good, and the men that are bad
As good and as bad as I;
I would not sit in the scorner's seat
Nor hurl the cynic's ban.
Let me live in a house by the side of the road
And be a friend to man."

We ask it in Thy Holy Name. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. TALLMAN and Mr. MAHANY, further reading was dispensed with, and the Journal was approved.

NOMINATIONS BY THE GOVERNOR

NOTARIES PUBLIC

The Secretary to the Governor being introduced, presented in writing from His Excellency, the Governor of the Commonwealth, nominations for Appointment as Notaries Public.

CONSIDERATION OF NOTARIES PUBLIC

Mr. WALKER. Mr. President, I move that the Senate do now proceed to the consideration of nominations for appointment as Notaries Public, sent to the Senate, by His Excellency, the Governor of the Commonwealth, on April 9, 1947.

Mr. BARR. Mr. President, I second the motion.

The motion was agreed to.

The nominations were read as follows:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 9, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as Notaries Public, for terms of four years to compute from the dates set opposite their names:

PHILADELPHIA COUNTY

Samuel E. Weiner, Phila., 2311 S. 5th St., April 14, 1947.

DELAWARE COUNTY

Robert G. Kinsley, Upper Darby Twp., 120 Summit Ave., Upper Darby, April 20, 1947.

BUCKS COUNTY

Mrs. Elizabeth J. De Lacey, New Hope, April 27, 1947.

PHILADELPHIA COUNTY

Miss Esther Daugherty, Phila., 1145 N. 4th St., April 28, 1947.

William E. Douglass, Phila., 334 N. 63d St., April 28, 1947.

ALLEGHENY COUNTY

Oscar Roy Linn, Pittsburgh, 235-37 Water St., May 1, 1947.

DELAWARE COUNTY

Stephen R. Manley, Yeadon, May 1, 1947.

PHILADELPHIA COUNTY

Louis De Sipio, Phila., 5430 Webster St., May 1, 1947.

Holman G. Knouse, Phila., 1524 Chestnut St., May 1, 1947.

WASHINGTON COUNTY

R. A. Brownlee, Claysville, May 1, 1947.

Mrs. Gertrude D. Swallow, Washington, May 1, 1947.

PHILADELPHIA COUNTY

William Thomas Gore, 2nd, Phila., 1017 Marlyn Rd., May 3, 1947.

Miss Gussella C. Walker, Phila., 40 S. 19th St., May 3, 1947.

ALLEGHENY COUNTY

Charles O. Anderson, McKeesport, May 4, 1947.

LACKAWANNA COUNTY

I. Edward Nasoni, Scranton, May 4, 1947.

MONTGOMERY COUNTY

Perry Greenspan, Abington Twp., 2451 Radcliffe Ave., Roslyn, May 4, 1947.

CRAWFORD COUNTY

Mrs. Ora B. Snodgrass, West Shenango Twp., Jamestown, May 5, 1947.

JEFFERSON COUNTY

Miss C. M. O'Connor, Punxsutawney, May 5, 1947.

PHILADELPHIA COUNTY

Earl B. Mathers, Phila., 2411 Frankford Ave., May 5, 1947.
Miss Anna C. Mellon, Phila., Public Ledger Budg., 6th & Chestnut Sts., May 5, 1947.
Edgar I. Morton, Phila., 28th & Parrish Sts., May 5, 1947.
Isador Schwartz, Phila., 500 N. 52d St., May 6, 1947.

ALLEGHENY COUNTY

Lz Earl Powers, Pittsburgh, 1561 W. Liberty Ave., May 7, 1947.

PHILADELPHIA COUNTY

Lionel E. Backus, Phila., 4821 Frankford Ave., May 7, 1947.

ERIE COUNTY

Foster E. Davis, Corry, May 8, 1947.

PHILADELPHIA COUNTY

Ernest Berry, Phila., 6066 Ridge Ave., May 8, 1947.

JAMES H. DUFF.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 9, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Mrs. Olive Jackson, Pittsburgh, 2600 Wylie Ave.
Mrs. C. M. Marchando, Brentwood.
Mrs. Winifred M. Merhaut, Pittsburgh, 311 Ferry St.
L. G. Wesley Orr, Wilkinsburg.
Norton B. Searight, Pittsburgh, 1501 First National Bank Bldg.

ARMSTRONG COUNTY

Miss Helen E. Bopp, Leechburg.

BERKS COUNTY

Miss Virginia M. Ganter, Reading.

BRADFORD COUNTY

Vincent P. Decker, Athens.

CAMBRIA COUNTY

Roy Mulhollen, Johnstown.

CENTRE COUNTY

William E. Markley, Spring Twp., Bellefonte, R. D.

CHESTER COUNTY

Delbert DeHaven, West Chester.

CLINTON COUNTY

Mrs. Margaret H. McGhee, Lock Haven.

CRAWFORD COUNTY

Miss Thelma M. Smith, Meadville.

LANCASTER COUNTY

David F. Rose, Lancaster.
Geo. L. Withers, Ephrata.

LEBANON COUNTY

Russell A. Unger, Annville Twp., 854 E Main St., Annville.

LEHIGH COUNTY

Stanley N. Leh, Allentown.

PHILADELPHIA COUNTY

Mrs. Ruth W. Bott, Phila., 1632 Lincoln Liberty Bldg. (7).
Miss Mary A. Cassidy, Phila., 1251 S. Bucknell St.
George Gornish, Phila., 620 S. Broad St.
H. S. Mehring, Phila., 111 N. 49th St.
Mrs Mary Thompson, Phila., 1102 Commonwealth Bldg.
Miss Anne C. Wright, Phila., 2428 Lewis Tower Bldg.

SULLIVAN COUNTY

Miss Helen E. Kuhnle, Dushore.

VENANGO COUNTY

Miss E. Russell, Oil City.

JAMES H. DUFF.

NOMINATIONS FOR NOTARIES PUBLIC

A motion was made by Mr. WALKER and Mr. BARR, that the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	Farrell,	Letzler,	Tarr,
Becker,	Frazier,	Lord,	Taylor,
Berger,	Geltz,	Mahany,	Tyler,
Blass,	Haluska,	Mallery,	Wade,
Carr,	Hare,	Margie,	Wagner,
Chapman,	Heyburn,	Rahauser,	Walker,
Crider,	Holland,	Rosenfeld,	Watson,
Crowe,	Homsher,	Ruth,	Wilson,
Dent,	Jaspan,	Snowden,	Wolfe,
DiSilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,
Donlan,	Leader,	Tallman,	Woodring,

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative,

Ordered, That the Governor be informed accordingly.

REPORTS FROM COMMITTEES

Mr. CARR, from the Committee on Public Health and Welfare, to which was referred on March 19, 1947, the following resolution from the House of Representatives reported the same without amendment as follows, viz, which was laid over for one day under the rules:

TREATMENT OF ALCOHOLICS

In the House of Representatives, March 12, 1947.

Whereas, the health of the People of Pennsylvania is

of primary concern to the Commonwealth; that the disease of alcoholism affects a substantial portion of its citizens; that there is evidence that the scientific treatment of alcoholics has resulted in their rehabilitation; and that there are inadequate public and private facilities for the treatment of alcoholics in Pennsylvania; therefore be it

Resolved (if the Senate concurs), That the Joint State Government Commission of the Commonwealth of Pennsylvania is hereby directed to make a complete investigation and study of the problems relating to the physiological, psychological, psychiatric, economic and social effects of alcoholism and the treatment and rehabilitation of persons so addicted. The Commission shall gather and compile all pertinent data including clinical experiences observed and noted by existing national, State and civic bodies; and non-governmental, private and non-profit institutions and agencies; shall collaborate with Commissions of other states, and shall make a report of its findings and recommendations, especially as to institutional facilities needed to the General Assembly at its next regular session in the year one thousand nine hundred forty-nine. The Commission shall have the power to outline and report on methods for the dissemination of information to the public concerning the nature of alcoholism and the benefits arising from the scientific treatment of alcoholics.

BILLS RE-REFERRED

Mr. STEVENSON. Mr. President, these bills which I am reporting from the Committee on Local Government affect the minor judiciary and I am reporting them to the floor of the Senate for the purpose of having them re-referred to the Committee on Judiciary General.

Mr. STEVENSON, from the Committee on Local Government, reported as committed, House Bill No. 92, entitled:

An Act to amend section one of the act, approved the fifth day of April, one thousand nine hundred twenty-nine (P. L. 170), entitled "An act to regulate and establish the fees to be charged by justices of the peace and aldermen in this Commonwealth, and imposing liability for costs upon the county in certain cases," increasing the fees and costs in certain cases.

Which was re-referred to the Committee on Judiciary General.

He also, from the Committee on Local Government, reported as committed, House Bill No. 93, entitled:

An Act to amend section one of the act, approved the twentieth day of July, one thousand nine hundred seventeen (P. L. 1158), entitled "An act to fix, regulate, and establish the fees to be charged and received by constables in this Commonwealth," increasing the fees in certain cases.

Which was re-referred to the Committee on Judiciary General.

BILLS INTRODUCED AND REFERRED

Messrs. FARRELL and GELTZ read in place and presented to the Chair Senate Bill No. 539, entitled:

An Act making an appropriation to the Department of Welfare for the additional maintenance of certain hospitals in certain out-patient and dispensary service.

Which was committed to the Committee on Appropriations.

Mr. FARRELL read in his place and presented to the Chair Senate Bill No. 540, entitled:

An Act to further amend the act, approved the nineteenth day of June, one thousand nine hundred thirty-one (P. L. 589), entitled, as amended, "An act to promote the public health and safety, by providing for the examination and licensure of those who desire to engage in the occupation of barbering; regulating barber shops, barber schools and barber colleges, and apprentices and students therein; conferring certain powers and duties on the Department of Public Instruction; and providing penalties," by changing the provisions as to fees charged, apprentices and students, requiring all barber shops to be registered, providing for the employment of inspectors, and transferring the administration of several provisions of this act to the State Board of Barber Examiners.

Which was committed to the Committee on Education.

He also read in his place and presented to the Chair Senate Bill No. 541, entitled:

An Act to further amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commission, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant-Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, board, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by creating the State Board of Barber Examiners as a departmental administrative board in the Department of Public Instruction.

Which was committed to the Committee on Education.

Mr. BECKER read in his place and presented to the Chair Senate Bill No. 542, entitled:

An Act to amend Section six hundred seven of the act approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," by making it unlawful to disturb or tamper with traps set by agents of the Commission.

Which was committed to the Committee on Forests and Waters, Game and Fish.

Mr. MAHANY read in his place and presented to the Chair Senate Bill No. 543, entitled:

An Act ratifying, confirming and validating certain sales of unused and unnecessary lands sold by any Board of School Directors.

Which was committed to the Committee on Education.

Mr. LORD read in his place and presented to the Chair Senate Bill No. 544, entitled:

An Act to establish an Eastern Pennsylvania Psychiatric Institute; conferring powers and imposing duties and obligations on the Department of Property and Supplies;

and providing for maintenance and operation by the Department of Welfare, through a director and an advisory board, appointed by it.

Which was committed to the Committee on State Government.

Mr. MAHANY read in his place and presented to the Chair Senate Bill No. 545, entitled:

An Act to further amend the act, approved the fourth day of April, one thousand nine hundred twenty-five (P. L. 127), entitled "An act relating to Adoption," further providing for the jurisdiction of adoption proceedings, the contents of petitions, necessary consents, hearings, and decrees, and validating certain adoptions.

Which was committed to the Committee on Judiciary General.

RESOLUTION

USE OF THE SENATE CHAMBER GRANTED FOR INAUGURAL CEREMONY OF WILLIAM S. LIVENGOOD, JR.

Mr. TAYLOR offered the following resolution which was twice read, considered and agreed to:

In the Senate, April 9, 1947.

Resolved, That the use of the Senate Chamber be granted for the Inaugural Ceremony of William S. Livengood, Jr., as Secretary of Internal Affairs on May 6, 1947, at 12:00 Noon, Eastern Standard Time.

PERMISSION TO ADDRESS SENATE

Mr. DiSILVESTRO asked and obtained unanimous consent to address the Senate.

Mr. DiSILVESTRO. Mr. President and gentlemen of the Senate, it seems that the intravenous injection that I gave the other day has brought forth from the mountain at Broad and Callowhill, which has labored so much to bring forth a puny little mouse.

I ask permission of the Chair to spread upon the Legislative Journal of the Senate an article written by the breezy and capable columnist, John Cummings, so that the facts can be straightened out when a careful reader of the Legislative Journal reads the speech that I delivered the other day and then glances at the distorted facts contained in this article written by another hatchet man.

Gentlemen, the very principles that the Philadelphia Inquirer has been propounding for years and years, that is, freedom of the press and freedom of speech, are kind of abused in this article written by the breezy columnist. I say let the press shout from the rooftops for freedom of the press and I will shout from the rooftops as the representative of three hundred thousand people in my district for freedom of speech.

"John M. Cummings

"What's-the-Hurry Talk
"Didn't Halt Parking Bill

"Harrisburg, April 8.—There was a lot of jawing in the Senate yesterday before the lads, by a vote of 39 to 10, passed the Smith-Costa bill extending to the city of Philadelphia authority to construct underground parking places to relieve street congestion.

* * *

"One of the gentleman, Mr. DiSilvestro, if memory serves, speaking in behalf of the measure, raised an interesting question. You might say he raised several questions, all concerned with the role of a newspaper in matters of public concern.

"Senator DiSilvestro was, of course, thinking of The Inquirer, which, from time to time, joyously addresses itself to enterprises calculated to promote the common weal. The Senator, since he is in the publishing business, no doubt has given considerable thought to the problem during moments of cerrebrating in the quiet of the editorial study.

"Now it's a matter of public record that this newspaper enthusiastically advocated enactment of the Smith-Costa bill in the hope that it would be a step in the direction of a solution to the insufferable congestion in the streets of downtown Philadelphia.

"The jabberwocky of Senator DiSilvestro seemed to be concerned with the degree of enthusiasm a newspaper should inject into a special feature of its day by day work. The South Philadelphia statesman apparently is of the opinion that in pressing for enactment of the measure we of The Inquirer filled the cup of enthusiasm not merely to the brim, but to generous overflowing. Therein lies the fault.

"The gentleman said his "conscience revolted" and he asked: "Why the hurry for passage?"

* * *

"In this connection it might be stated that it's better to have a revolting conscience than no conscience at all. As the renowned Mr. Riley of the radio would put it, "What a revolting development this is!"

* * *

"It was while his conscience was in a state of revolt that Mr. DiSilvestro demanded to know why the hurry. Well, for one thing, the people of Philadelphia would like to get a little action. They'd like to get a little action not only on the parking problem, but on the Vine St. improvement and a number of other projects which have been discussed for years.

* * *

"Unfortunately for Philadelphia, we have some slow pokes who always shout "Why the hurry?" whenever a worthwhile project is proposed. And they become alarmed and they wonder what's coming over the town when a wide-awake newspaper suggests that these citizens should get the lead out of their shoes, quit their yawning and give off with signs of animation.

* * *

"In the case of the bill in question, The Inquirer could have wrapped itself in a robe of false dignity and retired in silence to the sidelines while it languished in a Senate committee. We could have taken comfort in the thought that one of these days it would be released to the floor—if not in this session, perhaps two years hence or four.

* * *

"We could have said "What's the hurry?" particularly when unseemly speed and obnoxious haste might start a revolution in the noodle of Mr. DiSilvestro. Why give offense to others of the take-it-easy clan whose conscience, like that of the Senator, is as sensitive as the needle of a compass?

* * *

"I happen to be a Democrat," said the Senator at one point in his address, by way of distinguishing between himself and Senator Stevenson, chairman of the committee which studied the bill. What this had to do with the question is neither here nor there. Accidents will happen, even to a man whose conscience is so easily aroused to revolt.

* * *

"The point we wish to make here is that it's high time Philadelphia dudes like the distinguished Senator should swear off this what'-the-hurry business whenever a citizen or a newspaper raises a voice in behalf of a program to help the city.

* * *

"Being a publisher, Senator DiSilvestro certainly can find better use for the lead in his heels. He should throw it in the hellbox."

CALENDAR

BILL ON FINAL PASSAGE

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 345, as follows:

An Act to amend section four of the act approved the fourth day of April one thousand nine hundred twenty-five (P. L. 127) entitled "An act relating to adoption" by further providing for the nature of the decree and validating certain adoptions

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section four of the act approved the fourth day of April one thousand nine hundred twenty-five (P. L. 127) entitled "An act relating to adoption" is hereby amended to read as follows

Section 4 Decrees of Court Records If satisfied that the statements made in the petition are true and that the welfare of the person proposed to be adopted will be promoted by such adoption and that all the requirements of this act have been complied with the court or judge shall make a decree so finding [and reciting the facts at length] and directing that the person proposed to be adopted shall have all the rights of a child and heir of such adopting parent or parents and be subject to the duties of such child but otherwise shall make a decree refusing the adoption and dismissing the petition If desired by the parties the decree may also provide that the person adopted shall assume the name of the adopting parent or parents Such decree shall be filed and spread at length upon the records of said court and shall be sufficient evidence of the adoption and shall be open to the public All other papers pertaining to the case and the testimony if written out shall be kept in the files of said court as a permanent record thereof and may in the discretion of said court or judge be withheld from inspection by a proper order in which case no person shall be allowed access thereto except upon an order of court granted upon cause shown

Section 2 Any adoption heretofore granted or decreed by any court of record of this Commonwealth in which either the person or persons adopting or the person or persons adopted was a nonresident or were nonresidents of this Commonwealth at the time such adoption was granted or decreed or any adoption which was granted prior to the expiration of the full ten days required by the act of assembly to intervene between the filing of the petition for the adoption and the hearing of such petition by the court or which was granted or decreed without the formal entry on the decree of the findings of facts at length or without the court or judge specifically finding that the statements made in the petition were true is hereby declared valid and lawful as though made in full observance of all the requirements of the act to which this is an amendment Provided That the petition and decree for such adoption were otherwise in accordance with the act to which this is an amendment

And the amendments made thereto having been printed as required by the Constitution.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	Farrell,	Letzler,	Tallman,
Becker,	Frazier,	Lord,	Tarr,
Berger,	Geltz,	Mahany,	Taylor,
Blass,	Haluska,	Mallery,	Tyler,
Carr,	Hare,	Margie,	Wade,
Chapman,	Heyburn,	Rahauser,	Wagner,
Crider,	Holland,	Rosenfeld,	Walker,
Crowe,	Homsher,	Ruth,	Watson,
Dent,	Jaspan,	Scarlett,	Wilson,
DiSilvestro,	Klein,	Snowden,	Wolfe,
Doehla,	Lane,	Stevenson,	Wood, L. H.,
Donlan,	Leader,	Stiefel,	Wood, T. N.,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Rrepesentatives for concurrence.

BILLS ON THIRD READING CALENDAR

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 121, on third reading, entitled:

An Act to add section three hundred three point one to the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relation thereto" increasing the fees for hunting licenses and providing for the use of moneys derived therefrom for the stocking of small game.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 146, as follows:

An Act to further amend subsection (b) and to amend subsection (d) of section four hundred twelve of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of condidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" making further provision for the compensation of judges inspectors clerks and machine inspectors at primaries and elections

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (b) of section four hundred twelve of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" as amended by the act approved the fifteenth day of June one thousand nine hundred thirty-nine (P. L. 376) is hereby further amended to read as follows

Section 412 Compensation of Election Officers

* * * * *

(b) In counties of the third fourth fifth sixth seventh

and eighth classes the minimum compensation of judges inspectors [clerks] and machine inspectors shall be six dollars ($6) and for clerks the minimum compensation shall be five ($5) for each primary and election [shall be fixed by the commissioners of such counties which compensation may be based on flat sum for each election or primary or on the basis of work actually done by such judges clerks and inspectors] In any election district in such counties in which more than one hundred votes are cast at any primary or election all such officers shall each receive additional compensation at the rate of two dollars ($2) for each one hundred votes or fraction thereof cast after the first one hundred votes

Section 2 Subsection (d) of section four hundred twelve of said act is hereby amended to read as follows

Section 412 Compensation of Election Officers

* * * * *

(d) For transmitting the ballot box or boxes together with the judge of election as herein provided the minority inspector of election shall be entitled to an additional sum of [two dollars and fifty cents ($2.50)] three dollars and fifty cents ($3.50) as full compensation for said services

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	Farrell,	Letzler,	Tallman,
Becker,	Frazier,	Lord,	Tarr,
Berger,	Geltz,	Mahany,	Taylor,
Blass,	Haluska,	Mallery,	Tyler,
Carr,	Hare,	Margie,	Wade,
Chapman,	Heyburn,	Rahauser,	Wagner,
Crider,	Holland,	Rosenfeld,	Walker,
Crowe,	Homsher,	Ruth,	Watson,
Dent,	Jaspan,	Scarlett,	Wilson,
DiSilvestro,	Klein,	Snowden,	Wolfe,
Doehla,	Lane,	Stevenson,	Wood, L. H.,
Donlan,	Leader,	Stiefel,	Wood, T. N.,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 313, as follows:

An Act to reenact amend and revise the act approved the first day of May one thousand nine hundred and thirty-three (P. L. 103) as amended entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto"

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The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections 1 to 226 inclusive of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" are hereby reenacted amended and revised to read as follows Section 1 Be it enacted etc That the laws relating to townships of the second class are hereby reenacted amended consolidated revised and changed as follows

Article I

Preliminary Provisions

Section 101 Short Title Effective Date This act shall be known and may be cited as "The Second Class Township [Law] Code" This act shall take effect on the first day of July one thousand nine hundred and thirty-three This reenactment revision amendment and consolidations of the laws relating to townships of the second class shall become effective the first day of July one thousand nine hundred and forty-seven

Section 102 Definitions [The word "township" or "townships" as used in this act shall mean a township of the second class unless the context indicates otherwise] The following words terms and phrases as used in this act shall have the meanings herein assigned to them unless the conext clearly indicates otherwise

(a) "Township" a township of the second class

(b) "Road" or "Public road" a road of a township of the second class and shall include a street lane alley court or public square of such township

(c) "Highway" or "State highway" a road or highway of the state highway system

Section 103 Excluded Provisions This act does not include any provisions and shall not be construed to repeal any acts relating to

(a) [The procedure for] The assessment and valuation of property and persons for the purposes of taxation and collection of taxes and the collection of municipal [and tax] claims by liens

(b) The method of incurring or increasing bonded indebtedness

(c) Election officers and conduct of elections

[(d) Poor districts

(e) Boards of health]

[(f)] (d) Public schools and school districts

[(g)] (e) Constables

[(h)] (f) Justices of the peace

[(i)] (g) State roads [state-aid roads] and private roads

[(j) Township reward]

[(k)] (h) Validations of elections bonds ordinances and acts of corporate officers

[(l)] (i) Free non-sectarian libraries

(j) Crimes and offenses provided for in the Penal Code

Section 104 [Saving Clauses] Construction of Act Generally The provisions of this act so far as they are the same as those of existing laws are intended as a continuation of such laws and not as new enactments The repeal by this act of any act of Assembly or part thereof shall not revive any act or parts thereof heretofore repealed or superseded nor affect the existence or class of any township heretofore created The provisions of this act shall not affect any act done liability incurred or right accrued or vested or affect any suit or prosecution pending or to be instituted to enforce any right or penalty or punish any offense under the authority of such repealed laws All resolutions regulations and rules made pursuant to any act of Assembly repealed by this act shall continue with the same force and effect as if such act had not been repealed Any person holding office under any act of Assembly repealed by this act shall continue to hold such office until the exporation of the term thereof subject to the condtions attached to such office prior to the passage of this act

Section 105 Constitutional Construction The provisions of this act shall be severable and if any of the provisions shall be held to be unconstitutional such decision shall not affect the validity of any of the remaining provisions of this act It is hereby declared as the legislative intent that this act would have been adopted had such unconstitutional provision not been included therein

Section 106 Construction of References Whenever in this act reference is made to any act by title such reference shall also apply to and include any codification wherein the provisions of the act referred to are substantially re-enacted

Section 107 How Act Applies This act shall apply to all townships of the second class within the Comonwealth as now existing or hereafter created established or re-established

Section 108 Saving Clauses Where Class of Township Changed Whenever any township of the second class is designated a township of the first class or whenever any

township of the first class is re-established as a township of the second class [or whenever any township is divided] all liabilities incurred rights accrued or vested obligations issued or contracted and all suits and prosecution pending or to be instituted to enforce any right or penalty accrued or punish any offense committed prior to such change of class [or division] and all resolutions rules and regulations shall continue with the same force and effect as if no such change [or division] had been made

Section 109 Exception as to Taxation This act does not provide [a complete system] for the assessment and valuation of property and persons for the purposes of taxation and the collection of township taxes [but the taxation provisions herein contained shall be construed as supplementary to the general local taxation laws All acts and parts of acts relating to taxation in townships of the second class not inconsistent with this act in force prior to the passage of this act which are not re-enacted or specifically repealed by this act shall remain in force as to such townships in the same manner as prior to the passage of this act]

Section 110 Legal Advertising Whenever under the provisions of this act notice is required to be published in one newspaper such publication shall be made in a newspaper of general circulation as defined by the Newspaper Advertising Act approved May sixteenth one thousand nine hundred and twenty-nine (P. L. 1784) printed in the township if there is such a newspaper and if not then in a newspaper circulating generally in such township If such notice is required to be published in more than one newspaper it shall be published in at least one newspaper of general circulation defined as aforesaid printed if there be such a newspaper or circulating generally as above provided in the township When such notice relates to any proceeding or matter in any court or the holding of an election for the increase of indebtedness or the issue and sale of bonds to be paid by taxation such notice shall also in counties of the second third fourth and fifth classes be published in the legal newspaper if any designated by the rules of court of the proper county for the publication of legal notices and advertisements unless such publication be dispensed with by special order of court Provided however That auditors' statements summaries of auditors' statements or advertisement inviting proposals for public contracts and for bids for materials and supplies shall be published only in newspapers of general circulation defined as aforesaid

Article II

Classification [and] Creation Consolidation and Re-establishment of Townships of the Second Class

(a) Classification of Townships

Section 201 Classification of Townships The townships now in existence and those to be hereafter created are divided into two classes Townships of the first class shall be those having a population of at least three hundred inhabitants to the square mile which have heretofore fully organized and elected their officers and are now functioning as townships of the first class or which may hereafter be created townships of the first class in the manner provided by the laws relating to townships of the first class All townships not townships of the first class shall be townships of the second class A change from one class to the other shall hereafter be made only as provided by this act or the laws relating to townships of the first class

(b) [Creation] Consolidation of Townships

Section 205 Manner in Which Townships May Be [Created] Consolidated The Courts of Quarter Sessions may upon the presentation of petitions as hereinafter provided [create new townships by the consolidation of] consolidate two or more townships of the second class located in the same county

Section 206 Petitions (a) Petitions for [creation] consolidation of townships in the manner hereinbefore provided shall be signed by registered electors equal in number to at least five per centum [of the highest total vote cast for candidates for any office in the townships affected at the last preceding municipal election] of such electors of each of the townships proposed to be consolidated at the time of the filing of such petition Such petition shall be [sworn to and] subscribed and sworn to by at least three of the signers

(b) Petitions for the consolidation of townships may also be presented when signed by a majority of the supervisors of each of the townships proposed to be consolidated and [sworn to and] subscribed and sworn to by at least one supervisor from each such township

Such petitions in either event shall set forth the name of any proposed new township and shall specify the reasons for such consolidation Each such petition shall be accompanied by an accurate map or plot prepared by [an] a registred surveyor or engineer showing the lines of the new township and the present division lines between such townships Where natural marks are on such lines they shall also be shown

Section 207 Confirmation [Nisi] of Petition Notice of Fling Upon the presentation of any such petition the same shall be confirmed nisi and the court shall by its order require such notice to be given by the petitioners to the residents and supervisors of the townships affected as it deems proper If no exceptions as hereinafter provided are filed to such tition the court after the expiration of thirty days shall confirm it absolutely

Section 208 Exceptions [Confirmation Absolute of Petition] Hearing and Action Thereon Within thirty days after the filing of such petition any [taxpayer] registered elector of the townships affected may file execptions to such petition questioning the sufficiency of the number of signers or the legality of any signatures or the accuracy or sufficiency of the map or plot attached thereto The court upon the filing of any execptions shall fix a day for hearing of which such notice shall be given as the court may direct At such hearing the court shall hear all parties interested and their witnesses If the exceptions in the opinion of the court are not sustained it shall dismiss the same and confirm the petition absolutely If the exceptions in the opinion of the court are sustained and the court deems the petition or map or plot amendable it may permit either the petition or the map or plot or both to be amended and when so amended it shall confirm the [same] petition absolutely but if it shall deem the [same] petition or the map or plot not amendable it shall dismiss the petition

Section 209 Elections When any petition is confirmed absolutely the court shall order an election held on the question of the consolidation of such townships which shall be held on the day of the next primary general or municipal election occurring at least sixty days after such order of court Such election shall be held at the regular polling places in the townships affected At any such election all of the [qualified] registered electors of the townships affected by such consolidation shall have the right to vote The ballot at any such election or ballot labels in the event voting is by machine shall be furnished by the county [commissioners] board of elections and the question to be placed thereon shall be framed and printed [on the ballots] as provided by the election laws of the Commonwealth

Section 210 Notice of Election The [constable] constables of the townships affected or if there be no constable then one of the supervisors designated by the court shall give at least fifteen days' notice of the time and place of holding such election by posting not less than six printed handbills in at least six public places in each of such townships The notice of election shall contain a statement of the townships to be affected thereby that it is proposed to make a consolidation and the court may prescribe the form of the notice and include therein such other matters as the circumstances of the individual case may render desirable

Section 211 Return of Election Decree The election officers after the polls have been closed shall count the ballots and certify the number of votes cast for and

against such consolidation to the [clerk of the court of quarter sessions] county board of elections who shall tabulate and compute the same and lay the result before the court If it shall appear that a majority of the votes cast in each of the townships affected are in favor of the consolidation of [two or more] such townships the court shall order and decree the new township agreeably to the name and lines set forth in the petition and the government of the new township shall be organized and become effective on the first Monday of January succeeding such election If a majority of the votes cast in any of the townships affected are against the consolidation of such townships no further action shall be had upon said proceedings No new proceeding shall be considered for a period of two years

Section 212 Boundary Monuments All angles and corners in the lines of any such new township not fixed by public highways natural boundaries or monuments shall be marked by stone monuments placed at such angles or corners unless it is impractical to do so in which case the court shall direct how the same shall be marked and for cause shown the court may direct other monuments to be placed on said lines The cost of such monuments and the placing thereof shall be paid by the new township and it shall be the duty of the supervisors thereof to cause said monuments to be put in place not later than one year after the new township is formed

Section 213 Classification of New Townships The new township [created] shall be a township of the second class unless and until by subsequent proceedings in accordance with laws relating to townships of the first class and having the required population it shall be created a township of the first class

Section 214 Costs When [a new township is created] townships are consolidated [as hereinbefore provided] the cost of the proceedings shall be paid by the new township and where any petition is dismissed or a majority of the electors of any one or more townships shall vote against the consolidation of any such township the cost of the proceedings shall be paid by the townships proposed to be consolidated

Section 215 Property Rights and Liabilities Where Townships Consolidated After the consolidation of two or more townships the rights privileges and franchises of each of the townships and all property real personal and mixed and all debts due on whatever account and other things in action belonging to each of such townships shall be vested in the new township The title to real estate vested in either of such townships shall not revert or be in any way impaired by reason of such consolidation All rights of creditors or liens shall be preserved and all debts and liabilities of either of such townships shall attach to such new township and be in force against it

(c) Re-establishment of Townships of the Second Class

Section 225 Because of Loss of Population Townships of the first class no longer having a population of three hundred to the square mile may be re-established as townships of the second class in the manner provided by laws governing townships of the first class

Section 226 By Vote of [Qualified] Registered Electors A township of the first class may irrespective of population be reestablished a township of the second class in the manner hereinafter provided

The board of commissioners of such township on its own initiative may or within fifteen days after the receipt of a petition signed by at least [twenty-five] five per centum of the [qualified] registered electors of such township shall pass a resolution and record it on its minutes submitting the question of whether such township of the first class shall be re-established a township of the second class to the [qualified] registered electors of such township

At the primary general or municipal election occurring at least ninety days after the passoge of such resolution the question whether such township of the first class shall be re-established a township of the second class shall be submitted to the voters of the township and the county [commissioners] board of elections shall cause to be printed on separate ballots or in case voting is by machine on ballot labels to be used in such township at such election a proper question framed in accordance with the election laws of the Commonwealth

The election officers shall compute the votes cast at the election and make return thereof to the [clerk of the court of quarter sessions of the] county board of elections wherein such township is situate [who] which shall compute the same and certify the result thereof to the county commissioners and the board of township commissioners of such township and to the clerk of the court of quarter sessions If a majority of the votes cast at any such election shall be in favor of the re-establishment of such townships as a township of the second class the government of the township of the second class shall be organized and become effective on the first Monday in January next succeeding such election at which time the terms of the officers of the township of the first class shall cease and terminate and the officers appointed by the court for such township as hereinafter provided shall take office If a majority of the votes cast at any such election shall be in favor of remaining a township of the first class no further proceeding shall be had for a period of two years after which proceedings de novo may be had

Section 2 The said act is hereby amended by adding to article II thereof a new division and section as follows

(d) Creation of Townships of the Second Class by Annulment of Borough Charters

Section 230 Because of Annulment of Charter of Borought Township of the second class may be created by the annulment of a charter of a borough in the manner provided by laws governing boroughs

Section 3 Sections 235 to 414 inclusive of the said act are hereby reenacted revised and amended to read as follows

[(d)] (e) Officers for New Townships

Section 235 Appointment and Election of Officers of New Townships Whenever a new township [is created by] results from the consolidation of townships or is created as a result of the annulment of the charter of a borough or when a township is reestablished the court of quarter sessions shall appoint the elective officers for the new township and fix the polling place or places in such new township The officers so appointed shall hold their offices until the first Monday of January following the next municipal election occurring at least ninety days after such appointments At such municipal election an assessor and a tax collector shall be elected for regular four-year terms if such election occurs in the year when such officers are elected for regular terms and if not then such officers shall be elected for terms of two years each and their successors shall be elected for four-year terms At said first municipal election one supervisor and one auditor shall be elected for terms of six years each one supervisor and one auditor for terms of four years each and one supervisor and one auditor for terms of two years each All such officers shall take office on the first Monday of January next following their election

[(e)] (f) [Certificate of Creation of Townships] Certificates to Be Furnished to State Departments

Section 240 Certificates of Clerk of Court Fee Penalty When a township of the second class results from the consolidation of two or more townships or is created or re-established the clerk of the court of quarter sessions of the county within thirty days shall certify [such creation of re-establishment] a copy of the record thereof in said court to the Secretary of Internal Affairs and the Department of Highways of the Commonwealth [The] For such services the clerk shall be allowed a fee of [one dollar for his services] three dollars and fifty cents to be paid as part of the costs of the proceedings

[The clerk of the court of quarter sessions shall also certify to the State Department of Highways the creation or re-establishment of all such townships within thirty days after the establishment of such township For each such certificate furnished the clerk shall receive a fee of

one dollar to be paid by the State Treasurer upon warrant of the Auditor General]

[The failure or neglect of any] Any clerk who shall fail or neglect or refuse to furnish such [certification] certifications or either [to the Secretary of Internal Affairs or Department of Highway] of them as herein required shall [be deemed a misdemeanor and] upon conviction [such clerk shall] thereof in a summary proceeding be sentenced to pay a fine of not more than fifty dollars and in default of the payment of such fine and costs undergo imprisonment of not more than ten days

Article III

Township Lines and Boundaires

Section 301 [Center Line of Navigable Streams as Boundary] Streams Boundaries Whenever any township is bounded by the nearest margin of any navigable stream and the opposite township borough or city as the case may be is also bounded by the nearest margin of the same stream the middle of such stream shall be the boundary between such [townships or[township and]any other] the opposite township borough or city Nothing contained in this section shall be construed to repeal any local or special law providing to the contrary

Section 302 [Petition to Alter or Ascertain Township Lines and] Establishment of Boundaries The courts of quarter sessions may upon the presentation of a petition (a) Alter the lines of [two or more] a township and any adjoining [townships] township borough or city so as siut the convenience of the inhabitants thereof (b) cause the lines or boundaries of townships to be ascertained and established and (c) ascertained and establish disputed lines and boundaries between two or more townships or between townships and cities or boroughs When any such petition is presented the court may require the petitioners to file a bond in a sufficient sum to secure the payment of all costs of the proceeding

Section 303 [Appointment and Report of Commissioners] Petition to Court Commissioners Report Upon application by petition [to the court for any of the purposes set forth in the last preceding section] the court shall appoint three impartial citizens one of whom shall be a [civil] registered surveyor or engineer to inquire into the prayer of the petition After having given notice to parties interested as directed by the court the commissioners shall hold a hearing and view the [said] lines or boundaries and they or any two of them shall make a plot or draft of the lines and boundaries proposed to be altered or ascertained and established if the same cannot be fully designated by natural lines or boundaries The commissioners or any two of them shall make report to the court together with their opinion of the same Upon the filing of any such report the same shall be confirmed nisi and the court may by its order require such notice to be given by the petitioners to the parties interested as it deems proper

Section 304 Exceptions and Procedure Exceptions to any such report may be filed by any person or political subdivision interested within thirty days after the filing of the report and the court may thereupon fix a day for the hearing of such execptions of which [hearing] such notice shall be given as the [shall] may direct After hearing the court shall have power to sustain such exceptions or to dismiss them and confirm the report or to refer the report back to the same or new commissioners with like authority to make another report on which like legal proceedings may be had Where no exceptions are filed within thirty days after the filing of the report the court shall confirm the same absolutely When any report is confirmed absolutely the court shall enter a decree altering or ascertaining and establishing the lines and boundaries as shown in said report

Section 305 Monuments Whenever any such township line or boundary is altered or ascertained and established the court shall cause the same to be appropriately marked with stone monuments placed at intervals not exceeding fifteen hundred feet

Section 306 [Pay] Compensation and Expenses of Commissioners [Civil] Engineer and Chaincarriers Costs The [pay] compensation and expenses of commissioners appointed to alter or ascertain and establish township lines shall be [ten dollars the pay of the civil engineer shall be twenty dollars and the pay of the chaincarriers shall be five dollars for each day necessarily employed and five cent per mile for each mile necessarily traveled in the discharge of their duties] in the amount approved by the court The court shall by its order provide how the costs and expenses of any such proceeding including the furnishing and placing of monuments shall be paid and may assess them against the petitioners any township [and] or municipalities interested or any of them

Section 307 Adjustment of Indebtedness Whenever the boundaries of any township have been altered or ascertained and established [upon application of the supervisors commissioners or the authorities of any school district or poor district] the court of quarter session [common pleas sitting in equity] may adjust the taxes debts and expenses for township municipal [poor] and school purposes between the townships municipalities [poor] and school districts affected

Article IV

Election of Officers Vacancies in Office

(a) General Provisions

Section 401 Township Officers to Be Electors No person shall be eligible to any township office unless he is [an] a registered elector of the township for which he is chosen

Section 402 Officers to Be Elected The electors of each township shall elect (a) three [township] supervisors (b) one [township] assessor (c) three [township] auditors and (d) one tax collector No person shall at the same time hold more than one elective township office

(b) Election of Officers

Section 410 Supervisors At each municipal election the [qualified] electors of each township shall elect one [township] supervisor to serve for a term of six years from the first Monday of January next following his election

Section 411 Auditors At each municipal election the [qualified] electors of each township shall elect one [township] auditor to serve for a term of six years from the first Monday of January next following his election

No auditor shall at the same time hold any other elective or appointive township office

Section 412 Assessor At the municipal election in the year one thousand nine hundred and [thirty-three] forty-seven and at the municipal election every four years thereafter the [qualified] electors of each township shall elect one [township] assessor to serve for a term of four years from the first Monday of January next follow- his election

Section 413 [Election Assessors Saved] Assessors not Elected in Certain Counties The provisions of the preceding section relating to the election of assessors shall not [repeal nor affect the provisions of any act providing for the election of assistant or registry assessors for the performance of duties relating to elections nor] authorize the election of assessors for taxation purposes in counties [having] where boards for the assessment and revision of taxes are authorized by law to appoint assessors

Section 414 Tax Collector At the municipal election in the year one thousand nine hundred and [thirty-three] forty-seven and at the municipal election every four years thereafter the [qualified] electors of each township shall elect one tax collector to serve for a term of four years from the first Monday of January next succeeding such election

Section 4 Section 415 of the said act is hereby repealed

Section 5 Sections 420 to 541 inclusive of the said act are hereby reenacted revised and amended to read as follows

(c) Vacancies in Office

Section 420 Supervisors If the electors of any township shall fail to choose a [township] supervisor or if any person elected to such office shall neglect or refuse to serve therein or if a vacancy shall occur in the office by death resignation removal from the township or

otherwise the two remaining supervisors may appoint a successor to [fill] hold the office for the unexpired term When a vacancy is so filled the supervisors shall within fifteen days thereafter cretify such appointment to the clerk of the court of quarter sessions.

If the two remaining supervisors in the event of a vacancy as aforesaid shall be unable to agree on such appointment for a period of thirty days after such vacancy occurs the court of quarter sessions shall upon the presentation of a petition signed by a supervisor and by not less than [ten voters] five registered electors [who are owners of real estate in the township] appoint a person to [fill the vacancy] hold such office for the unexpired term

Section 421 Auditors When a vacancy occurs in the office of [township] auditor in any township by reason of death resignation removal from the township or otherwise the court of quarter sessions shall upon the petition of not less than five registered electors appoint a suitable person to [fill such vacancy] hold such office for the unexpired term of the person whose place he is appointed to fill

Section 422 Assessor Vacancies in the office of assessor in townships shall be filled in the manner provided by law

Section 423 Tax Collector If the electors of any township [of the second class] shall fail to choose a tax collector or if any person elected to such office shall fail to give the required bond or [shall fail] to take the required oath or if a vacancy shall occur in the office by death resignation removal from the township or otherwise the [county commissioners in any event] court of quarter sessions of the county upon presentation of a petition of [any citizen who is a resident] the supervisors or not less than five registered electors of the township setting forth the facts or upon [their] its own initiative shall appoint a [resident] registered elector of the township [fill the vacancy] or a corporation duly qualified and legally authorized to transact a fiduciary business in the Commonwealth of Pennsylvania [and] whose principal place of business is located in the county where said township is located to hold the office for the unexpired term of the person whose place he or it is appointed to fill

[If a] The person or corporation [be] so appointed [it] shall give [such] bond as [the county commissioners may fix to be approved by the court of quarter sessions] provided by law

In cases [when] where the person elected to the office shall fail to give bond or to take the required oath the [county commissioners] court of quarter sessions before making the appointment shall declare the office vacant

Whenever a vacancy exists in the office of tax collector and no person resident within the township or corporation qualified and located as herein above set forth [can be] has been found within thirty days to accept the appointment to fill such vacancy [the county commissioners may appoint the county treasurer as tax collector]

[Where the county treasurer is so appointed he shall have authority to appoint a deputy to assist in the collection of the taxes set forth in the duplicates delivered to him The county treasurer shall be entitled to retain for his own use so much of the commissions payable for the collection of said taxes as may be required for the payment of his deputy and the premium on his bond and shall not be required to pay the same over to the county but any commissions over and above such costs shall belong to the county to reimburse the county for office rent light heat telephone service compensation insurance supplies postage and equipment The salary board of the county and where there is no salary board then the county commissioners shall fix the compensation of any deputy appointed]

[If the county treasurer so appointed shall refuse to accept the appointment the county commissioners may appoint any suitable resident of the county to perform the duties of tax collector for the unexpired term and if no such person can be found within the county to accept appointment as tax collector for the township] the county [shall retain the duplicate of the county tax and notify the township and school district to deliver their respective duplicates to the county commissioners unless] the township and the [or] school district [desires to] shall collect their respective taxes directly through their respective treasurers [as tax collectors or through collectors appointed by them which they shall have authority to do] or in case of school districts through their secretaries No such county township or school treasurer or secretary shall be required to give additional bond unless required by the taxing authority but shall have all the powers and perform all the duties [herein] imposed on tax collectors [The county commissionesr shall in any such case have the power to collect the taxes for the county and for any township and school district and shall perform all the duties and have all the powers of tax collectors and shall have the power to appoint a deputy as herein provided where the county treasurer is appointed as tax collector and to fix his compensation Taxes collected by the commissioners shall be paid over to the county treasurer who shall pay to the township or school district any taxes received for their use less such amount as is allowed as a commission for the collection of taxes which shall be retained for the use of the county in order to reimbruse the county for the costs and expenses incurred by the county in collecting such taxes The county commissioners shall not be required to give any bond for the duties herein imposed nor shall they receive any compensation for collecting such taxes The county commissioners shall where they collect taxes as herein provided have all the powers and perform the duties vested in collectors of county township and school taxes] Such treasurers and secretaries for performing such duties shall be entitled to the compensation provided by law for the collection of such taxes

Article V

Township Officers

(a) General Provisions

Section 501 Oath of Office Every person elected or appointed to any township office in any township shall before entering upon the duties of his office take and subscribe an oath or affirmation before some person having authority to administer oaths to support the [Constitution] Constiution of the United States and of this Commonwealth and to perform the duties of his office with fidelity A copy of such oath or affirmation shall within ten days thereafter be filed with the township secretary

Section 502 Bonds When any officer or employe of any township is required to give bond for the faithful performance of his duties [and such bond is required to be executed by a surety company] the township may pay the premium on such bond No auditor or supervisor of the township shall become a surety on the bond of [the tax collector or treasurer of the] any township officer

Section 503 Penalty for Failure to Perfom Duties If any township officer refuses or neglects to perform his duties the court of quarter sessions upon complaint in writing by [twenty-five citizens owners of real estate residing in] five percentum of the registered electors of the township [or district] may issue a rule upon such officer to show cause why his office should not be declared vacant and another appointed in his stead Such rule shall be made returnable not less than two weeks from its date of issue Upon hearing and proof that the facts alleged in the complaint are true the court may declare the office vacant and appoint another in his stead to hold office during the term of the officer deposed or to make such other order as to the court may seem just and proper

Section 504 Road Complaints If [such] any complaint shall allege that the public roads and highways of any township are not maintained in accordance with law the court may appoint three persons who shall examine said highways and report to the court their findings In all

such cases the complainants shall first enter security in such sum as the court may fix to pay all costs

(b) Township Supervisors Township Superintendent and Roadmasters

Section 510 Supervision of [Road] Affairs The general supervision of [road] the affairs [in every] of the township shall be in the hands of three [qualified] registered electors of the township who shall be styled township supervisors

Section 511 Organization Meeting Appointment of Secretary and Treasurer The supervisors of each township shall meet at a convenient time and place on the first Monday in January of each year The township supervisors shall organize as a board by electing one of their number as chairman The board shall appoint a treasurer and a secretary who shall be the same person and who may or may not be a member of the board except where the board selects a trust company or a banking institution to act as treasurer in which case it [may] shall elect an individual as secretary

Section 512 Monthly Meetings Quorum Rent and Expenses The township supervisors shall meet for the transaction of business at least once each month at a time and place to be fixed by the board but they shall not be paid for more than sixteen meetings in any one year except in any township where on account of the exercise of governmental functions other than those relating to roads more meetings are necessary in which case the number of meetings for which the supervisors may be paid may with the prior approval of the auditors of the township be increased to any number not exceeding twenty-four in any year Two members shall constitute a quorum Necessaary expenses incurred in such meetings including office rent stationery light and fuel shall be paid out of the general township [road funds] fund

Section 513 Minutes and Records The board of township supervisors shall keep minutes of its proceedings and such other books as they may find necessary in the performance of their duties All such books shall be open for the inspection of any elector or taxpayer or his her or its representative or any representative of the Department of Internal Affairs and the Department of Highways at all reasonable times and shall be submitted to the township auditors when they meet to audit the accounts of the treasurer and other township officers the township supervisors shall deliver such books papers and accounts to their successors

Section 514 Road Districts Superintendents and Roadmasters The board of township supervisors immediately after their organization shall divide the township into one or more road districts They shall employ a superintendent for the entire township or a roadmaster for each district Every superintendent and roadmaster so employed must be a person physically able to work on and maintain the roads Township supervisors may require such superintendents or roadmasters to give bond with approved security for the faithful performance of their duties The superintendent or roadmasters shall be subject to removal by the board of supervisors The supervisors shall fix the wages to be paid either per hour per day per week semi-monthly or monthly to the superintendent or roadmasters and laborers for work on the roads and bridges which wages shall not exceed wages paid in the locality for similar services

This section shall not prohibit the township supervisors from being employed as superintendents or roadmasters or as laborers if physically able to work on and maintain the roads In such [case] cases they shall not [be required to] employe a superintendent or roadmaster and their compensation shall be fixed as hereinafter provided

[No roadmaster or superintendent shall be the husband father brother son stepson father-in-law or son-in-law of a township supervisor]

Two or more townships may [join and] appoint the same person as superintendent

Section 515 Compensation of Supervisors Supervisors shall receive from the general township [road fund] fund as compensation not less than two dollars and fifty cents nor more than four dollars for each meeting which they attend The amount of the compensation for attending meetings shall be determined by the township auditors The township auditors shall also allow to the supervisors reasonable compensation for making a semi-annual inspection of roads and bridges The compensation of supervisors when [overseeing or working on roads] acting as superintendents roadmasters or laborers shall be fixed by the township auditors [and shall be not less than three nor more than six dollars per day] either per hour per day per week semi-monthly or monthly which compensation shall not exceed compensation paid in the locality for similar services and such other reasonable compensation for the use of vehicular equipment when required and actually used as the auditors shall determine and approve but no supervisor shall receive compensation as a superintendent or roadmaster for any day he receives compensation for attending a meeting of supervisors unless such meeting is held during the nighttime

Section 516 [Powers and] Duties of Supervisors Township Superintendents and Roadmasters The township supervisors or the supervisors acting as [superindent] superintendents or roadmasters shall

(a) Have the general care and superintendence of the improvement of the [highways] roads and bridges in the township except as otherwise specially provided

(b) Cause such [highways] roads and bridges to be kept in repair and reasonably free from all obstructions and give the necessary directions therefor

(c) Inspect all [highways] roads and bridges during the months of April and October of each year

(d) Divide the township into as many [sections] districts as may be deemed necessary for the maintenance and repair of the [highways] roads and the opening of [highways] roads obstructed by snow

(e) Employ or hire such persons [teams and implements] as may be necessary for the maintenance and repair of [highways] roads and bridges and [the] snow removal [of obstructions caused by snow] and provide for the organization and supervision of the persons so employed and work on the roads themselves when directed to do so by the board of supervisors Records shall be kept and reports made and filed giving the names of all persons employed including supervisors superintendent or roadmasters dates on which work was done and the number of hours worked with compensation paid to each person and the capacity in which he is employed

(f) Construct and keep in repair all sluices and culverts and keep the waterways bridges and culverts open

(g) Cause loose stones lying in the beaten track of every [highway] road to be removed Stones so removed shall be conveyed to some place from which they will not work back or be brought back into the track by other implements used in repairing or maintaining such highways

(h) Attend road meetings and conventions when directed to do so by the board of supervisors

(i) Perform such other duties and have such other powers with respect thereto as may be imposed or conferred by law or the rules and regulations of the Department of Highways

The roadmasters or superintendents or supervisors aeting in either capacity shall

(j) Report monthly to the board of supervisors [which report shall contain the matter in the form to be prescribed] such information as may be required by the Department of Highways in the form prescribed by the department

(k) Inspect all [highways] roads and bridges at such times as the township supervisors shall direct except during the months of April and October

(l) Have power to relocate widen deepen and straighten the channels of streams and rip rap and otherwise protect the banks of streams in order to protect roads prevent erosion and prevent floods in the township [or parts thereof] Provided That the consent of the [Power and] Water and Power Resources Board to any such project has first been secured

(m) When authorized to do so by general or special order of the township supervisors to do or cause to be

done all work necessary to carry out the responsibilities imposed upon the township supervisors by sub-sections (a) (b) (e) (f) (g) and (i) of this section

Section 517 Road Contracts The board of township supervisors may make a contract for the improvement and keeping in repair of not more than ten miles of road No such contract shall extend over a period of more than four years nor shall it be given unless approved of and signed by at least two members of the board of township supervisors every contractor for road work shall give bond for the amount of such contract and sign specifications furnished by the township supervisors for the building and care of such contract roads

Section 518 Annual [Reports to State Department of Highways] Township Report Duties of Supervisors The board of [township] supervisors [shall] annully on or before the first day of February in each year [make a sworn statement to the State Department of Highways on blanks furnished to them by the department of the whole amount of tax levied during the preceding year for road purposes and the total amount of road taxes collected during the year They shall specify in such report the amount expended for maintenance or repairs of roads of ropening and building new roads and for macadamizing or otherwise permanently improving roads the number of miles of roads thus made and the total number of miles of township roads in the township Such report shall also contain the names and addresses of the chairman members and secretary and treasurer of the board and such other matters and things as the State Department of Highways may require] shall furnish to the township auditors such accurate information concerning the construction reconstruction maintenance and repair of the roads the repair and purchase of equipment and machinery and road mileage as may be required in order to enable the auditors to make the annual township report hereinafter prescribed

Section 519 Applications for County Road Aid Whenever the owners of the majority of the assessed valuation of real property within any township desire any principal road [or highway] within the township to be improved and maintained at the joint expense of the county and township they may petition the supervisors of the township for said improvement and require them to make application to the county commissioners for such improvement and maintenance in accordance with the provisions of existing law

In all cases where the township supervisors refuse to act upon or unduly delay action on any petition for the improvement and maintenance of any road [or highway] as herein provided any [citizen] registered elector or taxpayer of the township or county may by petition present the facts of the matter to the court of quarter sessions requesting the court to order such action thereon as the case may require If after due hearing had before said court it shall appear that the truth of the matters alleged in the petition are sustained the court shall make an order directing the township supervisors to forthwith act upon said application or applications and the said application or petition for the improvement be forthwith forwarded to the county commissioners

Section 520 [Penalty] Interest in Contracts and Purchases Penalty [It is unlawful for any] Any township supervisor superintendent or roadmaster [to be] who is knowingly interested directly or indirectly in any purchase made or contract relating to roads and bridges except as provided for in this act or [to furnish] for a compensation furnishes any materials therefor [. [Any such person knowingly violating the provisions of this section shall be] is guilty of a misdemeanor [. [Upon] and upon conviction thereof [any such person] shall be sentenced to pay a fine not exceeding five hundred dollars [($500)] or [to be imprisoned for a term] undergo imprisonment not exceeding six months or both and shall forfeit his office

Section 521 [Penalty] Violation of Act Generally Penalty Any township supervisor township superintendent roadmaster of contractor employed to work on the roads and birdge [and highways] of any township who [shall violate] violates any of the provisions of this act other than those for the violation of which specific penalties are provided or who [shall fail neglect or refuse] fails or neglects or refuses to carry out the provisions of this act shall upon conviction thereof in a summary proceeding be sentenced to pay a fine of not more than fifty dollars and in default of the payment of such fine and costs shall be sentenced to imprisonment of not more than twenty-five days All such fines shall be paid to the township treasurer [for the use of the road] and credited to the general township fund

(c) Township Treasurer

Section 530 Bond The treasurer appointed by the board of township supervisors if an individual shall give bond with at least two sufficient sureties or a surety company to be approved by and filed with the auditors of the township conditioned that the treasurer shall well and truly account for and pay over all moneys collected or received for the township and all moneys paid by the State to the township and received by him only upon written order signed by two members of the board of supervisors for the delivery to his successor in office of all books papers and documents for the payment to [him] such successor of any balance of money belonging to the township that may remain in his hands and for the faithful performance of the duties of his office [The bond of the treasurer shall be filed with the auditors of the township]

Section 531 Compensation The township treasurer shall receive as compensation for his services a certain percentage on all moneys received and paid by him which rate shall be [settled] determined by the supervisors of the townships with the [approbation] approval of the township auditors

[In no case shall the combined] Except as otherwise provided in Section 540 hereof the amount paid to [the secretary and] treasurer as treasurer and secretary shall not exceed [two] three per centum of the money paid out by the treasurer [except when the amount be] but it shall not be less than [twenty-five] fifty dollars [($25-00)] and the calculation of such maximum compensation shall not include any percentage upon money paid out by the treasurer for the repayment of loans notes certificates or other evidences of indebtedness or other borrowed moneys

Section 532 Duties The township treasurer shall receive all moneys due the township and deposit the same promptly upon receipt thereof in a bank banking institution or trust company in the name of the township He shall keep distinct and accurate accounts of all sums received from taxes and other sources which accounts shall [at all times] be open to the inspection of the supervisors and taxpayers of the township He shall pay out all moneys received by him only on orders drawn by the supervisors of the township All orders shall be on blanks prepared and furnished by the [State] Department of Highways He shall annually state his accounts and lay the same together with the vouchers before the township auditors for settlement

Section 533 Use of Special Funds Penalty Whenever any moneys are collected in or received by any township for any special purpose and are paid into the hands of the treasurer of such township it shall be unlawful for such treasurer to apply such moneys or any part thereof to any purpose other than that for which such moneys were collected or received Every such misapplication shall be a misdemeanor [. [Upon] and upon conviction [of such offenses] thereof the treasurer shall be [punished by] sentenced to pay a fine of not less than the amount so misapplied or [by] undergo imprisonment for [not less than three months and] not more than one year or both

Section 534 Penalty for Failure to Perform Duties [If any] Any township treasurer [shall neglect or refuse] who fails or neglects or refuses to perform any of the duties of his office other than those for which specific penalties are provided upon conviction thereof in a summary proceeding [he shall be fined in a sum not exceeding] shall be sentenced to pay a fine of not more

than one hundred dollars and in default of the payment of such fine and costs shall be sentenced to imprisonment of not more than thirty days and shall be disqualified from holding the office

Section 535 Depositories of Township Funds The township supervisors may [on the first Monday of January of each year] at their annual organization meeting or as soon thereafter as is practicable designate by resolution a depository or depositories for township funds and fix and approve the security to be furnished by any such depository provided that any such funds deposited with any banking institution of this Commonwealth may be insured with the Federal Deposit Insurance Corporation or any other corporation hereafter organized by the United States for the purpose of insuring deposits up to the amount to which such corporation is or may hereafter be authorized to insure deposits in any one name and where so insured the supervisors shall not require such banking institution to furnish additional bond insurance or security to cover the amount of such deposits so insured Such designation shall be valid for a period of one year or until such time as another depository or other depositories shall be designated by similar action of the township supervisors

Such depository or depositories shall be banks banking institutions or trust companies located in the Commonwealth

The township treasurer shall upon the designation of such depository or depositories immediately transfer thereto the township funds and shall thereafter keep such deposits solely in such depository or depositories in the name of the township

No township treasurer complying with the provisions of this section nor his surety or surities shall be chargable with losses of township funds caused by the failure or negligence of such depository or depositories

(d) Township Secretary

Section 540 Duties and Compensation The secretary in each township shall be clerk to the board of supervisors He shall keep a record of the proceedings of said officers in a minute book in which he shall also record [the annual reports of the township supervisors and township auditors and] all court orders relative to the laying out opening and [vacation] vacating of roads The minute book account book and other financial records shall be carefully preserved by the secretary and shall be turned over to his successor in office Miscellaneous records and papers of the township other than the minute book and account book may be destroyed with the consent of the supervisors after the lapse of six [6)] years from the date of such records

The secretary shall prepare and write the annual tax duplicate of the township and shall receive such compensation therefor as shall be fixed by the township auditors The combined amount paid to the secretary and treasurer for services exclusive of the compensation for the preparation of the annual tax duplicate shall not exceed [two] three per centum of the money paid out by the treasurer [except where the same would amount to] but it shall not be less than [twenty-five dollars ($25.00)] fifty dollars and the calculation of such maximum compensation shall not include any percentage upon moneys paid out by the treasurer for the repayment of loans notes certificates or other evidences of indebtedness or other borrowed moneys

Section 541 Books Furnished by Department of Highways The [secretary shall provide] Department of Highways shall furnish to the secretary a suitable book or books for the purpose of entering therein all matters of which he is required to keep a record [Such books shall be furnished by the State Department of Highways]

Section 6 Section 542 of the said act is hereby repealed

Section 7 Sections 545 to 594 inclusive are hereby reenacted revised and amended to read as follows

(e) Township Auditors

Section 545 Meetings Duties Quorum Surcharges Compensation The auditors of townships shall meet annually at the place of meeting of the supervisors on the day following the day which is fixed by this act for arganization of the township supervisors and shall organize by the election of a chairman and secretary and shall aduit settle and adjust the accounts of the supervisors superintendents roadmasters treasurer and tax collector of the township and fix the compensations for the current year authorized in Sections 515 and 540 hereof Two auditors shall constitute a quorum The auditors shall also make an audit of the dockets transcripts and other official records of the justices of the peace to determine the amounts of fines and costs paid over or due the township and the dockets and records of the justices of the peace shall be open to inspection by the auditors for such purpose

Any elected or appointed officer whose act [or neglect] error or ommission has contributed to the financial loss of any township shall be surcharged by the auditors with the amount of such loss and the surcharge of any such officer shall take into consideration as its basis the results of such act error or omission and the results had the procedure been strictly according to law The provisions hereof limiting the amount of any surcharge shall not apply to cases involving fraud or collusion on the part of such officers nor to any penalty ensuing to the benefit of or payable to the Commonwealth

Each auditor shall receive five dollars per diem for each day necessarily employed in the duties of his office to be paid out of the funds of the township

Section 546 Subpoenas Oaths Perjury The auditors of each township may issue subpoenas to obtain the attendance of the officers whose accounts they are required to adjust their executors and administrators and of any person whom it may be necessary to examine as [wittnesses] a witness and to compel their attendance by attachment in like manner as any court of common pleas may in cases pending before them and may also compel the production of all books vouchers and papers relative to such accounts Such subpoenas and attachment shall be issued by a justice of the peace and be served by a constable or auditor of the township The auditors of each township may administer oaths and affirmations to all persons brought or appearing before them whether accountants witnesses or otherwise All persons guilty of swearing or affirming falsely on such examination shall be guilty of perjury

Section 547 Completion [Publication and] Filing and Publication of [Auditors' Statement Filing of] Annual Township Report and Financial Statement [with Department of Internal Affairs] The auditor shall complete their audit settlement and adjustment [within as short a time as possible] prior to March first of each year and in no case shall more than twenty days be expended on such audit [They shall within ten days thereafter publish by advertisement in at least one newspaper of general circulation printed in the township or county and by posting at least five copies in public places in the township a concise itemized statement of the receipts and expenditures of the several officers for the preceding fiscal year They shall also within ten days thereafter file a copy of such statement with the secretary and another copy of such statement with the clerk of the court of quarter sessions When any two officse are exercised by the same person only one statement shall be required]

On or before March first of each year the [The] auditors shall [also annually] make a report hereinafter provided of the [financial condition] affairs of the township executed copies of which report shall be forthwith filed by the secretary of the auditors with the secretary of the township the clerk of the court of quarter sessions of the county the Department of Internal Affairs and the Department of Highways [within sixty days after the close of the fiscal year] Each copy of such report shall be signed by each auditor and duly verified by the oath of [one of the auditors] the secretary of the auditors Any [auditor] secretary of auditors refusing or wilfully neglecting to file such township report as hereinbefore provided or to publish the financial statement herein required shall upon conviction thereof in a summary proceeding [brought at the instance of] [the Department of

Internal Affairs] be sentenced to pay a fine of five dollars for each day's delay beyond [said sixty days] the last day for filing such report and costs or in default of the payment of such fine and costs be sentenced to imprisonment not exceeding ten days [All fines recovered shall be for the use of the Commonwealth]

The township report [to the Department of Internal Affairs] shall be presented on a uniform form prepared and furnished as [herein] hereinafter provided

The township report shall contain the names and addresses of the chairman members and secretary-treasurer of the board of supervisors of the township a statement of the receipts of the township from all sources and of all accounts and revenue which may be due and uncollected at the close of the fiscal year a detailed statement of the disbursements of the township during the fiscal year for the construction reconstruction maintenance and repair of the roads for the purchase and repair of road equipment and machinery including a record of all purchases of material equipment and machinery for road purposes involving an expenditure of less than five hundred dollars and for all other activities of the township the number of miles of road opened built and permanently improved and the total number of miles of road in the township a statement of the balance in the township treasury at the beginning of the fiscal year a statement of the resources and liabilities of the township at the end of the fiscal year a detailed statement of the indebtedness of the township at the close of the fiscal year the provisions made for the payment thereof together with the purposes for which it was incurred a statement of the cost of ownership and operation of each and every public service industry owned maintained or operated by the township and such more specific information as may be required as hereinafter provided

On or before March tenth of each year the auditors shall publish by advertisement once in at least one newspaper of general circulation published in the township or if no such newspaper is published in the township then in such a newspaper circulating in the township a concise financial statement setting forth the balance in the treasury at the beginning of the fiscal year all revenues received during the fiscal year by major classifications all expenditures made during the fiscal year by major functions and the current resources and liabilities of the township at the end of the fiscal year the gross liability and net debt of the township the amount of the assessed valuation of the township the assets of the township with the character and value thereof the date of the last maturity of the respective forms of funded debt and the assets in the sinking fund such publication shall be deemed compliance with the provisions of the Municipal Borrowing Law which requires the corporate authorities of townships to publish an annual statement of indebtedness

If any township has a population of less than two hundred as shown by the last preceding decennial census of the United States the auditors may post five copies of the above financial statement in public places in the township in lieu of publication in a newspaper

Section 548 Cancelling Orders The auditors shall cancel all orders [and] vouchers and certificates of indebtedness presented to them which they find have been paid by writing the word "audited" on the face thereof

Section 549 Penalty for Failure to Perform Duty Any auditor neglecting or refusing to comply with the preceding provisions of this article shall [pay a penalty of] upon conviction thereof in a summary proceeding pay a fine of not more than one hundred dollars [to be recovered by summary proceeding upon the complaint of any taxpayer Any penalty recovered shall be paid into the treasury of [the township] and in default of the payment of such fine and costs shall be sentenced to imprisonment of not more than ten days

Section 550 Employment and Compensation of Attorney The auditors in case of a disagreement with any officials or board of [officials] township supervisors whose accounts they are required to audit may employ an attorney Such attorney shall not be employed until reasonable effort to reach an agreement has been made and only after notice of their intention so to do has been given to said official or board of [officials] township supervisors The compensation for such attorney shall be fixed by the auditors and shall not exceed [the sum of ten dollars per day nor total in any case more than] thirty dollars unless [when] an appeal is taken to the court in which case the court shall fix the additional compensation for the attorney The compensation for said attorney shall be paid out of the general township [treasury] fund by a warrant drawn by the auditors upon the treasurer of the township

Section 551 Balances Due to Be Entered as Judgments Any balance in any report of the auditors against any officer of the township shall constitute a surcharge against such officer as fully as if expressly stated in said report to be a surcharge [and the amount of any balance and of any express surcharge if unappealed from within thirty days shall be entered by the prothonotary as a judgment against such officer and in favor of the township] The auditors shall direct the clerk of court of quarter sessions to certify the amount of every such balance or surcharge [contained in any report] from which no appeal has been taken within the time and in the manner hereinafter provided to the court of common pleas [for entry thereof by] and the prothonotary shall enter the same as a judgment against such officer and in favor of the township

Section 552 Collection of Surcharge [and charges by Taxpayers] Bond Any auditor registered elector or taxpayer of the township may enforce the collection of a judgment entered for a surcharge [thereof] for the benefit of the township by any appropriate action or execution upon filing in the court of common pleas a bond (in the case of a registered elector or taxpayer) with one or more sureties conditioned to indemnify the township [from] for all costs which may accrue in the proceedings undertaken by such taxpayer subject however to all rights of appeal from the report of auditors hereinafter granted

Section 553 Appeals from Report The township or any registered elector or taxpayer thereof on its behalf or any officer whose account is settled or audited by the township auditors may appeal from any settlement or audit of the township auditors to the court of common pleas within forty-five days after the settlement has been filed in the court of quarter sessions

Section 554 Taxpayer's Appeal Bond No appeal by a registered elector or tax payer or officer shall be allowed unless appellant shall enter into recognizance to prosecute the same with effect and to pay all costs accruing thereon in case if the appellant be a registered elector or taxpayer he shall fail to obtain a final decision more favorable to the township than that awarded by the auditors or in case the appellant be an officer he shall fail to obtain a final decision more favorable to the officer than that awarded by the auditors

Section 555 Intervention by Taxpayers Bond Whenever an appeal has been taken from the report of the auditors by the township or by any person charged or surcharged in such report with any sum of money any registered elector or taxpayer of the township may intervene in such appeal and either prosecute the same on its behalf or defend it against the appeal of the person so charged No registered elector or taxpayer shall intervene unless he shall file in the court of common pleas a bond with one or more sufficient sureties conditioned to idemnify the township against all costs accruing by reason of such intervention

Section 556 Consolidation of Appeals When more than one appeal from the report of the auditors is taken whether by the township an officer [or officers] thereof or by a registered elector or taxpayer [or taxpayers] the court may on its own motion and shall upon petition of any party interested direct that the several appeals [to] be [disposed of in a single proceeding] consolidated

Section 557 Testimony and Argument Any person interested may order the appeal upon the argument list and evidence may be taken [before any person authorized

to administer oaths upon rule for that purpose served upon the opposite party] by deposition

Section 558 Framed Issues Whenever any matter of fact is in dispute the court of common pleas is authorized to frame an issue for the trial thereof

Section 559 Report Prima Facie Evidence Burden of Proof The accounts of the officer [or officers] in question may be investigated de novo The figures and facts found and stated by the auditors in their report of audit shall be taken as prima facie correct as against any such officer and the burden shall be upon each officer whose accounts are in question to establish the validity of the credits which he claims

Section 560 Findings Judgment After hearing the court shall file its finding of fact and law and enter judgment in accordance therewith and the judgment so entered may be enforced by any appropriate proceedings by [the party prevailing] any auditor officer registered elector or taxpayer of the township

Section 561 Costs In all cases of appeal from the report or audit of township auditors to the court of common pleas the costs shall abide the event of the suit as in other cases

Section 562 Appeals from Lower Courts Any person interested may except to the rulings of the court and may appeal therefrom to the Superior or Supreme Court as in other cases

Section 563 Counsel Fees When an appeal is taken from the township auditors' report or settlement of the account of any township officer and such appeal results favorable to the appellants in such a manner that money is recovered for any township the court hearing such appeal shall make an order to pay a reasonable counsel fee [which it deems just and reasonable to the counsel representing such appeal out of the funds so recovered]

(f) Tax Collector

Section 570 Powers Duties and Liabilities The tax collector of townships shall collect all county township school [poor] institution district and other taxes levied within townships by authorities empowered to levy taxes He shall in addition to the powers duties and responsibilities enumerated in this act have all the powers perform all the duties be subject to all the obligations and responsibilities for the collection of such taxes as are now vested in conferred upon or imposed upon [collectors of the several classes of taxes hereinbefore mentioned] tax collectors by law

(g) Assessor

Section 575 Powers and Duties of Assessor The assessors of townships shall have all the powers perform all the duties be subject to all the obligations and responsibilities and receive the compensation as is provided for by law [relating to taxation]

(h) Township Solicitor

Section 580 Election The board of supervisors on the first Monday of January in any year or as soon thereafter as practicable may elect by a vote of a majority of the members and fix the compensation of one person learned in the law who shall be styled the township solicitor [and who shall serve for the term of one year]

Section 581 Solicitor to Have Control of Law Matters The law matters of the township shall be under the superintendence [discretion] direction and control of the township solicitor and no official or official body of the township except as herein otherwise provided shall employ an additional counsel without the assent or ratification of the board of supervisors

Section 582 Duties of Solicitor The township solicitor when directed or requested so to do shall prepare or approve such bonds obligations contracts leases conveyances ordinances and assurances to which the township may be a party [as may be directed by resolution] he shall commence and prosecute all actions brought by the township for or on account of any of the estates rights trusts privileges claims or demands as well as defend all actions or suits against the township or any officer thereof wherein or whereby any of the estates rights privileges trusts ordinances or accounts of the township may be brought in question before any court in the Commonwealth and shall do every professional act incident to the office which he may be authorized or required to do by the board of supervisors or by any resolution He shall whenever required furnish the board of supervisors or any of them with his opinion in writing upon any question of law which may be submitted by any of them in their official capacities

(i) Township Engineer

Section 585 [Election of] Township Engineer The township supervisors may at any time appoint by a vote of a majority of them a township engineer who shall be a [registered civil] registered professional engineer and fix his compensation

Section 586 Duties Preparation of Plans The township engineer shall perform such duties as the township supervisors shall prescribe as to the construction reconstruction maintenance and repair of all streets roads pavements sewers bridges culverts and other engineering work He shall prepare plans specifications and estimates of all such work undertaken by such township and shall whenever required furnish the township supervisors with reports information or estimates on any township engineering work or on questions submitted by any of them in their official capacity

Section 587 Certificate of Commencement and of Completion of Municipal Improvements Where a township engineer is employed he shall immediately after the completion of any municipal improvement the cost of which in whole or in part is to be paid by the owners of the abutting proprety make a certificate in which he shall state the day or time on which the particular improvement was completed and shall file the same with the township secretary who shall enter the said day or time of completion in a book to be kept by him for said purposes and the said day or time mentioned in said certificate shall be conclusive on all parties as to the time the said work was completed The time of completion of the work referred to in this section and in other parts of this act shall be taken to mean the time of the completion of the whole contract for the improvement He shall also furnish to the township secretary a certificate showing the time at which any such particular improvement was commenced and such [certificates] certificate shall be conclusive evidence of the time when the said improvement was begun and an entry of such date shall be made by said secretary in the book aforesaid

(j) Township Police

Section 590 Petition for Appointment of Police Contracts for Police Services A Upon the petition of not less than twenty-five registered electors or taxpayers of any township or of two or more adjacent townships representing that the safety of the citizens and the security of property make it necessary for the appointment of one or more [electors who shall be residents of the county of which the said township or townships are a part to act as policeman] policemen the supervisors of such township or townships shall consider said petition and if satisfied of the reasonableness and propriety of said application shall appoint one or more [qualified] registered electors who shall be residents of the Commonwealth of which the said township or townships are a part to act as policemen and to serve at the will of said supervisors

The supervisors of such township or townships shall fix the number of policemen the compensation of such policemen and shall limit the term of service of said policemen as it may deem proper Where such policemen are appointed for two or more townships the supervisors of such townships shall fix the amount of compensation which shall be paid by each of such townships Such compensation shall be paid from the general township [funds] fund

B Any township may contract with any adjacent township of the first or second class or with any borough and may expend moneys from the general fund for the pur-

pose of securing the services within the township of the police of such adjacent township or borough When any such contract has been entered into the police of the employing township or borough shall have all the powers and authority conferred by law on township police in the territory of the township which has contracted to secure such police service

Section 591 Powers Each policeman so appointed shall [possess and exercise all the powers of policemen of cities of this Commonwealth] be an ex-officio constable of the township and shall and may without warrant and upon view arrest and commit for hearing any and all persons guilty of breach of the peace vagrancy riotous and disorderly conduct or drunkenness or who may be engaged in the commission of any unlawful act tending to imperil the personal security or endanger the property of citizens or in violating any of the ordinances of said township for which a fine or penalty is imposed

The keepers or persons in charge of jails lockups or station houses shall receive all persons arrested by such policemen for the commission of any offense against the laws of this Commonwealth within said township

Section 592 Shield Each policeman when on duty shall wear a shield or badge with the words "township police" and the name of the township or townships for which he was appointed inscribed thereon

Section 593 Equipment The township supervisors may provide each such [policemen] policeman with a uniform and equipment and [for] means of transportation and the maintenance of the same the cost thereof to be paid out of the [funds] general township fund of the township or townships

Section 594 Certain Compensation Prohibited It shall not be lawful for any township policeman to charge or accept any fee or other compensation in addition to the salary paid to him as a policeman for any service rendered or performed by him pertaining to his office or duties except public rewards and the legal mileage allowed to constables for traveling expenses

Section 8 The said act is hereby amended by adding thereto five new sections known as Sections 595 to 599 inclusive as follows

Section 595 Police Pension Fund Where a police force is being maintained the township shall by ordinance establish a police pension fund to which each member of the police force shall pay an equal and proportionate monthly charge not exceeding annually three per centum of the pay of such member The fund shall be under the direction of the supervisors or such committee as they may by ordinance prescribe for the benefit of such members of the police force as shall receive honorable discharge therefrom by reason of age or disability and the families of such as may be injured or killed in the service Any allowances made to those who are retired by reason of disability or age shall be in conformity with a uniform scale

Section 596 Service Required Before Retirement (a) The ordinance establishing the police pension fund may prescribe a minimum period of continuous service not less than twenty years after which the members of the force may be retired from active duty Township policemen so retired shall be subject to service as police reserves until unfitted for such service by reason of age or disability when they may be finally discharged

(b) The basis of the apportionment of the pension shall be determined by the rate of monthly pay of the member at the date of death honorable discharge or retirement and shall not in any case exceed in any year one-half the annual pay of such member computed at such monthly rate

Section 597 Pensions not to be Charged on Other Funds Payments made on account of police pensions shall be a charge on no fund in the treasury of the township or under its control other than the police pension fund

Section 598 Gifts to Pension Fund Townships may take by gift grant devise or bequest any money or property real personal or mixed in trust for the benefit of such police pension fund The care management investment and disposal of such trust funds or property shall be vested in such officers as the supervisors shall by ordinance direct and shall be governed by such officers subject to any directions not inconsistent therewith as the donors of such funds and property may prescribe

Section 599 Rights of Members A person participating in such police pension fund and becoming entitled to receive a benefit therefrom shall not be deprived of his right to an equal and proportionate share therein upon the basis upon which he first became entitled thereto except for the following causes that is to say Conviction of a crime or misdemeanor becoming an habitual drunkard becoming a non-resident of the Commonwealth or failing to comply with some general regulation relating to the management of such fund which may be made by ordinance of the Commonwealth or failing to comply with some general regulation relating to the management of such fund which may be made by ordinance and which provides that a failure to comply therewith shall terminate the right to participate in the pension fund after such noitce and hearing as it shall prescribe

Section 9 Section 601 to 806 inclusive of the said act are hereby reenacted revised and amended to read as follows

Article VI

State and County Associations of Township Officers

(a) County Associations

Section 601 County Associations [of Supervisors] County associations of townships supervisors auditors assessors and tax collectors [other persons officially charged with the construction and maintenance of the public roads or streets] may be formed Such associations when formed shall hold annual [or semi-annual] conventions at the county seats of the respective counties or some other suitable place for the purpose of considering and discussing questions and subjects pertaining to the best methods for the [construction] improvement [and maintenance] of the [public highways and bridges] township government the assessment of property the collection of taxes and the construction improvement and maintenance of roads Such associations of two or more adjacent counties may arrange to meet in joint session

Section 602 Who to Attend Compensation and Mileage The supervisors of townships auditors assessors tax collectors and the secretary of the board of township supervisors when not a member of the board shall attend such conventions whenever possible Each township supervisor auditor assessor tax collector and secretary attending such convention shall receive a certificate signed by the presiding officer and acting secretary of the convention attesting his presence at the convention Such certificate shall entitle him to collect from the township treasurer the sum of [three] five dollars per day for each day's attendance and mileage at the rate of four cents per mile traveled to be computed by the route usually traveled from his place of residence to the place where the convention is held No township supervisor auditor assessor tax collector or secretary shall be paid for more than [two days] one day's attendance in any one year

Section 603 Officers of County Association The officers of the association shall consist of a president two vice-presidents a secretary and a treasurer none of whom shall be interested directly or indirectly in the promotion or sale of road material and equipment and all of whom except the secretary shall be members of the association and shall hold office for one year or until their successors are chosen If desirable the secretary may be a person not a regular member of the association and may be paid for his service such compensation not exceeding [ten] fifteen dollars per annum as the other officers may determine Every township supervisor assessor tax collector and auditor attending such convention may vote in the election of officers.

Section 604 County to Pay Expenses The county treasurer shall on warrants of the county commissioners pay to the treasurer of such association from the county funds the necessary expenses incurred for the holding of such

annual or semi-annual convention including the necessary expenses of the secretary The total sum thus paid by any county shall not exceed one hundred and twenty-five dollars a year

Within thirty days after every such convention the treasurer of such association shall file with the county commissioners an itemized statement under oath showing when and where such convention was held the number of township supervisors auditors assessors tax collectors and township secretaries present and all the expenses connected with such convention together with proper voucher for all such expenses and no payment shall be made to the treasurer of such association until he has presented to the county commissioners an itemized and verified statement of expenses

(b) State Association of Township Supervisors

Section 610 State Association Authorized The formation of a State association of [township supervisors] Township Supervisors is hereby authorized The association shall hold annual meetings at such time and place within the Commonwealth as it may designate for the purpose of discussing various questions and subjects pertaining to the duties of township supervisors and for the purpose of devising uniform economical and efficient methods of administering the affairs of townships All dues assessed by the association [may be paid by the board of township supervisors Such dues] which shall not exceed fifteen dollars per year per township shall be paid by the member townships from their general township funds

Section 611 Delegates Each county association of township supervisors shall elect one township supervisor for each ten townships or fraction thereof within said county as a delegate to each annual meeting of said State association

Section 612 Expenses and Mileage The expenses of the delegates attending the annual meeting shall not exceed six dollars per day for each delegate for not more than three days together with the actual mileage at the prevailing rate of railroad fare and shall be paid by the respective county associations

Section 613 Limit on Meeting Expense The expenses of the annual meeting including expenses of committees printing and stenographers shall be paid pro-rata by the respective county associations and shall not exceed fifteen dollars for each county association

Section 614 Itemized Statement Filed with County Treasurer Within thirty days after each annual meeting of the State association the treasurer of the respective county association shall file with the county commissioners an itemized statement under oath setting forth where and when the annual meeting of the State association was held the number of delegates from the respective association in attendance and the expenditures due from the county association for such annual meeting and the county commissioners shall draw their warrant on the county treasurer and pay to the treasurer of the respective county association out of the county funds the amount expended by the county association under the provisions of this subdivision Provided however That in all counties having controllers said accounts shall be audited by the controller

Article VII

General Powers

Section 701 Suits Property [Townships] Any township of the second class may

I Sue and be sued [townships] township

II Purchase acquire by gift or otherwise hold lease let and convey such real and personal [estate as the purposes] property as shall be deemed to be for the best interests of the township [shall require] Such real and personal [estate] property shall be taken and held only for the benefit of the inhabitants of the township and for such objects and purposes [as] for which the township [rates and levies] tax and special tax assessments are authorized by law [to be laid for]

Section 702 Supervisors to Exercise Powers The corporate powers of townships of the second class shall be exercised by the township supervisors [They] In addition to the duties imposed upon them by Section 516 hereof they shall have power

I Lighting To light and illuminate the [streets] highways roads and other public places of the township with electric light gas or other illuminating medium and to provide for defraying the cost charges and expenses thereof and for such purposes to enter into contracts or agreements with any person copartnership association or corporation for a period not exceeding ten years for the purpose of securing and maintaining a supply of light

II Contracts and Assessments for Lighting On the petition of the owners of a majority of the lineal feet frontage along any road [street] highway or portion thereof within the township to enter into contract with electric gas or other lighting companies to light and illuminate said roads [streets] and highways and other public places in villages with electric light gas light or other illuminant

The township supervisors shall annually assess or cause to be assessed the cost and expense of the maintenance of said lights by an equal assessment on all property benefited by such lighting in proportion to the number of feet the same fronts on the street or highway or portion thereof to be lighted The supervisors may provide for an equitable reduction from the frontage of lots at intersections or where from the peculiar or pointed shape of lots an assessment of the full frontage would be inequitable No such assessment shall be made against any farm land but vacant lots between built-up sections whether tilled or untilled shall not be deemed to be farm lands Provided however That the assessment per front foot against vacant lots shall be only twenty-five per centum [25%] of the assessment per foot front against property with improvements thereon All such assessments for street lighting shall be filed with the township tax collector who shall give thirty days written or printed notice that the assessments are due and payable stating the due date to each party assessed either by service on the owner of the property or by mailing such notice to the owner at his last known post office address The tax collector shall be entitled to the same commission for the collection of such assessments as he is entitled to by law for the collection of the township road tax If the assessments or any of them remain unpaid at the expiration of not exceeding ninety days the exact time to be fixed by the township supervisors they shall be placed in the hands of the township solicitor for collection The solicitor shall collect the same together with five per centum [5%] as attorney's commission and interest from the date such assessments were due by a municipal claim filed against the property of the delinquent owner in like manner as municipal claims are by law filed and collected Where an owner has two or more lots against which there is an assessment for the same year all such lots shall be embraced in one claim All assessments when collected shall be paid over to the township treasurer who shall receive and keep the same in a separate account and pay out the same only upon orders signed by the chairman of the township supervisors attested by the secretary The tax collector and the treasurer shall make a report to the auditors of the township annually

III Contracts and Tax Levy for Fire Purposes On the petition of the surface property owners of a majority of the lineal feet frontage along any highways streets roads and alleys or portion thereof in any village within the township to enter into contract with water companies for the placing of fire hydrants to water mains maintaining pressures approved by the fire insurance underwriters along said highways streets roads and alleys or to provide for or acquire a water supply system equipped to supply sufficient water for the protection of property from fire

The supervisors shall levy for the acquisition of a water system for the maintenance of such fire hydrants and for the purchase of hose et cetera an annual tax upon the property abutting upon said highways streets roads and alleys and upon property within five hundred

feet of any fire hydrant in the district benefited thereby based upon the assessment for county purposes No such tax shall be levied against any farm land or land used as an aviation field or against other property in the district not benefited thereby Such tax shall be collected in the same manner as other taxes The collector shall receive the same commission as on the [road] township tax

The township treasurer shall receive all such taxes collected for fire protection and keep the same in a separate account and pay the same out only upon orders signed by the chairman of the board of supervisors attested by the secretary The treasurer shall make a report to the auditors of the township annually

IV Fire Protection To appropriate moneys to fire companies located therein for the purchase and maintenance of fire apparatus and fire houses in order to secure fire protection for the inhabitants of the township An annual report of the expenditure of such appropriated moneys shall be made to the township supervisors for each completed fiscal year of the township by such fire companies verified by an officer thereof before any further payments shall be made to such fire companies out of appropriations for any current fiscal year To enter into contracts with the proper authorities of near or adjacent cities boroughs of townships or fire departments fire companies or fire company therein for the furnishing to such townships of fire protection by the fire department fire departments fire companies or fire company of such cities boroughs or townships and to make appropriation therefor Provided That such contracts before being entered into by township supervisors shall be first approved by the township auditors

V Watering Troughs To erect watering troughs along the highways at an expense not exceeding twenty dollars and to keep the same in repair

VI Memorial Day Appropriations To appropriate moneys for the expenses of Memorial Day services

VII Road Bulletins To subscribe for not more than three publications the main subject matter of which pertains to good roads and road building Such publications shall be for the joint use of the [supervisors superintendents and roadmasters] officers of the township

VIII Garbage Regulations To provide for the care and removal of ashes garbage and other refuse material including the imposition and collection of reasonable fees and charges therefor and on petition of a majority of the adult taxable residents of any territory within the township which has been definitely defined set apart and limited by the township supervisors with the approval of the township auditors as a village prior to the filing of any such petition the supervisors shall either with township employes and facilities or with independent contractors provide for the removal from the village of ashes or garbage or other refuse material as the case may be and for the disposal thereof The supervisors shall levy a per capita [tax] assessment upon all adult [taxable] residents of any such village sufficient to defray the cost of such removal and disposal Such [tax] assessment shall be collected in the same manner as [other] per capita taxes and the collector shall receive the same commission thereon The treasurer of the board of supervisors shall receive all such [tax] assessments collected and keep the same in a separate account and pay the same out only upon orders signed by the chairman and attested by the secretary of the board of supervisors The treasurer shall make an annual report of the account to the auditors of the township

IX Traffic Lights and Signals To provide for and to expend [township road] moneys from the general township fund for the erection maintenance and operation of traffic lights and traffic signals whenever deemed necessary for the protection of the traveling public

X [Road Supplies] Roads To purchase [timber] or hire material equipment machinery [road-drags tools] teams and implements as shall be necessary for [making and repairing] the construction repair and maintenance of roads and bridges [to employ sufficient number of laborers to make and repair the same and to] Records shall be kept of the rental paid for all equipment machinery teams and implements hire To lease or lend for adequate consideration such equipment machinery [road-drags tools] and implements [to school districts and other townships boroughs or cities] to contract [or] to construct reconstruct improve or maintain driveways on lands owned or occupied by [co-terminus] school districts of the township and to contract for the construction reconstruction and improvement of roads [for] in the township

XI Appropriations for Forestry To appropriate moneys from [their respective treasuries] the general township fund to any forest protection association cooperating [in forest work] with the State Department of Forests and Waters or to be expended in direct cooperation with said Department of Forests and Waters in forest work and to purchase or take by gift any forest lands for recreational purposes

XII Nuisances To prohibit nuisances including but not limited to accumulations of garbage and rubbish and the storage of abandoned or junked automobiles on private and public property and the carrying on of any offensive manufacture or business and to remove any nuisance or dangerous structure on public or private grounds after notice to the owner to do so and in his default to collect the cost of such removal together with a penalty of ten dollars from the owner by summary proceedings In the exercise of the powers herein conferred the township may institute proceedings in courts of equity

XIII Insurance To expend out of the [public funds of the township] general township fund such amount as may be necessary to secure workmen's compensation insurance for its employes including volunteer firemen killed or injured while going to returning from or attending fires in said township or territory adjacent thereto or while performing any other duties authorized by the township to make contracts of insurance with any fire insurance company duly authorized by law to transact business in the Commonwealth of Pennsylvania on any building or property owned by such township to make contracts with any insurance company so authorized insuring any public liability of the township and to make contracts of [group] insurance [for the benefit of its employes] with any insurance company or non-profit hospitalization corporation or non-profit medical service corporation authorized to transact business within the Commonwealth insuring its employees or any class or classes thereof under a policy or polcies of group insurance covering life health hosptialization medical service or accident insurance and may contract with any such company granting annuities or pensions for the pensioning of such employes and for such purposes may agree to pay part or all of the premiums or charges for carrying such contracts and may appropriate out of its treasury any money necessary to pay such premiums or charges or portions thereof The supervisors are hereby authorized enabled and permitted to deduct from the employee's pay salary or compensation such part of the premium or charge as is payable by the employee and as may be so authorized by the employee in writing

XIV Armories To appropriate money or convey land either independently or in connection with any county city town borough or township to the Commonwealth [of Pennsylvania] for the purpose of assisting the Armory Board of the Commonwealth [of Pennsylvania] in the erection of armories for the use of the National Guard and to furnish water light or fuel free of cost to the Commonwealth for use in any armory of the National Guard and to do all things necessary to accomplish the purposes of this clause

XV National Guard To take by right of eminent domain for the purpose of appropriating to [themselves] the township for the use of the National Guard of Pennsylvania such public lands easements and public property as may be in [their] its possession or control and used or held by [them] it for any other purpose Such right however shall not be exercised as to any street or highway or wharf [but all other public easement and

property may be appropriated and used for the purposes herein provided any limitation of the use thereof by the township either by donation dedication appropriation statute or otherwise to the contrary notwithstanding]

XVI Acquisition of Lands to Assist Armory Board To acquire by purchase or by gift or by the right of eminent domain any land for the use of the National Guard of Pennsylvania and to convey such lands so acquired to the Commonwealth [of Pennsylvania] in order to assist the Armory Board in the erection of armories [The proceedings for the condemnation of lands under the provisions of this act and for the assessment of damages for property taken injured or destroyed shall be taken in the same manner as is provided by this act for the condemnation of lands for public purposes in townships] The power conferred by this clause shall not be exercised to take any church property graveyard cemetery or any dwelling house or the curtilage of the same in the actual occupancy of the owner

XVII Burial Plots of Ex-Service Men To purchase plots of ground in any cemetery or burial ground for the interment of such deceased service men and women as shall hereafter die within such township or shall die beyond such township and shall have a legal residence within such township at the time of their death and whose bodies are entitled to be buried by the county Such plots of ground shall be paid for out of the [treasury of such townships] general township fund

XVIII Display of Flags To display the flag of the United States the Commonwealth or of any county city borough or township on any public building of the township

XIX Care of Memorials To take charge of care for maintain and keep in good order and repair at the expense of the township [and it shall be their duty so to do] any soldiers monument gun or cartridge or other similar memorials when there is not in existence any person body or organization to care for and maintain the same and when such memorials were not erected by the government of the United States the Commonwealth of Pennsylvania any other state or by the commissioners of any county and to receive from persons or organizations funds for such purposes

XX Fireworks and Inflammable Articles To regulate and prohibit by resolution or ordinance the manufacture [sale or exposure] of fire works or other inflammable or dangerous articles to grant permits for supervised public displays of fireworks and to adopt reasonable rules and regulations governing such displays to [prescribe the qualities] adopt reasonable rules and regulations not inconsistent with state regulations covering the storage of inflammable articles [that may be kept in place] and to prescribe such other safeguards concerning the same as may be necessary [and upon violation of any such regulation or prohibition to collect a penalty of twenty-five dollars from the person violating the same by summary proceedings] In the exercise of the powers herein conferred the township may institute proceedings in courts of equity

XXI Support of National Guard Units To appropriate annually a sum not exceeding seven hundred and fifty dollars for the support and maintenance discipline and training of any dismounted company or similar unit of the National Guard and a sum not to exceed fifteen hundred dollars for the support and maintenance of any mounted or motorized troop or similar unit of the National Guard Where such units are organized as a battalion regiment or similar organization the total amount due may be paid to the commanding officer of the battalion regiment or similar organization Any moneys so appropriated shall be paid by warrant drawn to the order of the commanding officer of such company battalion regiment or similar organization only when it shall be certified to the township by the Adjutant General of the State that the said company or companies have satisfactorily passed the annual inspection provided by law The moneys so appropriated shall be used and expended solely and exclusively for the support and maintenance discipline and training of the said company battalion regiment or similar organization and the commanding officers shall account by [the] proper vouchers to the said township each year for the expenditure of the money so appropriated and no appropriation shall be made for any subsequent year until the expenditure of the previous year is duly and satisfactorily accounted for

The accounts of such expenditures shall be subject to the inspection of the Department of Military Affairs and shall be audited by the Auditor General in the manner provided by law for the audit of accounts of state moneys

XXII Fire Hydrants and Water Supply Special Tax With the consent of two-thirds of the electors of the township voting thereon as hereinafter provided to [enter into] contract with water companies for the placing of fire hydrants and for the maintenance of adequate water pressure for fire purposes and to levy an annual tax not exceeding [one mill] two mills for the purpose of defraying the expense thereof

Whenever [twenty-five] five percentum or more [duly qualified] registered electors of the township shall petition the supervisors for the establishment and maintenance of fire hydrants and fire hydrant water service and the levy of a tax not exceeding [one mill] two mills to defray the expense thereof and for a referendum thereon the supervisors shall if they approve thereof cause a question to be submitted at the next municipal election occurring at least sixty days thereafter by certifying a resolution duly adopted to the [county commissioners] County Board of Elections for submission on the ballot or on voting machines in the manner provided by the election laws of this Commonwealth If two-thirds or more of the persons voting on such question in the township shall vote "Yes" then the supervisors shall have power to enter into such contract and levy an annual tax as aforesaid Provided That no such question shall be submitted at any election unless the resolution of the board of supervisors authorizing the same shall be published once in a newspaper of general circulation published in the county in which the township is situated If within thirty [(30)] days after date of publication taxpayers of the township whose property valuation as assessed for taxable purposes within the township shall amount to thirty-five per centum [(35%)] of the total property valuation as assessed for taxable purposes within the township shall sign and file with the chairman of the board of supervisors a written protest against submitting such question at any election then the board of supervisors shall not certify any resolution to the [county commissioners] County Board of Elections as provided in this clause

XXIII Regulation of Parks To regulate by resolution or ordinance the use and enjoyment by the public of any park or recreational grounds owned and operated by charitable organizations for the use of the public without charge to prescribe rules for the use by the public of such parks and recreational grounds and the facilities and amusements connected therewith and to make any violation of such rules when posted at conspicuous places in such parks or recreational grounds punishable in a summary proceeding before any justice of the peace alderman or magistrate of the county by the payment of costs of prosecution and a fine of not [less than two dollars ($2.00) or] more than ten dollars [($10.00)] and in default of the payment thereof imprisonment in the jail of the county for a period not exceeding five [(5)] days

Any police officer when displaying a badge or sign of authority may arrest upon view any person violating any such rules and such peace officer shall forthwith make and file with the justice of the peace alderman or magistrate before whom the arrested person is taken an information setting forth the offense

XXIV Regulation of Parking To regulate parking and provide parking accommolations so as to promote the convenience and protection of the public [Provided such regulation shall not contravene the provisions of "The Vehicle Code"]

XXV Zoning Ordinances To adopt and enforce zoning ordinances regulating the location construction and use of buildings the size of courts and open spaces the density of population and the use of land

XXVI Obstruction of Road Drains and Bridges To prohibit by ordinance the erection or construction of any obstruction to the convenient use of the roads footwalks culverts drains and bridges in the township

XXVII Cemetery Cesspool Sewer and Drainage Regulations To make regulations by ordinance respecting cemeteries vaults sewers drains and cesspools

XXVIII Abandoned or Neglected Cemeteries Whenever any cemetery or burial ground incorporated or unincorporated is being neglected although occasionally used for burial purposes the court of quarter sessions of the county upon petition of twenty-five residents of the township wherein such cemetery is located may direct the supervisors to care for such cemtery at a cost of not more than thirty dollars in any one year and the supervisors shall expend moneys from the general township fund for such purpose Such cemetery shall remain open to the public as may be directed by the court

XXIX Health To make such regulations by ordinance not inconsistent with State laws and regulations as may be necessary for the promotion of the health cleanliness comfort and safety of the citizens of the township

XXX Sewers In the manner hereinafter provided to establish and construct singly or jointly with other municipalities sewer and drainage systems in the township or part thereof and to finance and assess the cost thereof and to provide for the making of sewer constructions and the charging of rental for sewerage service

XXXI Water Supply In the manner hereinafter provided to provide a supply of water for public or private uses in the township or part thereof and to finance and assess the cost thereof to provide for the construction of necessary lines and works therefor and to charge and collect water rentals

XXXII Fire Prevention To make regulations by ordinance relative to the cause and prevention of fires

XXXIII Public Amusements To regulate by ordinance not inconsistent with State law and regulations the time of opening and closing and the conduct of places of public entertainment amusement and recreation

XXXIV Parks and Recreation Centers To designate set apart acquire supervise operate and maintain in the manner hereinafter provided parks playgrounds gymnasiums public parks swimming pools and recreation centers

XXXV Regulation of Dogs To prohibit or regulate by ordinance the runnings at large of dogs

XXXVI Lockups To provide lockup facilities

XXXVII Numbering of Buildings To require and regulate the numbering of buildings

XXXVIII Sidewalks and Footpaths To provide for and expend moneys from the general fund of the township for the construction and maintenance of sidewalks and footpaths whenever deemed necessary for the protection of the traveling public

XXXIX Transient Merchants To license and regulate by ordinance transient retail merchants in the manner and to the extent hereinafter provided

XL Joint Municipal Agreements To enter into agreements with other political subdivisions in accordance with existing laws in making joint purchases of materials supplies or equipment and in performing governmental powers duties and functions and in carrying into effect provisions of law relating to said subjects which are common to all such political subdivisions

XLI Ordinances To adopt ordinances prescribing the manner in which such specific powers of the township shall be carried out All such ordinances unless otherwise provided by law shall be published prior to passage at least once in one newspaper circulating generally in the township An ordinance shall not become effective until ten [(10)] days after the passage aforesaid In any case in which maps plans or drawings of any kind are adopted as part of an ordinance the supervisors may instead of publishing the same as part of the ordinance refer in publishing the ordinance to the place where such maps plans or drawings are on file and may be examined The board of supervisors may prescribe fines and penalties not exceeding three hundred dollars [($300.00)] in any instance for the violation of any such township ordinance which fines and penalties may be collected by suit or summary proceeding brought in the name of the township before any justice of the peace Proceedings for the violation of townships ordinances and for the collection of fines and penalties imposed thereby may be commenced by warrant or by summons at the discretion of the justice of the peace before whom the proceeding is begun No warrant shall be issued except upon complaint on oath or affirmation specifying the ordinance for the violation of which the same is issued All proceedings shall be directed to and be served by a constable of the township Warrants shall be returnable forthwith and upon such return like proceeding shall be had as in cases of a summary conviction All fines and penalties collected for the violation of township ordinances shall be paid over to the township treasury Upon judgment against any person by summary conviction or by proceedings by summons on default of the payment of the fine or penalty imposed and the costs the defendant may be sentenced and committed to the township lockup for a period not exceeding five days or to the county jail or workhouse for a period not exceeding thirty days

[No] Except as otherwise provided in this act no ordinance shall be considered in force until same is recorded in the ordinance book of the township and is advertised as required in [clause XXV] this subsection

[An appeal] Any person aggrieved may within thirty days after any ordinance or resolution takes effect [be made] make complaint as to the legality of such ordinance or resolution to the court of quarter sessions upon entering into recognizance with sufficient surety to prosecute the same with effect and for the payment of costs [by a person aggrieved within thirty (30) days after any ordinance takes effect and the] The determination and order of the court thereon shall be conclusive

Article VIII

Contracts

Section 801 Power to Make Contract Each township [shall have power to] may make [such] contracts [as may be necessary for] for lawful purposes and for the purpose of carrying into execution the provisions of this act and the laws of the Commonwealth

Section 802 Letting Contracts [All purchases of materials equipment and machinery for the construction reconstruction and improvement of roads and bridges involving an expenditure in excess of two hundred dollars shall be by contract in writing and shall be made only after competitive bidding The secretary of the board shall either advertise once a week for two weeks in one or more newspapers of general circulation in the township for competitive bids or shall obtain quotations from at least three responsible concerns It shall be unlawful for the supervisors to evade the provisions of this section by making two or more contracts for small amounts which should have been in one If the auditors find there has been any such evasion they shall refuse to approve the same

The supervisors shall not hire any work to be done purchase any material or make any contract in any amount which will cause the sums appropriated for such purposes to be exceeded No contracts or purchases not provided for by any appropriation or which shall cause any approriation to be exceeded shall be valid

All contracts which in this section are required to be in writing and all contrast for the construction reconstruction and imrovement of roads and bridges shall be valid only when approved by the Department of Highways of the Commonwealth A record of all purchases of material equipment and machinery for road purposes

involving an expenditure of less than two hundred dollars shall be kept by the supervisors and furnished to the Department of Highways in the annual report] to each township shall have the power to make to authorize and to ratify expenditures for lawful purposes from funds available therefor by borrowing within legal limitations Provided that all contracts or purchases in excess of five hundred dollars ($500) except those hereinafter mentioned shall not be made except with and from the lowest responsible bidder after due notice in one newspaper of general circulation published or circulating in the county in which the township is situated at least three times at intervals of not less than three days where daily newspapers of general circulation are available for such publication and in the case of weekly newspapers shall be published once a week for two successive weeks The first advertisement shall be published not less than ten days prior to the date fixed for the opening of bids

The acceptance of bids shall only be made by public announcement at the meeting at which bids are received or at a subsequent meeting the time and place of which shall be publicly announced when bids are received If for any reason one or both of the above meetings shall not be held the same business may be transacted at subsequent meetings Provided That at least five days' notice thereof shall be published in the nawspaper aforesaid

The successful bidder when advertising is required herein shall be required to furnish a bond with suitable reasonable requirements guaranteeing the work to be done with sufficient surety in the amount of fifty per centum (50%) of the amount of the contract within twenty days after the contract has been awarded unless the supervisors shall prescribe a shorter period not less than ten days and upon failure to furnish such bond within such time the previous award shall be void Delivery accomplishment and guarantees may be required in all cases of expenditures including the exceptions herein

The contracts or purchases made by any supervisors involving an expenditure of over five hundred dollars ($500) which shall not require advertising or bidding as hereinbefore provided are as follows

(a) Those made for maintenance repairs or replacements for water electric light and other public works of the township provided they do not constitute new additions extensions or enlargements of existing facilities and equipment but a bond may be required by the supervisors as in other cases of work done

(b) Those made for improvements repairs or maintenance of any kind made or provided by any township through its own employes Provided however That this shall not apply to construction materials used in a road improvement

(c) Those where particular types models or pieces of new equipment articles apparatus appliances vehicles or parts thereof are desired by the supervisors which are patented and manufactured products

(d) Those involving any policties of insurance or surety company bonds those made for public utility service under tariffs on file with the Pennsylvania Public Utility Commission those made with another political subdivision county the Commonwealth of Pennsylvania or the Federal Government or any agency of the Commonwealth or Federal Government or any municipal authority including the sale leasing or loan of any supplies or materials by the Commonwealth or the Federal Government or their agencies but the price thereof or the expenditure therefor shall not be in excess of those fixed by the Commonwealth the Federal Government or their agencies

(e) Those involving personal or professional services

Except as herein provided no township official either elected or appointed who knows or who by the exercise of reasonable diligence could know shall be interested to any appreciable degree either directly or indirectly in any contract for the sale or furnishing of any supplies or materials for the use of the township or for any work to be done for such township involving the expediture by the township of more than three hundred dollars ($300) in any year but this limitation shall not apply to cases where such officer or appointee of the township is an employe of the person firm or corporation to which the money is to be paid in a capacity with no possible influence on the transaction and in which he cannot be possibly benefited thereby either financially or otherwise Provided however, That in the case of a supervisor if he knows that he is within the exception just mentioned he shall so inform the supervisors and shall refrain from voting on the expeditures or any ordinance relating thereto and shall in no manner participate therein Provided further That any such official or appointee who shall knowingly violate this provision shall be subject to surcharge to the extent of the damage shown to be thereby sustained by the township ouster from office and shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars ($500)

Provided that in the case of the purchase of material equipment and machinery for the construction reconstruction maintenance and improvement of roads and bridges the contract which shall be in writing and shall be let only on standard specifications of the Department of Highways or approved by said department and materials so purchased shall only be used in accordance with specifications of or approval of said department

Section 803 Bonds for Protection of Labor and Materialmen It shall be the duty of every township to require any person copartnership association or corporation entering into a contract with such township for the construction erection installation completion alteration repair of or addition to any public work or improvement of any kind whatsoever where the amount of such contract is in excess of five hundred dollars [($500)] before commencing work under such contract to execute and deliver to such township in addition to any other bond which may now or hereafter be required by law to be given in connection with such contract an additional bond for the use of any and every person copartnership association or corporation interested in a sum not less than fifty per centum [(50%)] and not more than one hundred per centum [(100%)] liability under the contract as such township may prescribe having as surety thereon one or more surety companies legally authorized to do business in this Commonwealth conditioned for the prompt payment of all material furnished and labor supplied or performed in the prosecution of the work whether or not the said material or labor enter in and become component parts of the work or improvement contemplated Such additional bond shall be deposited with and held by the township for the use of any party interested therein Every such additional bond shall provide that every person copartnership association or corporation who whether as subcontractor or otherwise has furnished material or supplied or performed labor in the prosecution of the work as above provided and who has not been paid therefor may sue in assumpsit on said additional bond in the name of the township for his their or its use and prosecute the same to final judgment for such sum or sums as may be justly due him them or it and have execution thereon Provided however That the township shall not be liable for the payment of any costs or expense of any suit

Section 804 Separate Specifications for Branches of Work In the preparation of specifications for the erection or alteration of any public building when the entire cost of such work exceeds one thousand dollars the architect engineer or person preparing such specifications shall prepare separate specifications for the plumbing heating ventilating and electrical work and the township shall receive separate bids upon each of such branches or work and award the contract for the same to the lowest responsible bidder

Section 805 Workmen's Compensation Insurance All contracts executed by any township which shall involve the construction or doing of any work involving the employment of labor shall contain a provision that the contractor shall accept in so far as the work covered by any such contract is concerned the provisions of the Workmen's Compensation Act of one thousand nine hundred and fifteen and any supplements or amendments thereto and that the said contractor will insure his liability thereunder or file with the township with which the contract is made a certificate of exemption from insurance from the Bureau of Workmen's Compensation of the Department of Labor and Industry

Every officer of a township who shall sign on behalf of the said township any contract requiring in its performance the employment of labor shall require before the said contract shall be signed proof that the said contractor with whom the contract is made shall have accepted the Workmen's Compensation Act of one thousand nine hundred and fifteen and any supplements or amendments thereto and proof that the said contractor has insured his liability thereunder in accordance with the terms of the said act or that the said contractor has had issued to him a certificate of exemption from insurance from the Bureau of Workmen's Compensation of the Department of Labor and Industry

Any contract executed in violation of the provisions of this section shall be null and void

Section 806 Engineers and Architects Not to Be Interested in Contracts It shall be unlawful for any architect or engineer in the employ of a township and engaged in the preparation of plans specifications or estimates to bid on any public work at any letting of such work in such township

It shall also be unlawful for the officers of a township charged with the duty of letting any public work to award a contract to any such architect or engineer in the employ of the township

It shall [not be lawful] also be unlawful for any architect or engineer in the employ of a township to be in any wise interested in any contract for public work in such township [nor] or receive any remuneration or gratuity from any person interested in such contract

Any person [or persons violating these] who violates any of the provisions [or any one of them shall forfeit his office and] of this section shall be guilty of a misdemeanor and on conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars or [to] undergo imprisonment of not [less] more than six months or both in the discretion of the court and shall forfeit his office

Section 10 The said act is hereby amended by adding thereto three new sections known as Sections 807 to 809 inclusive

Section 807 Minimum Wages under Contracts (a) The specifications upon which contracts are entered into by any township for the construction alteration or repair of any public work or improvement may at the option of any such township contain the minimum wage or wages which may be paid by the contractor or his subcontractors for the work performed by laborers and mechanics employed on such public work or improvement and such laborers and mechanics shall in such cases be paid not less than such minimum wage or wages

(b) Every contract for the construction alteration or repair of any public work or improvement founded on specifications containing any such stipulation for minimum wage or wages shall stipulate a penalty of an amount equal to twice the difference between the minimum wage contained in said specifications and the wage actually paid to each laborer or mechanic for each day during which he has been employed at a wage less than that prescribed in said specifications

(c) Every officer or person designated as an inspector of or having supervision over the work to be performed under any such contract in order to aid in enforcing the fulfillment thereof shall upon observation or investigation report to the supervisors of the township all violations of minimum wage stipulations together with the name of each laborer or mechanic who has been paid a wage less than that prescribed by the specifications and the day or days of such violation

(d) All such penalties shall be withheld and deducted for the use of the township from any moneys due the contractor by the officer or person whose duty it shall be to authorize the payment of moneys due such contractor whether the violation of the minimum wage stipulation of the specifications was by the contractor or by any of his subcontractors Provided That if any such contractor or subcontractor subsequently pays to all laborers and mechanics the balance of the amounts stipulated in such contract the township shall pay to the contractor the amounts so withheld as penalties

Section 808 Discrimination between Employees Every contract for or on behalf of any township for the construction alteration or repair of any public building or public work shall contain provisions by which the contractor agrees

(a) That in the hiring of employes for the performance of work under this contract or any subcontract hereunder no contractor subcontractor nor any person acting on behalf of such contractor or subcontractor shall by reason of race creed or color discriminate against any citizen of the Commonwealth of Pennsylvania who is qualified and available to perform the work to which the employment relates

(b) That no contractor subcontractor nor any person on his behalf shall in any manner discriminate against or intimidate any employee hired for the performance of work under his contract on account of race creed or color

(c) That there may be deducted from the amount payable to the contractor under this contract a penalty of five dollars for each person for each calendar day during which such person was discriminated against or intimidated in violation of the provisions of the contract and

(d) That the contract may be cancelled or terminated by the township and all money due or to become due hereunder may be forfeited for a second or any subsequent violation of the terms or conditions of this portion of the contract

Section 809 Publication of Contract Notices Any township may legally authorize the publication of advertising for bids for public works contracts supplies or equipment in addition to the newspapers specified by law also in any publication or journal devoted to the disseminatoin of information about construction work published in this Commonwealth at least once a week and circulating among contractors manufacturers and dealers doing business in the community in which such public works are to be constructed or supplies or equipment purchased Provided That no advertisement for bids for public works contracts supplies or equipment shall be inserted in any publication or journal devoted to the dissemination of information about construction work which has not been established and regularly issued from a printing office and publication house in this Commonwealth for a period of at least eighteen months and that such publication and journal shall be entered or entitled to be entered for admission to the United States mails as second class matter and shall have a bona fide income from subscribers within the Commonwealth of Pennsylvania of not less than Fifteen Thousand Dollars per annum duly certified by a public accountant and the rates and charges for such advertising shall not be in excess of those of newspapers of general circulation as defined by the Newspaper Advertising Act of a like circulation published in the community in which the public works are to be constructed or the supplies or equipment purchased

Section 11 Sections 901 to 909 inclusive of the said act are hereby reenacted revised and amended to read as follows

Article IX

Taxation and Finance [Road Fund]

Section 901 Fiscal Year The fiscal year in townships of the second class shall commence on the first Monday in January in each year All receipts disbursements contracts and purchases shall be chargeable to and entered as of record in the fiscal year in which made

Section 902 Annual Budget A (1) The board of township supervisors [of townships of the second class] shall annually [before] immediately after their organization meeting in January [or as soon thereafter as practicable] and at least thirty days prior to the adoption of the annual budget prepare a proposed budget or annual estimate of revenues and expenditures for the fiscal year beginning on the first Monday of January which shall be filed with the treasurer In all townships [in which the estimated expenditures in the budget exceed five thousand dollars ($5000)] the budget shall be prepared on a uniform form prepared and furnished as hereafter provided The estimates in the budget [for the purpose of aiding the board in determining how much road and other taxes to levy] shall specify

(a) The amount of money necessary for the construction maintenance repair and improvement of [highways including sluices] roads

(b) The amount of money necessary for the [repair and] construction maintenance and repair of culverts and bridges

(c) The amount of money necessary for the purchase hire repair and custody of [tools implements and machinery] equipment machinery teams and implements

(d) The amount of money necessary for each other governmental activity of the township for which a special tax levy may or may not be authorized

(e) The amount of money necessary for the payment of debts [or] and other miscellaneous purposes

(2) Upon the preparation of [a] the proposed budget [in which the estimated expenditures exceed five thousand dollars ($5000)] the supervisors shall [either] give public notice [of the detailed contents thereof or the fact] by advertisement once in at least one newspaper of general circulation in the township or county that the proposed budget will be available for public inspection at a designated place in the township After [the expiration of twenty (20) days following the giving of public notice of the detailed contents of the budget or after] the budget has been available for public inspection for twenty [(20)] days [as] [herein provided such] the supervisors shall after making such revisions therein as appear advisable adopt the budget and the necessary appropriation measures required to put it into effect [In townships in which the estimated expenditures do not exceed five thousand dollars ($5000) the supervisors shall as soon as possible after the expiration of thirty days following the praparation of the proposed budget adopt the budget and the necessary appropriation measures required to put it into effect]

(3) The total appropriation shall not exceed the revenues estimated as available for the fiscal year In all townships [in which the estimated expenditures in the budget exceed five thousand dollars ($5000)] the board of supervisors shall within fifteen days after the adoption of the budget file a copy of the same in the office of the Department of Internal Affairs

(4) The supervisors may at any time by resolution make supplemental appropriations for any lawful purpose from any funds on hand or estimated to be received within the fiscal year and not otherwise appropriated including the proceeds of any borrowing [now or hereafter] authorized by law Such supplemental appropriations may be made whether or not an appropriation for the same purpose was included in the original budget as adopted except that no supplemental appropriation shall be made for any purpose in respect to which the court on an appeal pursuant to section nine hundred eight of this act has ordered a specific reduction or elimination of an item of the original budget for the same purpose

(5) The supervisors may by resolution transfer unencumbered moneys from one [road] township account to another but no moneys shall be transferred from the fund allocated for the payment of debts or from any fund raised by a special tax levy for a particular purpose Such transfers shall not be made during the first three months of the fiscal year No money shall be paid out of the township treasury except upon appropriation made according to law

[Section 902 A] B The uniform forms for the annual budget [and for] the annual township report [to the Department of Internal Affairs to be used as herein provided] and the annual financial statement required to be made by the auditors shall be prepared by a committee consisting of four representatives [from] of the [Pennsylvania State Association of Township Supervisors and one representative each from the [State] Department of Highways and the [Secretary] Department of Internal Affairs [or his agent]

Such representatives of the State Association of Township Supervisors shall be appointed by the president of the organization [within sixty days after the effective date of this act As far as possible such] Such representatives may be either township supervisors auditors or township secretaries and as far as possible shall be chosen to represent townships in the various population groups among the range of townships of the second class The president of the organization shall supply to the Secretary of [Internal Affairs] Highways the names and addresses of such representatives immediately upon their appointment [The representative of the Department of Highways shall be appointed by the Secretary of Highways]

Such representatives of the townships shall serve without compensation but shall be reimbursed by the Commonwealth for all necessary expenses incurred in attending meetings of the committee from appropriations made to the Department of Highways The committee shall meet at the call of the Secretary of [Internal Affairs] Highways or his agent who shall serve as chairman of the committee

In preparing [the] such uniform forms [for both budgets and annual reports] the committee shall give careful consideration to the fiscal needs and procedure of townships of the various population groups producing separate forms if necessary to meet the needs of townships of varying sizes [In the preparation of] The forms for [financial] annual reports [the same] shall contain the information herein specifically required to be furnished and such other information as the committee shall deem proper and shall be [so] arranged [that corresponding information required to be reported to the Department of Highways may be used for the information required to be furnished to the Department of Internal Affairs] to correlate with the forms for the budget respecting order of items and division of revenues by major classifications and disbursements by major functions The committee shall also prescribe the form of the statement summarizing the annual report which is hereinbefore required to be published

It shall be the duty of the Secretary of [Internal Affairs] Highways [or his agent] to see to it that the forms required by this act are prepared in cooperation with such committee In the event that such committee should for any reason fail to furnish such coperation the [Secretary of Internal Affairs or his agent] representatives of the Department of Highways and Department of Internal Affairs shall prepare the forms After they are prepared [he] the Secretary of [Internal Affairs] Highways shall issue such forms and distribute them annually as neeeded to the proper township officers

Section 903 Temporary Indebtedness Whereever the township [highway] road funds have been exhausted the board of supervisors may borrow on the credit of the township money in anticipation of taxes to be collected

for the current fiscal year [or township reward to be received as shown by agreements issued] and issue a certificate of indebtedness payable on a certain date [not exceeding one year from the date of issue] within the current fiscal year to the end that work may be performed in proper season and in accordance with rules and regulations prescribed.

Section 904 Sale of Bonds Bonds and other obligations issued for the repayment of money borrowed except tax anticipation notes shall be issued and sold in the manner provided by the Municipal Borrowing Law and its amendments

Section 905 [General] Township and Special Tax Levies A The board of township supervisors may by resolution levy taxes upon all real property and upon all occupations or upon real property alone within the township made taxable for township purposes as ascertained by the last adjusted valuation for county purposes for the purposes and at the [rate] rates hereinafter specified [to wit] All taxes shall be collected in cash

1 An annual [road] township tax for road bridge and general township purposes not later than the fourth Monday of March of each year not exceeding nine mills except where necessary to pay existing indebtedness and interest thereon in which case not more than two additional mills may be levied Where the board of supervisors by a majority action shall upon due cause shown petition the court of quarter sessions for the right to levy additional millage the court after such public notice as it may direct and after hearing may order a greater rate than eleven mills but not exceeding five additional mills to be levied Such annual [road] township tax shall include all levies for road bridge and general township purposes and for the payment of bonds and certificates of indebtedness issued and all other debts incurred for [road] such purposes Not less than ten per centum of the annual [road] township tax shall be set aside by the respective townships and used for the payment of existing indebtedness incurred for [road] such purposes for the payment of which indebtedness no provision has been made [All road tax shall be collected in cash]

[2] A tax for the purpose of building and maintaining a lockup after obtaining the assent of the electors of the township in the manner provided in this act]

2 [Three an] Upon receipt of a petition of a majority of the owners of real estate of the township requesting it an annual [assessment] tax not exceeding five mills for the purpose of lighting the [streets and] highways roads and other public places in the township in the manner provided by the general powers of this act and of defraying the cost charges and expenses thereof Nothing contained herein shall require a petition of owners of real estate in any township which is now lighting its streets and imposing taxes under this subsection for such purposes

3 [4] An annual tax so long as necessary not exceeding fifty per centum of the rate of assessment for [road purposes] the township tax for the purpose of procuring a lot and erecting a building thereon for a townhouse and for the payment of indebtedness incurred in connection therewith Provided the total indebtedness for the payment of which any such tax shall be levied shall not exceed one-half of one per centum of the assessed value of real estate in the township

4 [5] A tax not exceeding two mills and not exceeding the amounts hereinafter limited for the purpose of purchasing and maintaining fire apparatus and to provide with the assent of the electors of the township as hereinafter provided a suitable place for the housing of the same and to make appropriations to fire companies for the purchase and maintenance of fire apparatus but the total expenditure for the purchase of fire apparatus by the township together with the amount of appropriation to one or more fire companies from such taxes shall not for the first fiscal year exceed in all the sum of seven thousand five hundred dollars nor shall any new fire apparatus be thereafter purchased by the township or by any fire company from appropriations made by the township without the consent of the electors as hereafter provided nor shall the total expenditure by the township in any fiscal year for the purpose of maintenance and operation together with the appropriations to any one or more fire companies exceed forty-five hundred dollars

5 [6] A tax not exceeding [one mill] two mills for the purpose of establishing and maintaining fire hydrants and fire hydrant water service after obtaining the assent of two-thirds of the electors of the township voting thereon in the manner provided in this act

6 A tax not exceeding two mills for the purpose of maintaining and operating parks playgrounds playfields gymnasiums public baths swimming pools and recreation centers as hereinafter provided

B Whenever the assent of the electors is required as hereinbefore provided the same shall be expressed at an election to be held at the place and time of any general special or primary election and under the same regulations as provided by law for the holding of municipal elections At such election the election officers shall receive ballots from the electors which shall be prepared in the manner prescribed by the [general election law] Pennsylvania Election Code [In receiving and counting and in making return of the votes cast the election officers shall be governed by the laws regulating municipal elections and the returns shall be computed by the court as now provided by law for municipal elections

The taxes authorized to be levied by this section shall be levied upon the last adjusted valuation for county purposes which valuation shall be furnished to the township supervisors by the county commissioners If any further adjustment of valuation is made by the county commissioners after any tax is so levied and before said tax is payable such adjusted valuation shall be certified to the township supervisors and to the township collector of taxes by the commissioners and the tax shall be collected on the basis of such adjusted valuation]

C This article does not include the levy of any taxes upon particular districts or parts of any township for particular purposes

Section 906 Tax Rate to be Expressed in Dollars and Cents Whenever the supervisors of any township shall by resolution fix the rate of taxation for any year at a mill rate such resolution shall also include a statement expressing the rate of taxation in dollars and cents on each one hundred dollars of assessed valuation of taxable property

Section 907 Special Levies Ordered by Court to Pay Debts In addition to the levies hereinbefore provided for when it is shown to the court of quarter sessions that the debts due by any township exceed the amount which the supervisors may collect in any year by taxation the court after ascertaining the amount of indebtedness of any such township may by a writ of mandamus direct the township supervisors by special taxation to collect an amount sufficient to pay the same If the amount of such indebtedness is so large as to render it inadvisable to collect the same in any one year taking into consideration other necessary taxation the court may direct the same to be levied and collected by annual instalments and may order such special taxes to be levied and collected during such successive years as may be required for payment of the same

Section 908 Appeals to Court to Reduce Budget and Tax Rate (a) Taxpayers whose property valuation as assessed for taxable purposes within the township shall amount to twenty-five per centum or over of the total valuation as assessed for taxable purposes within the township may within fifteen days after the board of township supervisors have [completed the formation of] adopted the budget and determined the amount of the tax levy for the [district] township petition the court of common pleas of the county in which such township is located to examine into the necessity therefor and the reasonableness of the various items in the budget of the township and to reduce the proposed tax levy Each such petition shall contain a specification of objections and

shall be accompanied by the affidavit of one of the petitioners that the proceedings have not been instituted for the purpose of delay and that the facts set forth in the petition are true and correct to the best of [their] his knowledge and belief The [petitioner] petitioners shall also file bond in the total amount of five hundred dollars [($500)] with good and sufficient surety to be approved by the court conditioned upon the payment of the costs if the court shall assess the costs upon the petitioners

Immediately upon the filing of such petition the petitioners shall serve a copy of the petition [and the specifications of objections] upon the president or secretary [of] or the board of township supervisors

(b) Upon the filing of such petition the court shall fix a day for a hearing not less than fifteen [(15)] nor more than thirty [(30)] days after such petition has been filed Notice of such hearing shall be given to all interested parties in such manner as the court shall direct On such hearing it shall be the duty of the court to examine into the necessity for and the reasonablness of the various items of the budget and the amount of the proposed levy The court shall thereupon make an order approving the budget and levy or reducing or eliminating any one or more of the items of the budget and reducing the levy

If no appeal shall be taken from such order as herein provided the budget and levy shall remain as constituted by the court

(c) The board of township supervisors [of such township] or any [freeholders] taxpayer who shall have signed the petition may appeal to the Supreme Court within thirty [(30)] days after the entry of the order by the court of common pleas Such appeal shall be taken and prosecuted in the same manner and form and with the same effect as is provided in other cases of appeal to the Supreme Court [The record which shall be certified to the Supreme Court shall contain all that was before the court of common pleas]

(d) Neither the filing of any such petition nor the taking of such appeal shall act as a supersedeas

[However any contract agreement or undertaking which relates to or is dependent upon an item of the budget which has been attacked in the petition and which shall be entered into by the township during the pendency of such proceedings shall be subject to such reduction or cancellation as shall become necessary as the result of the order of the court of common pleas or the Supreme Court]

[Each levy of taxes which shall be made during the pendency of such proceedings shall likewise be subject to revision in accordance with such order]

(e) The budget and tax levy as approved or revised by the final order of the court of common pleas or of the Supreme Court if an appeal shall have been taken [by the Supreme Court] shall be the budget and tax levy for such township Any contract agreement or undertaking which relates to an item of the budget which has been attacked in the petition and which shall be entered into during the pendency of such proceedings shall be cancelled or made to confirm to such budget

If such final order reduces the proposed levy the supervisors shall revise the tax duplicates in conformity with such order and any levy made during the pendency of the proceedings shall be subject to revision in accordance with such order

Section 909 Duplicates Abatements and Penalties The township supervisors shall make or cause a duplicate to be made designating the amount of [road] township tax levied against each taxpayer of the township and also duplicates for all other taxes levied and assessed under the provisions of this act and shall deliver the same [on or before the first day of May of each year] as soon as possible after receipt of the assessment role from the county to the township collector [together with a warrant for the collection of the same which taxes shall be collected as follows namely To all taxpayers who pay their taxes to the collector before June first of each year an abatement or five per centum shall be made All taxes paid to the collector between June first and October first of each year shall be paid in full and to all taxes remaining unpaid on the first of October in each year the collector shall add five per centum as penalty for such delinquency and shall collect said penalty in addition to the tax levied]

Section 12 The said act is hereby amended by adding thereto two new sections known as Sections 910 and 911 as follows

Section 910 Revolving Fund Special Tax Bond Issue Townships are hereby empowered to levy and collect annually a tax upon all property taxable for township purposes not to exceed five mills on the dollar in any one year for the purpose of creating and maintaining a revolving fund to be used by such township in making permanent street sidewalk water supply or sewer improvements prior to the collection of the cost and expense or any part thereof from the property owners adjoining abutting thereon by such township under existing laws Any such revolving fund may also be begun by funds raised through the issuance of bonds of the township in the manner provided by law for the making of permanent street sidewalk water supply or sewer improvements

Section 911 Repayments Into Revolving Fund When the cost and expense or any part thereof of the construction of any permanent street sidewalk water supply or sewer improvement which has been made under existing laws and which has been aided in its construction from the said revolving fund hereby provided for shall have been assessed and collected from the owners of the property adjoining or abutting upon such improvement it shall be applied to the credit of said revolving fund to the extent of the withdrawal therefrom for such purpose

Section 13 Sections 1001 and 1015 inclusive of the said act are hereby reenacted revised and amended to read as follows

Article X

Eminent Domain Assessment of Damages and Benefits

(a) General Provisions Relating to Eminent Domain

Section 1001 Scope of Article Whenever under the provisions of this act the right of eminent domain [and /] or the ascertainment and assessment of damages and benefits in viewer proceedings is provided for and vested in a township the proceeding shall be as set forth in this article

Section 1002 Restrictions as to Certain Property In addition to the restrictions made by other provisions of this act in particular cases no township shall exercise the right of eminent domain as against land now occupied by any building which was used during the Colonial or Revolutionary period as a place of Assembly by the Council of the Colony of Pennsylvania the Supreme Executive Council of the Commonwealth of Pennsylvania or the Congress of the United States or as against the land occupied by any fort redoubt or blockhouse erected during the Colonial or Revolutionary period or any building used as headquarters by the Commander-in-Chief of the Continental Army or as against the site of any building fort redoubt blockhouse or headquarters which are preserved for their historic associations and not for private profit The Colonial and Revolutionary period shall be taken as ended on the third day of September one thousand seven hundred and eighty-three

Section 1003 Possession of Property upon Tender of Bond Whenever in any condemnation proceedings any township has tendered a bond to secure the payment of damages and the same has been accepted or if the acceptance has been refused and the bond has been filed in and approved by the court the township shall have the right to immediate possession of the property.

Section 1004 Notice to Quit Possession Procedure If the owner lessee or occupier shall refuse to remove his personal property or give up possession the township may serve written notice upon such owner lessee or his agent or the occupier to remove his personal property and give up possession of such property within sixty days from the date of the service of such notice

If the owner lessee or occupier shall refuse to remove

his personal property and give possession upon proof of the service of the notice a writ of habere facias possessionem shall forthwith issue directing the sheriff to give to the township possession.

Section 1005 Bond of Township Without Surety Sufficient Whenever the township shall tender any bond or any court shall order any township to enter security for the payment of damages for the taking injury or destruction of land property or materials by right of eminent domain the bond of the township shall be taken without sureties

Section 1006 Value of land or Property Not to Be Assessed as Benefits Exception In all cases of the appropriation of land or property for public use other than for roads [or streets] it shall not be lawful to assess any portion of the damages done to or value of the land or property so appropriated against the other property adjoining or in the vicinity of the land or property so appropriated

Section 1007 Viewers Report Viewers or juries of view appointed by any court to assess damages and benefits due to the taking injury or destruction of private land or property in and by the construction or enlargement of any public work [highway] road or improvement shall make their reports within a time which the court shall fix when appointing them but if any of the viewers or juries of view shall for any reason appearing sufficient to the court be unable to file its report within the period so fixed the court may either before or after the expiration of the time fixed extend the time for the filing of such report

Section 1008 Plans of Properties Condemned to Be Furnished to Viewers In all proceedings to assess damages for the taking injury or destruction of private land or property for public use the township taking injuring or destroying such land or property for said purpose shall furnish the board of viewers with a correct plan of all lands and properties affected showing all buildings or other structures thereon their width length elevation and cubical contents names of all owners tenants or occupiers thereof the topography of the land and the grades and widths of all highways running through or abutting on said lands or properties and all other data necessary for a proper determination of the amount of damages caused by the taking injury or destruction of said private land and property

Said plans shall be prepared and ready for the use of the viewers at their first meeting and copies thereof shall be furnished to all owners tenants and occupiers of the land and property and all other parties affected thereby without charge

Section 1009 Condemnation Petition to Specify Liens Exception In all proceedings instituted for the condemnation and appropriation of land and property by the exercise of the right of eminent domain excepting proceedings to ascertain damages and benefits by reason of township street or sewer improvements the petition for the appointment of viewers therein shall contain allegations specifying any judgments mortgages or other claims (hereinafter designated "liens") which are liens upon the land and property sought to be appropriated or condemned as aforesaid.

Section 1010 Findings of Facts as to Liens Testimony shall be taken in said proceedings to ascertain the amounts of said liens and the dates of the entry of the same and the amounts of said liens and the dates of entry thereof shall be found as facts by the viewers in said proceedings Certified lists of liens from the Department of Revenue the courts of the Commonwealth and of the United States shall be prima facie evidence of the existence dates amounts dates of entry and places of record of said liens and unless modified or overcome by competent oral or documentary evidence shall be conclusive upon the parties thereto as to items just specified

Section 1011 Reports of Viewers as to Liens Appeals Distribution to Lien Creditors Discharge of Liens Where it appears that liens exist as aforesaid which are liens upon land or property sought to be condemned and appropriated as aforesaid a report of the facts found as aforesaid shall be made to the court having jurisdiction of the proceeding which report shall be subject to exceptions in manner to be regulated by the Supreme Court by general rule prescribed amended and published from time to time and upon the findings in relation to said liens being finally found by said court having jurisdiction of said proceedings said court shall make an order directing the payment and distribution of the amount found to be payable as compensation to the parties entitled thereto first to the owners of said liens in the order of their priority then to the owners of the land or property appropriated as aforesaid [Provided however That] Any of the parties interested shall have the right of appeal from said order of distribution to the Superior or Supreme Court of the Commonwealth as shall be determined by the amount distributed to said parties respectively in manner now provided by law Payment in accordance with said order of distribution shall absolutely discharge the party making said payment from all claims of whatsoever nature by any [person firm corporation or] claimant as against said land or property when the payment thereof shall be evidenced by a receipt of record in said proceedings and in said receipt and on the record thereof any claimant may reserve the right to pursue the owner of said land or property for any balance due upon his lien against any other land or property or assets of the said owner

Section 1012 Vesting Title Upon payment of the compensation for land or property appropriated as aforesaid in accordance with said order of distribution title to the land or property appropriated shall vest in the [taker thereof] township in accordance with provisions of the law under which such appropriation is made and all claims for compensation shall be deemed paid and satisfied as herein provided

Section 1013 Competency of Evidence as to Market Value of Property In all proceedings arising from the exercise of the right of eminent domain it shall be competent for all witnesses called when duly qualified to state their opinion as to the market value of the land or property before the exercise of the right of eminent domain and as unaffected by it and its market value immediately after the exercise of the right of eminent domain and as affected thereby

(a) To state in detail and [costs] amounts all the elements of damage which they have taken into consideration in arriving at their opinion

(b) In arriving at their opinion as to the market value immediately after the exercise of the right of eminent domain to add to their opinion of the market value before such exercise the cost or value of all the elements of benefit or advantage and to deduct therefrom all disadvantage or damage in order to arrive at the market value after such exercise of the right of eminent domain and as affected thereby

(c) In all proceedings to assess damages or benefits for the opening of any [street alley or other highway] road to take into consideration as one of the elements of advantage or disadvantage the cost of [street] road improvement

In all claims for damages against a township arising from the exercise of the right of eminent domain it shall be competent for the party or parties claiming damages to offer in evidence as a declaration against interest the value of the land or property affected as assessed for the purpose of taxation

Section 1014 Proceedings Where Assessments by Viewers Waived In any proceeding to ascertain the damage caused to any owner of lands or properties by reason of the appropriation of a right of way or easement by any township where the owner and township cannot agree upon the amount of damage done the parties may by agreement waive the right to have such damages assessed and the owner may file his claim in the court of common pleas of the county and rule the [defendant] township to plead thereto within fifteen days from the

service of such rule upon [the township] it and the suit shall be proceeded with as if an award of viewers and had been filed and an appeal had been taken therefrom

Either party to such an action may on motion have the jury visit and view the premises over or through which the proposed right of way or easement may extend

Section 1015 Appeals in Eminent Domain Proceedings Payment of Money into Court In all cases of damages assessed against any township for land or property taken injured or destroyed by the construction or enlargement of its works [highways] roads or improvements whether such assessment shall have been made by viewers or otherwise than upon trial in court [and an appeal is not provided for] an appeal may be taken by either party to the court of common pleas of the county within thirty days from the filing of the report

Any such appeal taken shall be signed by the party taking the same or by his agent or attorney and shall be accompanied by an affidavit of [the] such party [appellant] or of [the] his agent or attorney that the same is not for the purpose of delay but because the affiant firmly believes that injustice has been done

When no such appeal is taken and judgment is entered and the party to whom damages have been awarded refuses to accept payment of such award or judgment then it shall be lawful for [such] the township upon petition to the court after notice as ordered by court to pay the amount of the award and costs into the court The court upon such payment shall order the satisfaction of the award or judgment

Section 14 The said act is hereby amended by adding thereto two new sections known as Sections 1016 and 1017

Section 1016 Title Acquired In all cases where land or property is taken under eminent domain proceedings other than for road purposes or is acquired by gift purchase or otherwise the title obtained by the township shall be in fee simple provided that in particular instances a different title may by agreement be acquired

Section 1017 Land Transferable If the project or purchase for which any land or property has been taken received or acquired in fee simple shall be abandoned or found not to be desirable for the best interests of the township the land or property thus obtained may be used for other township purposes or sold leased or otherwise disposed of

Section 15 Sections 1020 to 1101 inclusive of the said act are hereby reenacted revised and amended to read as follows

(b) Procedure for the Exercise of Eminent Domain and for the Assessment of Damages and Benefits

Section 1020 Petition for Viewers Time of Meeting Except as [is in this act] otherwise provided in this act in case the compensation for damages or benefits accruing from the exercise of the right of eminent domain [and] or from the erection and construction of public improvements [have] has not been agreed upon the court of common pleas or any law judge thereof in vacation on application thereto by petition by the township or any person interested shall appoint three viewers from the board of viewers of the county and appoint a time not less than twenty nor more than thirty days thereafter when the viewers shall meet [upon the line] at the place of the improvement and view the same and the premises affected thereby

Section 1021 When Viewers May Be Appointed The viewers provided for in the preceding section may be appointed before or after the entry appropriation or injury of any land or property or appropriation of any materials for constructing such improvements

Section 1022 Notice of Meeting of Viewers Except [when] as otherwise [in this act] provided in this act the viewers shall give at least ten days' notice of the time of their first meeting by publication in one or more newspapers of the county and by handbills posted upon the premises or otherwise as the court shall direct

Section 1023 Swearing Viewers Hearings Schedules of Damages and Benefits The viewers having been sworn or affirmed faithfully justly and impartially to decide and a true report to make concerning all matters to be submitted to them and in relation to which they are authorized to inquire and having viewed the premises and examined the land or property shall hear all parties interested and their witnesses and shall determine the damages for land or property taken injured or destroyed if any and to whom the same are payable and having determined the damages together with the benefits they shall prepare a schedule thereof

Section 1024 Assessment of Damages and Benefits The damages may be paid in whole or in part by the township or may be assessed in whole or in part upon the property benefited In the latter case the viewers having first determined the damages apart from the benefits shall assess the total cost of the improvement or so much thereof as may be just and reasonable upon the properties peculiarly benefited, including in the assessment all parties for which damages have been allowed and shall report the same to the court The total assessment for benefits shall not exceed the total damages awarded or agreed upon

Section 1025 Assessment Awards In proceedings to assess damages and benefits if the land or property is both benefited and damaged by such improvements the excess of damages over benefits or the excess of benefits over damages or nothing in case the benefits and damages are equal shall be awarded to or assessed against the [several owners] owner of land or property affected thereby

Section 1026 Separate Reports of Damages and Benefits The [preceding section shall not prevent] viewers [from] shall make a separate report of the damages and benefits respectvely [In such event if] If the damages to the land or property of any person be greater than the benefits or if the benefits be greater than the damages or if the damages and benefits be equal [in either case] the viewers shall strike a balance and carry the difference forward to another column so that the assessment shall show what amount is to be received or paid by the land or property owner and the difference only shall be collectible of or paid to such land or property owner Appeals taken from the report of the board of viewers shall be from such net amount only

Section 1027 Notice When Schedules Will Be Exhibited The viewers shall give notice to all parties to whom damages are allowed or upon whom assessments for benefits are made of a time not less than ten days thereafter and of place where the viewers will meet and exhibit their schedule and hear all exceptions thereto

Section 1028 Service of Notices [Such] The notice required by the preceding section shall be given in the manner provided by law for the service of a summons in a personal action if the parties can be found in the [township] county in which such township is located or upon an adult person residing upon the land or property affected by the assessment in case the owner or reputed owner cannot be found in said county and to all others by publication in the newspaper or newspapers in which the first notices of the view were published and by posting conspicuously on the premises The board of supervisors [may] shall by resolution provide by whom the notice shall be served and posted and fix the compensation for such service

Section 1029 Report of Viewers Plan of Improvements After making whatever changes are necessary the viewers or a majority thereof shall report to the court showing the damages and benefits allowed and assessed in each case and file therewith a plan to be prepared or secured by the viewers showing the improvement the land or properties taken injured or destroyed and the lands or properties benefited

Section 1030 Notice of Filing of Report When the report is filed notice thereof shall immediately be given [by the reviewers by] by the viewers by [for] publication

once in the newspaper or newspapers [publishing the notice hereinbefore provided for in this article] in which the first notices of the view were published Such notice shall state the date of filing of the report contain a schedule of the damages allowed and benefits assessed and shall state that unless exceptions be filed thereto or an appeal to the court of common pleas is taken therefrom within thirty days from the date of filing the report will be confirmed absolutely

Section 1031 Township to Pay Costs of Proceedings The cost of the proceedings including court costs except the compensation of the viewers shall be paid by the township

Section 1032 Bond of Township Except when [in this act as] otherwise provided in this act in all cases where the parties have not agreed upon the damages claimed or where by reason of the absence or legal incapacity of the owner no such agreement can be made the township may tender sufficient security to the party entitled to damages or to the attorney or agent of any person absent or to the agent or officer of a corporation or to the guardian or committee of any one under legal incapacity

Section 1033 Condition of Bond Notice of Filing in Court The condition of the security shall be that the township shall pay or cause to paid such amount of damages as the party shall be entitled to receive after the same shall have been agreed upon by the parties or assessed in the manner provided for by this article In case the party claiming damages refuses to accept the security tendered the township shall give the party or his agent attorney guardian or committee a written notice of the time when the same will be presented in court

Section 1034 Filing Bond Recovery Thereon If approved by the court the security shall be filed for the benefit of those interested and recovery may be had thereon for the amount of damages assessed If the damages be not paid they may be collected by execution on the judgment in the issue framed to try the question Upon the approval of the security the township may proceed with the improvement

Section 1035 Exceptions to Report of Viewers Within thirty days after the filing of any report any party interested may file exceptions to the same and the court shall confirm modify or change the same or change the assessments made therein or refer it back to the same or new viewers

Section 1036 Confirmation of Report of Viewers When the report is filed the prothonotary shall mark it confirmed nisi In case no exceptions are filed thereto as provided in the preceding section or no appeal taken he shall enter a decree that the report is confirmed absolutely

Section 1037 Effect of Exceptions on Confirmation of Report When exceptions are filed which affect the entire report the same shall not be confirmed absolutely as to any part thereof until the exceptions have been finally disposed of when the exceptions do not affect the entire report the court shall confirm the assessments to which exceptions have not been taken

Section 1038 Appeals from Confirmations after Exceptions Within three months after the confirmation of any report following the filing of exceptions thereto any party interested may appeal from the decree of the court below to the Superior or Supreme Court as the case may be

Section 1039 Effect of Appeals When any appeal is taken from the action of the court confirming any viewers' report or part thereof if the appeal affects the entire report it shall have the effect of suspending the absolute confirmation thereof until the appeal is finally disposed of but where the appeal is to matters which do not affect the entire report or any other assessment such appeal shall affect only the particular assessment for which the appeal is taken

Section 1040 Filing Assignments of Error Et Cetera In order to determine whether any appeal affects the entire report or any particular assessment the applicant shall file in the court below before or at the time of filing his writ of certiorari a copy of his [specifications or] assignments of error or a statement of the grounds of appeal Upon failure so to do the township or any party interested may by notice or rule upon the appellant cause such [specifications] assignments of error or statement of the grounds of appeal to be filed

Section 1041 Certificate of Judge of the Court Below Upon the request of the township or any party interested the court below or any judge thereof in vacation shall certify whether the appeal affects the entire report and said certificate shall be conclusive Where the court or judge certifies that the appeal will affect the entire report no further proceedings shall be taken in the court below until after the final action of the appellate court but where the court or judge certifies that the appeal will affect only a particular assessment then the confirmation of all other assessments shall be final

Section 1042 Effect of Affirmation of Decree of Court Below If on any appeal the action of the court below is affirmed the date of the decree or judgment of the appellate court shall be taken as the day on which the report was finally confirmed

Section 1043 Consolidation of Appeals Where any appeal is taken to the Supreme Court and an appeal is also taken to the Superior Court and the appeals in both cases are substantially the same the Superior Court may certify such appeal to the Supreme Court to be heard with the other appeals from the same report

The Supreme Court shall consolidate all such appeals and hear them as one case Where several appeals are taken from the confirmation of the same report either to the Superior or Supreme Court and the grounds of the appeal are similar the appellate court may consolidate the appeals

Section 1044 Appellants May Unite in Appeals Effect Thereof Several parties may unite in a single appeal either to the Superior or Supreme Court where the grounds of appeal are similar but the uniting of the appellants shall not unite the amounts or change the jurisdiction When the appeal if taken by each appellant singly would be to the Superior Court then the appeal shall be to that court but if the appeal of any one appellant would be to the Supreme Court then the joint appeal shall be to that court If an appeal has been taken to the Supreme Court any other party without regard to the amount involved if the grounds of appeal are similar may appeal to the same court and join in such appeal

Section 1045 Appeals from Reports of Viewers for Jury Trial Within thirty days after any report of viewers is filed in court any party whose land or property is taken injured or destroyed or against whom benefits are assessed may appeal to the court of common pleas and demand a trial by jury Several parties may unite in a single appeal and where the grounds of appeal are similar the court may hear such appeals as one proceeding but each such party shall in any event be entitled to demand a separate trial by jury. Where an appeal is so taken as to a portion of the report the portion not appealed from shall be confirmed absolutely at the expiration of thirty days [after the report is filed in court] from the date of the publication of the notice of the filing of such report

Section 1046 Reasons for Appeals to Be Stated The appeal as provided in the last preceding section shall state the grounds upon which it is taken and shall be signed by the appellant or by his agent or attorney and shall be accompanied by an affidavit that it is not taken for the purpose of delay but because the appellant believes that injustice has been done

Section 1047 Costs Upon the trial of any such appeal in case the party appellant does not obtain a verdict more favorable than was the report of the viewers [as finally confirmed] the appellant shall not recover any costs

Section 1048 Notices Appeals from the Court Below The court of common pleas shall order what notices shall be given in connection with such proceedings and may by

rule or otherwise prescribe the form of pleadings After verdict and final judgment either party may within three months appeal to the Superior or Supreme Court

Section 1049 Appeals to the Wrong Court Should any appeal under this article be made to the wrong court such court shall certify the appeal to the court to which it should have been taken

Section 1050 Appeal Not to Prevent Filing Liens No appeal taken under this article shall prevent the filing of liens by any township for any assesment made by any such report but upon the final termination of the issue the court shall make such order as to the lien filed as shall appear right and proper

Section 1051 Discontinuance of Proceedings If any township shall repeal any resolution or discontinue any proceedings providing for any improvements prior to the entry upon [taking] appropriation of or injury to any land or property or appropriation of materials the township shall not be liable to pay any damages which have been assessed but all costs upon any such proceedings shall be paid by the township together with any actual damage sustained by reason of such proceeding

Section 1052 Assessments to Bear Interest All assessments for benefits costs and expenses shall bear interest at six per centum per annum from the expiration of thirty days after they shall have been finally ascertained and shall be payable to the treasurer of the township

Section 1053 Damages to Bear Interest The amount of damages allowed in a report of viewers for the taking injury or destruction of land or property by the exercise of the right of eminent domain shall as finally confirmed bear interest at the rate of six per centum per annum from the date of filing of the report

ARTICLE XI

Roads Streets and Highways

(a) Laying Out [Roads Under the General Road Law] Laying Out Opening Widening Straightening Vacating and Relaying Roads Et Cetera Repairs and Detours

Section 1101 [Except as otherwise in this act provided or except as otherwise provided by local or special legislation all roads wholly within or partly within townships shall be laid out widened changed or vacated by the courts of quarter sessions as heretofore in the manner provided by the general road law and the amendments additions and supplements thereto All damages and benefits occasioned by such laying out and the subsequent opening thereof or by any such widening changing or vacation shall be assessed collected and paid in the manner provided by the general road law and the amendments additions and supplements thereto] Power to Lay Out Open Widen Vacate Et Cetera The township supervisors may enact ordain survey lay out open widen straighten vacate and delay all roads and parts thereof which are wholly within the township upon the petition of a majority in interest of the owners of property or properties through whose land such road passes or upon whose land it abuts or without petition of the owners of abutting property if in the judgment of the supervisors it is necessary for the public convenience Such power shall include authority to vacate in whole or in part roads laid out by the Commonwealth where the same have remained unopened for a period of thirty years and also the authority to lay out and open a public road which will be a continuation or extension of a street already opened by an adjacent city or borough

No such road shall be laid out and opened through any burial ground or cemetery nor through any grounds occupied by a building used as a place for public worship or as a public or parochial school or educational or charitable institution or seminary unless the consent of the owner or corporation or person controlling the premises is first secured

Section 16 The said act is hereby amended by adding thereto three new sections known as Sections 1102 to 1104 inclusive as follows

Section 1102 Hearing Report Exceptions thereto View and Notice (a) The supervisors shall give ten days' notice to the property owners affected thereby of the time and place when and where all parties interested may meet and be heard Witnesses may be summoned and examined by the supervisors and by the parties interested at such meeting or any adjournment thereof

(b) After such hearing and a consideration of the matter should the supervisors or a majority thereof decide in favor of exercising the power so conferred they shall make written report together with a draft or survey of the road fixing the width thereof and noting the improvements along the line thereof and the names of the owners of property through which the same shall pass or whereon it shall abut Such report and draft shall be filed in the office of the clerk of the court of quarter sessions

(c) Any citizen or freeholder of the township may within thirty days after the filing of the report of the supervisors upon entering in the court sufficient surety to indemnify them for all costs incurred in the proceedings file exceptions to the report together with a petition for a review

(d) Upon favorable action on such matter by the supervisors and after the expiration of the term allowed for filing exceptions or upon the order of the court upon the disposition of any exceptions if in either case the compensation for the damages or benefits accruing therefrom have not been agreed upon the court of common pleas or any law judge thereof in vacation on application by petition by the supervisors or any person interested shall appoint three viewers from the county board of viewers to assess the damages and benefits occasioned by the proceeding in the manner provided by this act for such proceedings

(e) After the passage or approval of any ordinance by the supervisors for the opening widening straightening extending or vacating any road notice shall within ten days thereafter be given by handbills posted in conspicuous places along the line of the proposed improvement Such notice shall state the fact of the passage or approval of the ordinance and the date of the passage of approval

Section 1103 Width of Public Roads The width of a public road in townships of the second class shall not be less than thirty-three feet or more than one hundred and twenty feet unless in any particular case the supervisors shall determine that a road of lesser width will be sufficient for public use and travel Provided That the limits of width shall not be construed to include the width required for necessary slopes in cuts or fills when the limits of the road and the extra width required for such slopes exceed the limits of width herein specified

Section 1104 Laying Out Roads Under the General Road Law All roads partly within townships of the second class where one of the termini of such roads is without the township shall be laid out widened changed or vacated only by the courts of quarter sessions as heretofore in the manner provided by the general road law and the amendments additions and supplements thereto But no such road shall be opened changed widened altered or vacated unless and until the supervisors of the township shall have passed a resolution consenting and approving thereto and shall have filed with the clerk of said court a copy of such resolution duly certified by the township secretary All damages and benefits occasioned by such laying out and the subsequent opening thereof or by any such widening changing or vacation shall be assessed collected and paid in the manner provided by the general road law and the amendments additions and supplements thereto Provided That all damages occasioned by such laying out and the opening thereof or by the widening changing or vacating of all roads within townships of the second class shall be assessed collected and paid by such townships of the second class

Section 17 Sections 1105 to 1175 inclusive of the said act are hereby reenacted revised and amended to read as follows

(b) Certain Roads Declared to Be Public Roads

Section 1105 Certain Roads Declared Public Roads Every road not of record which has been used for public travel and maintained and kept in repair by the expenditure of township funds for a period of at least twenty-one years and upwards shall be deemed to be a public road of the width of [at least] thirty-three feet notwithstanding the fact that there is no public record of the laying out of such road or a dedication thereof for public use In all such cases the lawful laying out and opening or dedication of such roads of the width hereinbefore specified shall be conclusively presumed

(c) Opening and Repairing Roads Detours Et Cetera

Section 1110 Opening Repairing and Closing Roads Public roads [or highways] in townships shall as soon as may be practicable be effectually opened and constantly kept in repair All public roads [or highways] shall at all seasons be kept reasonably clear of all impediments to easy and convenient traveling at the expense of the township

The supervisors of any township may temporarily close any township road when in their opinion excessive or unusual conditions have rendered such road unfit or unsafe for travel and immediate repair because of the time of year or other conditions is impracticable The road or portion of road so closed shall be properly marked at its extremities and a means of passage for the customary users of such road shall whenever possible be provided

Anyone using such road or portion thereof after the same has been properly closed and marked without a permit from the supervisors shall [be subject to a penalty of not more than one hundred dollars to be recovered] upon convicton thereof in a summary proceeding [and penalties] pay a fine of not more than one hundred dollars and in default of the payment of such fine and costs shall be sentenced to imprisonment of not more than ten days All fines so recovered shall be payable to [the treasurer of the township wherein the offense was committed to be expended in the repair of the roads of] the general township fund

Section 1111 Time Within Which Roads to Be opened Whenever proceedings have been heretofore or may hereafter be begun [in any court of quarter sessions] for the opening and laying out of any public road in any township such public road shall be physically opened upon the ground for use by the public within the period of five years next after the [entry of the final decree confirming said road and not thereafter]

[In the event that the proceeding for the opening and laying out of a public road referred to in this section shall have been completed and a final decree confirming said road shall have been made and such proposed road shall not have been physically opened upon the ground and shall have remained unopened to public use for a continuous period of five years next after the entry of the final decree confirming said road] completion of such proceeding and if not so opened or if no proceedings have been commenced to compel such opening in five years then such proceedings shall be deemed to be void and of no effect and the land proposed to be taken shall revert to the owners of the land as in the case of the vacation of a public road free of any easement or right of the public to use the same

Section 1112 Detours Except in the case of emergencies wherein the safety of the public would be endangered no public road [or highway in] of any township shall be closed to vehicular traffic except upon order of the [authorities] supervisors having charge of the maintenance of such [highways] public road nor for a longer period than is necessary for the purpose for which such order is issued Provided however That no public road [or highway] shall be closed to vehicular traffic when the same has been designated as a detour by the State Department of Highways unless the written consent of the State Department of Highways has first been obtained or unless the [authorities] supervisors having jurisdiction over said road [or highway] shall by resolution duly recorded on their minutes declare such closing necessary for the protection of the public safety

When any public road [or highway] shall be closed as hereinbefore provided it shall be the duty of the supervisors authorizing the closing [to] immediately to designate or lay out a detour on which they shall erect or cause to be erected and maintained while such detour is in use legible direction signs at each public road intersection throughout its entire length [indicating the directions to the main highway] During the period when such detour is in use it shall be the duty of the [authorities] supervisors closing the [main highway] road to maintain such detour in safe and passable condition except in the case of State and county highways It shall also be the duty of the [authorities] supervisors closing the [main highways] road and maintaining the detour [to] immediately to remove all detour signs when the [highway] road originally closed is open for traffic [Said] Except in the case of state and county highways said supervisors shall as soon as possible repair the road designated as a detour and place same in a condition at least equal to its condition when designated as a detour Whenever necessary in the creation of a detour as aforesaid the [authorities] supervisors responsible for laying out the detour may [enter into agreement with the owners of private lands covering the acquisition of] acquire by agreement or right of eminent domain right-of-way privileges over private property for the period when the [main highway] road shall be closed to traffic In the exercise of the rights conferred by this section the [authorities responsible] supervisors are hereby empowered to pay for the necessary maintenance subsequent repair and land rental out of such funds as are available for the construction and [/ or] maintenance of the [highways] roads in their charge

Any person who shall wilfully remove deface destroy or disregard any barricade light danger sign detour sign or warning of any other character whatsoever erected or placed under authority of this section or who shall drive on over or across any [highway] road which has been properly closed [by proper authority] shall upon conviction thereof in a summary proceeding before a [magistrate alderman or] justice of the peace be sentenced to pay a fine of not [less than twenty-five dollars nor] more than one hundred dollars and the costs of prosecution and in default of the payment thereof shall be imprisoned one day for each dollar of fine and costs unpaid Provided however That persons who have no outlet due to the closing of a [highway] road may drive on over or across such [highway] road with the consent in writing of and subject to such conditions as may be prescribed by the [authorities responsible for the closing] supervisors or their agents or contractors without being subject to the penalties imposed by this section

In addition to the penalties [herein provided] imposed by this section the [authorities] supervisors responsible for the maintenance of a [highway] road which has been closed to vehicular traffic or their agents or contractors may in an action at law recover damages from any per-or persons who have damaged a [highway] road by driving on over or across same when it is closed to vehicular traffic in accordance with the provisions of this act

All fines and moneys collected under the provisions of this section shall be paid by the officer receiving the same to the treasurer of the township in which the offense was committed and credited to the general township fund

(d) [Changing] Improving or Vacating [or Altering] Roads by Agreement with Property Owners

Section 1115 Improving or Vacating Roads by Agreement Whenever the supervisors of any township deem it advisable to construct change widen relocate or alter any part of any public road under their supervision [within this Commonwealth] or to vacate any abandoned portion of a State highway not vacated by the Department of Highways and can agree with the property owners

affected by such [change alteration] improvement or vacation they may change widen relocate alter or vacate such part of such public road as contemplated in such agreement without the formality of a view

No such [change or alteration] improvement of any part of any public road shall be made the costs and expenses of which including damages to such township shall exceed [five hundred] one thousand dollars A petition setting forth the facts regarding such [change alteration] improvement or vacation accompanied by a map or draft of the same shall be presented to the court of quarter sessions for approval before such actual [change alteration] improvement or vacation is made whereupon the new location approved by the court shall be taken to be the public road and the old location shall be vacated or the abandoned State highway shall be vacated as the case may be

(e) Elimination of Curves

Section 1120 Elimination of Curves Any township may acquire by purchase or by the right of eminent domain any such property and lands situate along or adjacent to any township [highway] road as in the opinion of the supervisors of such township may be necessary to eliminate dangerous curves and widen narrow roads [or highways] for the better protection and safety to the traveling public

Upon any such purchase or condemnation the supervisors may from time to time abate or remove or cause to be abated or removed any such dangerous curve or curves or widen such narrow [highway] road to the extent of the property and land so acquired

The proceedings for the condemnation of such property or [and lands] land under the provisions of this section and for the assessment of damages for property or land taken injured or destroyed shall be taken in the manner provided by this act for the condemnation of land by townships

[This section shall not be construed to repeal any acts or parts of acts providing a method of procedure for the widening of township roads]

(f) Acquisition of Unobstructed Views at Curves and Intersections

Section 1125 Acquisition of Views Any township may acquire by purchase or by right of eminent domain a free and unobstructed view down and across such lands located at or near the intersection of any two roads or highways or a [highway] road and a railroad or railway or at any curve in any [highway] road as may be necessary to assure a free and unobstructed view in all directions at such crossings or curves and to so prevent the use of such lands for any purpose or in any manner which may interfere with or obstruct the vision of [any person or] persons traveling upon any such highways

Upon any such condemnation the township having had such view condemned may from time to time abate or remove or cause to be abated or removed any obstruction to such view over and across such lands

The proceedings for the condemnation of such view over and across such lands [under the provisions of this act] and for the assessment of damages for property taken injured or destroyed shall be taken in the manner provided in this act

Upon the condemnation of such a view [over and across any such lands] the owner of such lands may make every such use thereof as will not interfere with a free and unobstructed view at such dangerous crossing or curve and unless specially provided for in such condemnation procediengs such condemnation shall not be construed to prevent the owner thereof from using such land for pasture or the growing of grass oats wheat or other crops which will not obstruct the vision more than wheat

(g) Relocation Alteration and Vacation of Roads in or near State Parks

Section 1130 Agreements to Relocate Alter and Vacate Roads in or near State Parks Whenever a public road or highway within a park or public grounds title to which park or public grounds is vested in the State of Pennsylvania is laid out located relocated altered or vacated in such manner that a public road [or highway] approaching leading into or contiguous to such park or public grounds shall become either useless inconvenient or burdensome such public road [or highway] approaching leading into or continguous to such park or public grounds may be altered relocated or vacated by the township supervisors charged with the duty of maintaining such [roads or highways] road in whole or in part for the purpose of making it convenient and suitable as an approach to the roads and highways within said park or public grounds upon the consent and agreement of (a) the commissioners or officials charged with the care and management of said park or public grounds (b) the township supervisors charged with the duty of maintaining said roads (or highways] approaching leading into or contiguous to said park or public grounds and (c) the property owners owning the majority of the frontage of land abutting upon the relocated portion of the road [or highways] approaching leading into or contiguous to said park or public grounds

Section 1131 Agreement to Be Filed in Court Effect of Filing The filing of [the] such consent and agreement [of commissioners or officials charged with the care and management of such park or public grounds the township supervisors and of the property owners] in the court of quarter sessions of the county or counties in which the altered relocated or vacated road [or highway] is situate shall have the same force and effect as the filing and the approval and absolute confirmation by the court of quarter sessions of a report of viewers appointed in accordance with the general road law and shall have the same force and effect as though said viewers had laid out located relocated altered or vacated such road [or highway] in accordance with the agreement filed as aforesaid and the report of said viewers had been filed approved and absolutely confirmed by the court

The filing of said agreement in the court of quarter sessions shall be conclusive as to the question of the necessity of the laying out location relocation alteration or vacation of said [roads or highways] road as contained in the said agreement and that the portion or portions of said road [or highway] abandoned or vacated were useless inconvenient and burdensome

Section 1132 Altered and Relocated Roads Declared Township Roads Such road [or highway] when altered or relocated shall be maintained and repaired in the same manner as other township roads are maintained and repaired

Section 1133 Assessment of Damages The owner of any land through which any public road [or highway] may be so located may apply by petition to the court of quarter sessions of the proper county setting forth the injury which [he or she may have] has been sustained by reason of the relocation of the said public road [or highway] and the proceedings relative to the assessment and payment of damages of said landowner shall be in accordance with the provisions of this act for eminent domain proceedings

(h) Grading or Paving [or macadamizing] Streets or [highways] Roads Upon Petition of Property Owners

Section 1135 Petition of Property Owners Any township may grade curb gutter pave or [macadamize] otherwise improve with brick stone or [other] any suitable materials any public street or [highway] road or part thereof (not less than one thousand feet) laid out and opened in the township No street or [highway] road or any part thereof shall be [graded paved or macadamized] improved under the provisions of this section except upon the petitions of owners of property representing a majority in number of feet front of the properties abutting on the street or [highway] road or part thereof proposed to be [paved] improved nor unless there shall be at least ten separate improved dwellings or places of business in each

one thousand feet of [highway] road to be so improved

Section 1136 Assessment of Cost by Foot Front Rule The cost and expense of any such improvement may be collected from the owners of the real estate abutting on such street or highway or part thereof by an equal assessment on the feet front Such assessment shall be estimated by the [person in charge of the work of] township engineer or if there be no engineer by other competent authority designated by the township supervisors

Section 1137 Collection of Assessments All such assessments for [grading paving or macadamizing] improvement shall be filed with the secretary of the board of supervisors The secretary shall give thirty days' written or printed notice that the assessments are due and payable to each party assessed either by service on the owner or agent or left on the assessed premises If the assessments or any of them remain unpaid at the expiration of said thirty days they shall be placed in the hands of the township solicitor for collection The solicitor shall collect the same together with five per centum additional at attorney's commission and interest from the completion of the improvement by a municipal claim filed against the delinquent owner in like manner as municipal claims are now collected When an owner has two or more lots against which there is an assessment for the same improvements all such lots shall be embraced in one claim

Section 1138 Owner Defined The term "Owner" as used in sub-division (h) of this act means all individuals corporations public or private copartnerships and associations having [any] title [or interest] in the property assessed If the owner to whom notice is required to be given is a non-resident of the township and his her or their place of residence is unknown or if the ownership of the property cannot be ascertained the notice shall be posted on the premises and a copy left with the occupant if there be one

(i) [Deeds of Dedication] Dedicated Roads Streets and Drainage Facilities

Section 1140 Acceptance of Land Dedicated by Deed for [Highway] Road Purposes Plans of Dedicated Roads and Streets The supervisors of any township may accept in the name of the township any land dedicated by deed to the township to be used in any manner for [highway] road purposes No person shall construct open or dedicate any road [street land or alley] or any drainage facilities in connection therewith for public use or travel in any township without first submitting plans thereof to the township supervisors for their approval Such plans shall be prepared in duplicate in accordance with such rules and regulations as may be prescribed by the supervisors and shall show the profiles of such roads [streets lanes or alleys] the course structure and capacity of any drainage facilities and the method of drainage of the adjacent or contiguous territory and also any other or further details that may be required under the rules or regulations adopted by the township supervisors Before acting upon any such plans the supervisors may in their discretion arrange for a public hearing after giving such notice as they may deem desirable in each case The township supervisors are authorized to alter such plans and to specify any changes or modifications of any kind which they in their discretion may deem necessary with respect thereto and may make their approval of such plans subject to any such alterations changes or modifications Any plans when so approved shall be signed in duplicate on behalf of the township by [such officer as] the supervisors [may designate] and an approved duplicate copy shall be filed [in the township office where the same shall be] with the secretary of the township who shall make the same available to public inspection No road [street lane or alley] or [any] drainage facilities in connection therewith shall be opened constructed or dedicated for public use or travel except in strict accordance with plans so approved by the supervisors or with further plans subsequently approved by them in the same manner and [or] until such plan and the approval thereof has been recorded as hereinafter provided

Section 1141 Appeals Where Supervisors Refuse Approval Recording of Approval and Plans (a) In any case where the township supervisors shall refuse to approve any plans submitted to them in accordance with this subdivision any person aggrieved by the action of the supervisors may within thirty days after such action appeal therefrom by petition to the court of quarter sessions of the county which court shall hear the matter de novo and after hearing may enter a decree affirming reversing or modifying the action of the supervisors as may appear just in the premises The court shall designate the manner in which notices of the hearing of any such appeal shall be given to all parties interested The decision of the court shall be final

(b) The action of the township supervisors or of the court on appeal in approving any such plans and an approved duplicate copy of such plans shall be recorded by the person applying for such approval in the office of the recorded of deeds of the county

Section 1142 No Responsibility on Township Where Plans Not Approved If any road [street lane or alley] or any drainage facilities in connection therewith shall be opened constructed or dedicated for public use or travel except in strict accordance with plans approved and recorded as herein provided neither the township supervisors nor any public authorities shall place construct or operate any sewer drain water pipe or other facilities or do any work of any kind in or upon such road [street lane or alley] and neither the township supervisors nor any other public authorities shall have any responsibility of any kind with respect to any such road [street lane alley] or drainage facilities notwithstanding any use of the same by the public Provided however That nothing herein contained shall prevent the laying of trunk sewers drains water or gas mains if required by engineering necessity for the accommodation of other territory

Section 1143 Entry on Lands by Supervisors The township supervisors and their representatives and workmen may enter upon any land and property and maintain marks and monuments so far as the supervisors deem necessary in carrying out their powers and duties [hereunder] under this sub-division

Section 1144 Penalty Any person copartnership or corporation who or which shall construct open or dedicate any road [street lane or alley] or any drainage facilities in connection therewith for public use or travel in any township without having first complied with the provisions of [this subsection] section 1140 of this act and of any resolutions of the township authorities adopted pursuant hereto shall be guilty of a misdemeanor and upon conviction thereof such person or the members of such copartnership or the officers of such corporation responsible for such violation shall be sentenced to suffer imprisonment not exceeding two years or pay a fine not exceeding one thousand dollars or both in the discretion of the court

Section 1145 Effect of Approval of Plans No approval of plans by a township shall obligate or require any such township to construct reconstruct maintain repair or grade such roads until and unless authorized and ordered so to do by the proper court pursuant to the provisions of [existing law in that regard] this subdivision

Section 1146 Powers of State and Counties Preserved Nothing contained in this subdivision shall be held to restrict or limit the State Department of Highways or any county in the exercise of any of its duties powers and functions under the provisions of any act of Assembly now in force or hereafter to be enacted

Section 1147 Taking Over of Roads Streets Lanes and Alleys Heretofore Dedicated as Public [Highways] Roads Whenever plans of dedicated roads streets lanes or alleys located in second class townships have been adopted approved and recorded the board of supervisors of any such township may with the consent of the court of quarter sessions upon petition filed accept any roads streets lanes or alleys as public [highways] roads if

shown in said plans as dedicated to such use and provided the roads or streets shall be not less than thirty-three feet in width and the lanes or alleys not less than fifteen feet in width said acceptance to be evidenced by a resolution of the said board of supervisors properly describing said roads streets lanes or alleys and adopted by a majority thereof by a vote duly recorded and entered upon the minutes of said board Upon the filing with the clerk of courts of quarter sessions of the county in which said township shall be situate a certified and attested copy of said resolution with the consent of the court endorsed thereon such roads streets lanes or alleys shall be and become a part of the public [highway] road system of said township and shall be so recorded in said court of quarter sessions [Provided That in the case of any plans of dedicated roads streets lanes or alleys which was adopted approved and recorded prior to the effective date of this act said roads streets lanes or alleys if dedicated to public use may be taken over as public highways under the authority of and in accordance with the procedure prescribed by this section if said roads or streets are less than thirty-three feet in width and said lanes or alleys are less than fifteen feet in width]

(j) Entry on Private Property to Secure Road Material and to Open Ditches and Drains

Section 1150 Power to Enter on Lands When road material cannot be conveniently obtained by contract at reasonable prices the supervisors of [townships] a township may enter upon any land or enclosure within their township lying near the road and dig gather and carry upon the road any stones sand gravel or other road material which they think necessary to make maintain or repair the road In exercising such right they shall do no unnecessary damage to [the owners of] the land and shall repair any breaches of fences which they make

Section 1151 Viewers to Fix Damages Whenever the supervisors and the owners of [any such materials] the land cannot agree upon the [price to be paid therefor the value of such materials] damages the same shall be assessed by viewers to be appointed and to make report as provided in this act in the case of eminent domain proceedings

Section 1152 Power to Open Drains and Ditches The township supervisors may enter upon any lands or enclosures and cut open maintain and repair such drains or ditches through the same as in their judgment are necessary to carry the water from the roads [streets lanes or alleys]

[If any] Any person who shall stop fill up or injure any such drain or ditch or shall divert or change the course thereof without the authority of the supervisors [such person] shall [for every such offense] upon conviction thereof in a summary proceeding pay a [penalty] fine of not more than twenty-five dollars for each such offense together with the cost of restoring such drain or ditch [to be recovered in a summary proceeding The penalty] and in default of the payment of such fine and costs shall be sentenced to imprisonment of not more than ten days All fines and moneys so recovered shall be paid to the township treasurer

(k) [Highways] Roads Crossing Railroads Special Uses of [Highways] Roads

Section 1155 Railroad Crossings Every township constructing a [highway] road across a railroad shall construct the same above or below the grade thereof unless permitted by the Public [service] Utility Commission to construct the same at grade

Any such crossing of a railroad by a [highway] road or any vacation of any [highway] road crossing a railroad shall be constructed only in the manner prescribed by and under the jurisdiction of the Public [Service] Utility Commission [The] In such cases compensation for damages to the owners of adjacent property taken injured or destroyed shall be ascertained fixed and paid in the manner prescribed in the Public [Service] Utility Law

Section 1156 [Highway] Permits No railroad or Street railway shall hereafter be constructed upon any township [highway] road nor shall any railroad or street railway crossings nor any gas pipe water pipe electric conduits or other piping be laid upon or in nor shall any telephone telegraph or electric light or power poles or any coal tipples or any other obstruction be erected upon or in any portion of a township [highway] road except under such conditions restrictions and regulations and subject to the payment of such fees for permits as may be prescribed and required by the State Highway Department not exceeding the reasonable cost of issuing the permit and expense of inspecting the work authorized by such permit upon completion thereof All fees so collected for permits shall be paid into the State Treasury and shall be credited to [the special fund in the State Treasury into which motor vehicles registration and license fees are now paid and all such permits fees in said fund from time to time are hereby specifically appropriated to the State Highway Department for expenditure for the same purpose and in like manner as that for which the moneys now in said fund may be expended] the Motor License Fund

(l) Guideposts and Index Boards

Section 1160 Duty of Supervisors to Erect The supervisors of [townships] the township shall erect posts at the intersection of all public roads and at one of the angles where any public road crosses another public road and shall firmly fix thereon boards or metal signs with index hands pointing to the direction of such roads [providing that] but if a building tree trolley pole telephone pole or telegraph pole is so erected that it can be used in place of a post and permission has been secured from the owner thereof such building tree or pole may be used in place of a post On such boards and signs shall be inscribed in large and legible characters the name of the town village or place to which such road lead and the distance thereto computed in miles [Provided] Where any such public [highway] road intersects or crosses a State highway application for a permit shall be made by the supervisors to the [State] Department of Highways for the erecting of such signs

Section 1161 Penalty for Destroying Et Cetera It shall be unlawful for any person to wilfully destroy remove injure or deface any guidepost or sign or index board erected upon or near any public street road or bridge by the [authorities of any township or erected with the consent of the authorities having jurisdiction over such street road or bridge] supervisors or by any club association or other organized body for the direction guidance or safety of travelers Any person violating this section shall upon conviction in a summary proceeding be sentenced to pay a fine of [not less than ten dollars and] not more than twenty dollars with [all] costs of prosecution together with the value of such sign so destroyed removed [and] or defaced and in default of such payment shall be sentenced to imprisonment of not more than ten days All fines and moneys so imposed and collected shall be paid to the township treasurer [In default of payment of said fine costs and expenses he shall undergo an imprisonment in the county jail for not less than five nor more than sixty days]

(m) Protection of [Highways] Roads from Snowdrifts

Section 1165 Protection of Highways from Snowdrifts Any township which is responsible for the maintenance of any public road [or highway] shall have authority to enter upon private property adjacent to such public road or highway and place thereon a snow fence at any point [as] which may be deemed necessary to within a limit of one hundred [(100)] feet from the right-of-way line of such public road [or highway] in order to eliminate snow drifting on the traveled portion of the public road [or highway]

No such snow fence shall be placed prior to November first nor shall the same remain in place after April first of the succeeding year unless the written consent of the

owner is obtained agreeing to an extension of time for the removal of said snow fence

If the supervisors shall not be able to enter into an agreement with the owner of adjacent property occupied by such snow fence as to the amount of damages sustained as a result of said fence being placed or removed the owner may petition the court of common pleas of the county for the appointment of viewers to ascertain the amount of damage incurred in such case in the manner provided in this act for eminent domain proceedings Such damages if any when ascertained shall be paid by the township [. Any funds available to the respective authorities for the construction and maintenance of public roads or highways under their supervision shall be available for the payment of such damages] from the general township fund

Whenever any [highways] roads in townships are so located as to render them liable on account of high wind during the winter season to be so filled with snow as to make them impassable and in the judgment of the supervisors such drifts of snow can be avoided by the removal of any fence erected along either side of such [highway] road and replacing the same by a fence constructed of posts wire and boards of rail combined [such] the supervisors may agree with the owners of such fences upon a plan for the erection of such a fence [constructed of posts wire and board or rail combined] The township may pay the owners of such fences a sum not to exceed the first cost of the wire used in the construction of such fences The wire used in the construction of such gences shall be without barbs This section shall not apply to any stone wall hedge or ornamental fence

(n) Grades of Highways

Section 1170 Grades of Highways In the construction or repair of any highway in any township it shall be unlawful to raise such highway above the ordinary grade thereof when a drain or culvert shall be constructed under such highway or when such highway shall be constructed or repaired over such drain or culvert This section shall not be construed in any manner to interfere with the work of the State Department of Highways in the reconstruction or improvement of any State highway or state-aid highway or when a township improves a township road under the direction plans and specifications of the State Department of Highways

(o) Trees and Shrubbery within Limits of [Highway] Road

Section 1175 Saving Trees and Shrubbery Where any [highway in] road of any township passes through or along forested lands wild lands or uncultivated lands no trees growing within the limits of such [highway] road at a distance beyond fifteen feet on either side of the center line thereof and which measures four inches or over in diameter at a point two feet from the surface of the ground shall be cut down or destroyed by the supervisors or roadmasters employed by them or any other persons without first obtaining the consent of the abutting owners

Whenever any [highway] road running through improved or cultivated lands has been opened and there are growing along the roadsides and within the road limits shrubs or trees not in the opinion of the supervisors interfering with public travel no supervisors or roadmasters or other persons in their employ shall remove cut injure or destroy or other any manner interfere with such shrubs or trees If such removal or cutting is [absolutely] deemed necessary for the purpose of maintaining the [highway at its highest efficiency] road the supervisors or roadmasters or other persons in their employ may [so] cut or remove such shrubs or trees after notifying the abutting property owners [and entering into an agreement with them relating to the] of the contemplated removal cutting [or interference with] of said shrubs or trees

Section 18 Section 1176 of the said act is hereby repealed

Section 19 Sections 1177 to 1201 inclusive of the said act are hereby reenacted revised and amended to read as follows

Section 177 Logs and Cordwood Property of Owner All logs cordwood branch wood or other forms of wood which shall be derived from the destruction or removal of any trees growing along the highways shall be surrendered to and remain the property of the abutting owners

Section 1178 Brush and Refuse The supervisors may clear out brush and other refuse from along the sides of the road to the legal width thereof All such clearing and removal of brush and refuse shall be confined to growth that is within the limits herein above described and to the removal of branches that in any way interfere with public travel No other injury by fire cutting abrasion or otherwise shall be done to the standing timber

Section 1179 Penalty Any supervisors roadmaster or person in their employ or any other person who shall cut down kill or injure any living tree growing at a distance beyond fifteen feet on either side of the center line thereof and of a size four inches in diameter or greater at a point two feet from the surface of the ground except as provided in this subdivision or who shall violate any other provision [of the preceding sections] of this subdivision [he] shall upon conviction thereof in a summary proceeding be [subject to a penalty] sentenced to pay a fine of not more than five dollars for every tree so cut injured or destroyed with costs of suit and in default of the payment of such fine and costs shall be sentenced to imprisonment of not more than ten days Such fines shall be paid into the general township fund [If any defendant upon conviction for any offense fails or refuses to pay the fine and costs imposed or does not give bond with approved surety to pay the same within ten days he shall be committed to the county jail for not more than thirty days or until he has paid the fine and costs in full]

Section 1180 Removal of Obstruction Nothing in this subdivision [of this act] shall be so construed as to prevent the supervisors or roadmasters or other persons in their employ from removing such roadside trees which may be thrown down by [the] wind or lodged in such position as to be a menace to public travel or which by reason of any other cause may become a source of danger to the public Every such act of removal shall be made with due regard to the circumstances of the case so as to preserve the true intent and purpose of this subdivision

(p) Obstructions and Nuisances

Section 1185 Obstructions and Nuisances [If any] Any person who shall stop or obstruct any public road [or highway] in any township or [shall] commit any nuisance thereof by felling trees making fences turning the road or in any other way and who shall not on notice given by the township supervisors forthwith remove the obstruction or nuisance and repair the damages done to such road [such person] upon conviction in a summary proceeding shall for every such offense pay a penalty of not more than twenty-five dollars and in default of the payment of such fine and costs shall be sentenced to imprisonment of not more than ten days Nothing in this section shall debar an indictment for any such nuisance as in case of misdemeanor at common law

(q) Opening Making [Amending] and Repairing Highways and Bridges by Contracts with Taxpayers

Section 1190 Taxpayers' Rights Any one or more taxpayers of any township may acquire the right to furnish all the materials and labor necessary for opening making [amending] and repairing the public highways and bridges of such township in manner and under the conditions set forth in this subdivision of this act

Section 1191 Petition to Court To acquire such right such [taxpayers] taxpayer shall before the beginning of the township fiscal year present to the court of quarter sessions a petition setting forth that he [she or it or they are] is the owner of property assessed and taxed for road purposes in such township the approximate number

of miles of public road in such township and the ability of the petitioner [or petitioners] to lay out open make [amend] and repair the public highways and bridges of such township wholly at his [her its or their] own expense for the ensuing township fiscal year and to pay the other expenses of such township as hereinafter provided without any right against or claim upon such township for or by reason of the materials labor or money so furnished

Section 1192 Bond of Petitioners The [petitioners] petitioner shall with the petition present a bond to the township in the sum of ten thousand dollars or in a sum equal to five hundred dollars for each mile of public road in the township whichever shall be greater with one or more sufficient sureties to be approved the court conditioned for the faithful performance of said petitioner [or petitioners] of his [her its or their] duty and to save the township harmless from any loss or claim by reason of failure so to perform said duty

Section 1193 Notice to Supervisors and Auditors Notice of the intention of presenting the petition and bond and of the time when said petition and bond will be presented to the court shall be given to the supervisors and auditors of the township at least ten days before the same are presented

Section 1194 Contracts Stipulations When the petition bond and proof of the notice required in the preceding section are presented to the court the same shall be ordered filed and the court being satisfied of the good faith of the petitioner and the sufficiency of the petition bond and notice shall order and direct the supervisors on behalf of the township to enter into a contract with the petitioner In such contract the petitioner [or petitioners] shall bind [him her or itself or themselves] himself

1 To open make [amend] and repair the public highways and bridges of the township for the ensuing fiscal year in a lawful and workmanlike manner wholly at the expense of the petitioner [or petitioners] and without creating thereby any claim upon or right against the township for or by reason of the materials labor or money for persons employed

2 To indemnify and save harmless the township from all claim damage cost or expense of whatever kind for or by reason of any act or omission of said petitioner [or petitioners] whereby any claim suit or other demand may be set up or recovered against the township

3 To pay within sixty days from the beginning of the fiscal year to the following officers of such township the following sums to be received by said officers in full for all demands against such township for their respective services as such officers of the township for the fiscal years for which the said contract is made which shall be in lieu of the compensation otherwise in this act provided for such officers namely To each township secretary the sum of fifty dollars to each of the auditors of such township the sum of twenty-five dollars to an attorney to be elected by such supervisors as counsel for the township the sum of fifty dollars to each supervisor the sum of two hundred and fifty dollars

Section 1195 No Road Tax to Be Levied In consideration of the obligations set out in the preceding section to be assumed and performed by the petitioner [or petitioners] the supervisors on behalf of such township shall stipulate that the township will not assess levy or collect any tax for road purposes during the fiscal year for which such contract is made

Section 1196 Inspections by Supervisors The supervisors shall view and inspect the making and repairing of the roads in such townships at least once during every month and satisfy themselves that the petitioner has fully complied with their contract before final settlement and expiration of contract If at any time the supervisors shall see that any portion of the roads need repair they shall notify the [petitioner] petitioner to repair the same In case said [petitioners fail] petitioner fails to repair said road within five days after notice the supervisors are empowered to purchase such materials and employ such men as may be necessary to repair such road and charge the same to the petitioner

Article XII

Boundary Roads [and Highways]

(a) Opening Repairing and Improving Roads on Division Line of Townships

Section 1201 Roads Between [Two] Townships of the First Class and Townships of the Second Class Roads [or highways] laid out on a line which divides [two townships] a township of the first class from a township of the second class shall be opened made kept clear and in repair at the joint and equal charge of such townships Any township necessarily incurring more than its due proportion of such charge may recover the excess so incurred from the other township

When any public road is laid out on the line of two townships if the commissioners or supervisors of an adjoining township neglect or refuse to join with the supervisors of the township in opening or repairing such road the supervisors of the township shall open [amend] and repair the road and are authorized to collect a just proportion of the cost of the opening and repairing of such road from the township so neglecting or refusing to join in such opening [amending] or repairing The commissioners or supervisors so neglecting or refusing shall be liable to a penalty of not exceeding fifty to be recovered in a summary proceeding All such penalties when recovered shall be paid into the township road fund

Section 20 The said act is hereby amended by adding thereto a new section known as Section 1202 as follows

Section 1202 Roads Between Two Townships of the Second Class Whenever any road is on the boundary line between two townships of the second class such road shall be constructed improved repaired and maintained jointly by said townships For the purpose of constructing improving repairing or maintaining any such road the supervisors of such townships are hereby directed to enter into an agreement providing the manner in which the same shall be constructed improved repaired or maintained and providing for the division of the cost of maintenance between said townships Such agreement shall be filed with the clerk or clerks of the court or courts of quarter sessions of the county or counties in which such townships are located If any such township shall fail or refuse to enter into any such agreement or if the townships cannot agree any taxpayer or the supervisors of either township may present a petition to the court of quarter sessions of the county or if said townships are in different counties to the court of quarter sessions of either county setting forth the facts and the court after hearing of which such notice shall be given to all parties interested as the court may direct shall make an order directing the manner of such con truction improvement repair or maintenance and the di ision of the cost thereof between such townships The action of the court shall be final

Section 21 Sections 1205 to 1225 inclusive of the said act are hereby reenacted revised and amended to read as follows

(b) Maintenance of Roads Between Townships and Cities or Boroughs

Section 1205 Roads Between Townships and Cities and Boroughs Whenever any road or street is on the boundary line between any township and a city or borough such road or street shall be maintained jointly by the township and the city or borough For the purpose of maintaining any such road or street the authorities of any such township are hereby directed to enter into agreements with such city or borough providing the manner in which the same shall be maintained and providing for the division of the cost of maintenance between the city or borough and township If any such city or borough and township shall fail or refuse to enter

into any such contract or if the city or borough and township cannot agree any taxpayer or the corporate authorities of the township may present a petition to the court of quarter sessions of the county setting forth the facts an dthe court after hearing of which such notice shall be given to all parties interested as the court may direct shall make an order directing the manner of such maintenance and the division of the cost of maintenance between the city or borough and the township The action of the court shall be final

(c) [Highway] Road the Centre Line of Which is the Dividing Line Between Townships and Boroughs or Cities in the Same County

Section 1210 Roads between Townships and Municipalities in the same County Whenever the centre line of any [highway] road or street constitutes the dividing line between a township and any city or borough located in the same county the supervisors of the township may jointly with the county enter into a contract with the city or borough providing for the grading curbing and macadamizing or paving of such [highway] road

Such alteration or improvement shall be constructed and subsequent repairs shall be made under the supervision of the proper authorities of the city or borough in compliance with the laws governing the construction of such alterations or improvements in such city or borough and with plans and specifications to be agreed upon in writing between the supervisors of the township and the city or borough and the commissioners of the county

The cost of any alteration or improvement shall be borne one-half by the city or borough and one-half by the county and township in equal portions

The cost of repairs shall be borne one-half by the city or borough and one-half by the township or by the county and township in equal portions or such other portions as are agreed upon in the joint contract of the township with the county

(d) [Highway] Road the Centre Line of Which Is the Dividing Line Between Townships and Cities in Adjacent Counties

Section 1215 Roads between Townships and Cities in Adjacent Counties Whenever the centre line of any [highway] road constitutes a dividing line between a township and a city located in an adjacent county it shall be lawful for the township supervisors to enter into a contract with the county in which it is located and the city providing for the grading curbing macadamizing or paving of the roadway of said [highway] road the cost thereof to be borne one-half by the city and one-half by the township and the county in which such township shall be situated in equal portions

The said alterations or improvements shall be constructed and subsequent repairs shall be made under the supervision of the proper authorities of the said city in compliance with existing laws governing such construction or improvement in such city and in further compliance with plans and suecifications to be agreed upon in writing between such city and the commissioners of the county and the township supervisors of the said township The cost or repairs shall be borne one-half by the city and one-half by the township or by the county and township in equal portions or such other proportions as may be agreed upon by the county and township

In all cases in which it shall be found impossible to enter into such contract or agreement as is provided for in this section or where either the city or the township or the county in which such township is situated shall refuse to enter into such contract or agreement it shall be lawful for the township to present its petition to the court of common pleas of either county setting forth the facts and circumstances including the condition of the [highway] road from which the necessity or desirability for the grading curbing macadamizing or paving of the roadway appears and the estimated cost thereof and that the terms of the said contract as provided for in this section cannot be agreed upon by the said city and the county or township or either or any of them or that either such city or the county or township or any or either of them refuses to enter into such contract Such petition may pray that such court may after hearing all the parties concerned make its order or decree defining the nature and character of the improvement reasonably necessary or desirable to be made to the roadway and requiring the parties hereinabove specified to enter into a contract or contracts for the making and constructing of the same as herein provided for a copy of the said petition duly certified shall be served upon the city or the county and township concerned other than the petitioner with notice of such day as may be fixed by the court for a hearing Thereupon either or both of the parties served with such notice shall be entitled on or before such date to file in the said court its anwser to the said petition setting forth its version of the facts or such other matters in relation thereto as may be deemed necessary or proper by it The said court upon the date so fixed or at such other times as it may appoint shall hear the evidence of the parties or it may refer the matter to a master who shall hear the testimony of the parties and report his findings in the same manner and under the same procedure as provided by the rules in equity in similar cases to the said court which may reject confirm or modify the same and may make its decree or order directing the making of such alterations or improvements to the roadway as may be deemed necesary or desirable and providing for the sharing of the cost of such improvements one-half by the city and one-half by the county and township in equal portions The said order or decree may further provide that the repairs to such alterations and improvements subsequently required shall be borne one-half by the city and one-half by the county or township in equal portions or such other proportions as between the county and the township as such court may find to be legal and proper and thereupon the said grading curbing macadamizing or paving of the roadway of such [highway] road shall proceed in accordance with the decree or order of the said court in the same manner as if the contract or agreement in this section had been entered into and duly executed

(e) Improvement of Roads or Streets Where More Than One-half of Width is in Township Assessment of Property Outside Limits

Section 1220 Roads more than One-Half in Townships Whenever any road or street [alley or highway] more than one-half of the width of which is within the limits of any township shall divide the said township from any other municipality or township located within the same county such road or street [alley or highway] may be improved by the township within which the greater width is located in the same manner as if the said road or street [alley or highway] were entirely located within the limits of said township

The property abutting on the side of said road or street [alley or highway] which is located outside the limits of the township making such improvements shall for a depth of one hundred and fifty feet plus one-half the width of said road or street [alley or highway] from its center line be assessed for any and all municipal improvements to or on the said road or street [alley or highway] in the same manner as such property would be assessed under the laws of the Commonwealth if it were entirely located within the limits of such city borough or township

(f) Assessment of Property Outside Limits for Street Improvement Were Street Entirely Within Township

Section 1225 Roads Within Township along Division Line Whenever any road or street [or alley] entirely within the limits of any township shall divide such township from any other municipality or township located in the same county the property on the side of the road or street [or alley] opposite the line of such township shall for a depth of one hundred and fifty feet be assessed for municipal improvements on such [streets or alleys] road or street on which property shall abut

Such assessment shall be made in the same manner and in the same proceeding as is used for the assessment of property within such township for such improvement

Section 22 Said act is hereby amended by adding to Article XII thereof a new division and section as follows

(g) Agreements for Improving Roads or Streets forming Bounardies between Townsips and Boroughs

Section 1230 Agreement for Improving Roads or Streets forming Boundaries between Townships and Boroughs Townships may enter into agreements with adjoining boroughs for the grading paving and curbing or macadamizing of roads or streets which may be boundaries between such townships and boroughs and may provide in such contract that the damages costs and expenses of such improvement shall be divided between such townships and boroughs in proportions agreed upon Such agreements shall be filed with the clerk or clerks of the court or courts of quarter sessions in the county or counties in which such townships and boroughs are located

In grading paving and curbing or macadamizing any such roads or streets townships shall exercise such power only upon petition of a majority of the property owners in interest and number abutting the line of the proposed improvement within the township limits to be verified by the affidavit of one of the petitions a majority in interest of owners of undivided interest in any piece of property to be treated as one person asking that such improvement be made

The portion of the damages costs and expenses agreed to be paid by any township shall be ascertained and the benefits incident thereto shall be assessed and collected in the manner provided in this act for the assessment of damages and benefits by viewers

Section 23 Sections 1301 and 1302 of the said act are hereby reenacted revised and amended to read as follows

Article XIII

BRIDGES [and Viaducts]

(a) Over [Creeks Rivulets] Streams Gullies Canals and Railroads

Section 1301 Power to Make and Maintain Bridges The supervisors of townships in making and repairing the roads shall make and maintain within their township sufficient bridges over all [small creeks rivulets deep] streams gullies canals and railroads where [the same is] such bridges are necessary for the ease and safety of travelers Such bridges shall be deemed to be a part of the road

[Such bridges over canals or railroads shall not obstruct the railroad or canal over which it is built Nothing in this section shall release railroad or other companies or the Commonwealth from the requirements of existing laws]

Section 1302 Damages [In] All damages in the construction and maintenance of such bridges [all damages] shall be awarded and benefits assessed as part of the proceeding to lay out open make or repair the road of which the bridge is a part

Section 24 The said act is hereby amended by adding thereto a new section known as Section 1303

Section 1303 Where Bridge is over Railroad or Canal If a bridge is built over a railroad or canal such bridge shall not obstruct the same Nothing in this article shall release any railroad or other companies from the requirements of existing law

Section 25 Section 1305 of the said act is hereby reenacted revised and amended to read as follows

(b) Over Streams Railroads and Canals on Township Boundaries

Section 1305 Bridges on Division Line of Townships Where a [small creek] stream or gully a railroad or a canal over which a bridge is necessary is on the boundary line of two townships or of a township and a municipality the bridge shall be built and maintained [at the joint and equal expense of the townships by their respective commissioners or supervisors] in the manner directed by this act in the case of public roads which [may be] are on the division line [of] between townships or townships and municipalities

Section 26 Sections 1306 and 1307 of said act are hereby repealed

Section 27 Section 1310 of said act is hereby reenacted revised and amended to read as follows

(c) Maintenance Repair and Rebuilding of Bridges Built by County

Section 1310 County Bridges Whenever a bridge or part thereof has been built by the county or the whole or part of the money necessary to build it has been furnished by the county and the bridge has not been entered on record as a county bridge such bridge shall be maintained kept in repair and rebuilt when necessary by the township or townships in which or on the boundary line of which it is located without rendering the county liable for the same

Section 28 Subdivision d and Section 1315 of Article 13 of the said act is hereby repealed

Section 29 Sections 1401 to 1403 inclusive of the said act are hereby reenacted revised and amended to read as follows

Article XIV

Sidewalks and Footpaths

Section 1401 Power of Supervisors to Establish width and Location of Sidewalks Consents in Certain Cases The supervisors of any township upon the request of any landowner whose land fronts upon a public road or highway within such township may establish the width grade and location for a sidewalk along one or both sides of said road or highway along the lands of such owner [The width of the walk on each side of said highway shall not be less than six feet for roads fifty feet in width or less and for roads over fifty feet in width shall be ten feet in width] When said sidewalks are so established such landowners shall pay for and keep the same in repair

In case the [street or] highway is a State or county highway [or a county road] the written consent of the Department of Highways or the county commissioners as the case may be shall first be obtained

Section 1402 Construction of Sidewalks Upon Petition of Property Owners The township supervisors may construct sidewalks or curbs or both of [board plank or cement or other] suitable material along the roads or highways through towns and villages in such townships upon the petition of owners of property representing a majority in number of feet front of the properties abutting on the roads or highways where such sidewalks or curbs are to be constructed Whenever any such petition is filed with the supervisors the owners of the property shall be given notice by the supervisors to construct such sidewalk or curb and in case of the failure of the owner to complete such sidewalk or curb within a period of [thirty] sixty days after the receipt of such notice the supervisors may construct such sidewalk or curb as herein provided Whenever any sidewalks or curbs are constructed by the supervisors the expense of the construction of such sidewalk or curb shall be paid by the abutting property owners in proportion to their frontage If such owners fail to so pay the expenses of the construction of such sidewalks or curb the township supervisors may recover the amount by action of assumpsit or may file municipal liens therefor against the abutting properties in the manner provided by law for the filing and collection of municipal liens

Section 1403 Power to Establish Grades and Width of Sidewalks or Footpaths Supervisors of townships may regulate by resolution the grade and width of sidewalks or footpaths constructed along the roads or highways in such townships and shall have general supervision over the same and may establish a grade or grades for [footways or] sidewalks or footpaths which grade or grades may be separate and apart from the grade or grades established for the cartway or roadway

Section 30 The said act is hereby amended by adding thereto a new section known as Section 1404

Section 1404 Sidewalks or Footpaths by Township Whenever it shall appear to the supervisors that any part or portion of any road or highway is dangerous to the traveling public and such danger could be materially reduced or lessened by the construction of a sidewalk or footpath the supervisors shall have the right to lay out and construct a sidewalk or footpath along such dangerous portion of said road or highway of such materials as they shall deem advisable and to expend moneys from the general fund of the township therefor In case the highway is a state or county highway the written consent of the Department of Highways or the county commissioners as the case may be shall first be obtained

Section 31 Sections 1501 to 1511 inclusive are hereby reenacted revised and amended to read as follows

Article XV

Sewers and Drains

(a) Establishing and Constructing Sewer and Drainage Systems Sewer Connections and [Rates] Charges Disposal of Sewage Assessment of Cost of Construction

Section 1501 Power to Establish and Construct Sewers and Drains [Sewer Rentals] Townships may establish and construct a system of sewers and drainage locating the same as far as practicable along and within the lines of the public roads of the townships as seems advisable to the board of supervisors The supervisors may permit and where necessary for the public health require adjoining and adjacent property owners to connect with and use the same In case any owner [or owners] of property adjoining or adjacent to such sewer shall neglect or refuse to connect with and use said sewer for a period of [thirty] sixty days after notice to do so has been served upon him [or them] by the supervisors either by personal service or by registered mail said supervisors or their agents [employes and servants] may enter upon such property and construct such connection [or connections] In such case the supervisors shall forthwith upon completion of the work send an itemized bill of the cost of construction of such connection [or connections] to the owner [or owners] of the property to which connections has been so made which bill shall be payable forthwith In case of neglect or refusal by the owner [or owners] of such property to pay said bill it shall be the duty of the township supervisors to file municipal liens for said construction within six months of the date of completion of the construction of said connection [or connections] the same to be subject in all respects to the general law providing for the filing and recovery of municipal liens [All persons so connecting shall pay in addition to the cost of making such connection a monthly or annual rate prescribed by a resolution of the board of supervisors Such monthly or annual rate shall constitute a lien until paid against the property so connecting with such system and the amount thereof may be recovered by due process of law

Nothing in this section shall be construed to repeal or modify any of the provisions of the Public Service Compnay Law]

Section 1502 Notice of Contemplated Construction Protests by Property Owners No sewer drain or system [of sewers or drains] thereof shall be constructed under the provisions of this [subdivision] Article unless a resolution or ordinance of the board of supervisors authorizing the same shall be published in a newspaper of general circulation published in the county in which the township is situated once a week for three successive weeks If [within] before the expiration of twenty days after the last publication [or at any time during the period of publication] taxpayers of the township or the affected sewer district if such district has been constituted as hereinafter provided whose property valuation as assessed for tarable purposes within the township or district shall amount to fifty per centum of the total property valuation [as assessed] for [taxable] such purposes [within the township] of the township or sewer district as the case may be shall sign and file in the office of the prothonotary of the court of common pleas of the county in which the township is located a written protest against the construction of such sewer [sewer] drain or system [or drain] thereof then the construction authorized by such resolution or ordinance shall not be undertaken or proceeded with

Section 1503 Location of Sewers on Private Property Where it is reasonably impracticable in the judgment of the supervisors in any part of such system to carry such sewers or drains along the lines of public roads they may locate and construct so much of the same as is necessary through private lands and acquire the necessary land or right of way for such purpose by gift or by the exercise of the right of eminent domain

Section 1504 Treatment Works and Facilities Therefor Eminent Domain The supervisors shall make the necessary provision for the disposition of the sewage and drainage within or for carrying the same beyond the limits of the township and to this end they are hereby authorized to enter into contracts with other municipalities and other corporations or persons to purchase acquire enter upon take appropriate occupy and use such lands rights and interests therein within the corporate limits of other townships or boroughs as shall be necessary for the proper location construction maintenance use and operation of sewer mains drains or treatment works including such lands rights and interests therein as shall be necessary for future additions to and enlargements of such sewerage or drainage facilities and as may be necessary to carry out the plans and specifications upon which a permit has been issued by the Secretary of Health in accordance with [the provisions of the act of April twenty-second one thousand nine hundred and five (P. L. 260) entitled "An act to preserve the purity of the waters of the State for the protection of public health" and of "The Administrative Code"] law

Section 1505 Entry on Lands to Mark Sewer Routes Damages In the event of inability to agree with the owners either for the land necessary for so much of the line of sewers and drains as are not located upon public roads or for so much land as is required for the disposition of the sewage the supervisors may enter upon said land and mark thereon the route and width necessary for the construction of the line of sewers or drains or the boundaries of so much land as is necessary for disposition of such sewage and occupy the said land for such purposes For all damage done or suffered or which accrues to the owner or owners of such land by reason of the taking of the same the [funds] general fund of the township [raised by taxation] shall be pledged and deemed as security Such damages shall be determined by viewers in the manner provided in this act for eminent domain proceedings

Section 32 Section 1506 of the said act is hereby repealed

Section 33 Sections 1507 to 1511 inclusive of the said act are hereby reenacted revised and amended as follows

Section 1507 Cost of Construction How Paid The cost of construction of any such system of sewers or drains constructed by the authority of this subdivision [of this act] shall be charged upon the properties accommodated or benefited thereby to the extent of such benefits in the manner hereinafter provided

The township supervisors may finance the cost of construction of any such system of sewers or drains by the issuance of general obligation bonds of the township within the constitutional and statutory limitations for the incurring or increasing of indebtedness and pursuant to the provisions of [the law] law relating to the borrowing of money by political subdivisions [Any general obligation bonds issued for such purpose or purposes shall be supported by the levy of a general tax sufficient for the payment of the interest thereon together with any taxes covenanted to be paid thereon and the principal of such bonds at maturity] Where general obligation bonds are so issued the supervisors shall nevertheless be required

to assess the cost of the construction of such sewers or drains to the extent permitted by law against the properties accommodated or benefited by such improvements as hereinbefore provided and to deposit the proceeds of such asssessments in the sinking fund established for the purpose of retiring such general obligation bonds

Nothing in this section shall be construed to prevent the financing of the cost of such construction under the provisions of the "Municipal Authorities Act of 1945" and any amendments thereto

Section 1508 Sewer Districts Township to Pay Non-Assessable Portion of Cost Whenever a sewer or drainage system is constructed by a township for the accommodation of a certain portion only of the township the supervisors of such township may at any time before or after said construction constitute the territory accommodated into a sewer district or divide it into several sewer districts In every such case of division into several districts the supervisors shall make an estimate of the proportion of the cost of the sewer system which should equitably be charged on each of said districts and declare and establish such apportionment by resolution

In all cases where a sewer or drainage system is constructed by a township for the benefit of a certain portion only of the township and the cost of main sewers pumping stations pressure lines et cetera is charged against the sewer district or sewer districts as herein provided the total amount charged to each district may be assessed to the district by an assessment upon each lot or piece of land in said district in proportion to its frontage abutting on the sewer or by an assessment upon the several properties abutting on the sewer in proportion to benefits or [the total amount charged to each district may be assessed] upon the properties connected with and using said sewers as sewer rentals in the manner provided by law for the assessment of sewer rentals or each lot or piece of ground abutting upon said sewer may be assessed in proportion to its frontage or according to benefits the cost of a local sewer and the balance of the amount charged against the district may be assessed upon the properties connected with and using said sewer as sewer rentals in the manner provided by law for assessment of sewer rentals No district shall be charged with more than its due proportion of the cost of the main sewers pumping stations et cetera used jointly by more than one district [the aggregate amount charged on property in any such district shall not exceed the amount of such estimate] Where the whole of the township is accommodated by the system it may also be treated as a single district or dividend into districts and be subject to the foregoing provisions

[Any amount not legally chargeable upon properties benefited shall be paid out of the general township fund]

Section 1509 Manner of Assessment The charge for any such sewer or drain construction in any township shall be assessed upon the properties accommodated or benefited in either of the following methods

(a) By an assessment pursuant to a resolution or ordinance of the board of supervisors of each lot or piece of land in proportion to its frontage abutting on the sewer or drain allowing such equitable reduction in the case of properties abutting on more than one sewer or drain as the resolution or ordinance may specify No assessment by frontage shall be made on properties of such a character as not to be lawfully subject to such manner of assessment and each abutting property shall be assessed with not less than the whole amount of the benefit accruing to it and legally assessable or

(b) By an assessment upon the several properties abutting on the sewer or drain in proportion to benefits The amount of the charge on each property shall be ascertained as hereinafter provided

When a township is divided into sewer districts the assessment in each district may be by different methods

Section 1510 Procedure for Assessment of Benefit In all cases where the board of supervisors shall select the method provided by subdivision (b) of the foregoing section they shall petition the court of common pleas for appointment of viewers to assess benefits In all cases where they shall neglect for a period of three months after the completion of the sewer or drainage system to either [ordain] make assessments by frontage or present petition for appointment of viewers taxpayers of the township whose property valuation as assessed for taxable purposes within the township shall amount to fifty per centum of the total property valuation [as] so assessed [for taxable purposes within the township] may present a petition to the court of common pleas of the [proper] county for the appointment of viewers to assess benefits and in all cases where such taxpayer shall within three months of the adoption of a resolution or ordinance levying an assessment under the method provided by subsection (a) of said foregoing section by petition state to said court that such assessment insufficiently represents the benefits accruing to abutting properties they may include in such petition a prayer for the appointment of viewers to assess benefits In either case the court shall thereupon appoint three disinterested persons from the board of county viewers [neither] none of whom shall be resident of that portion of the township which is accommodated by the sewer or drainage system in question and the viewers so appointed shall proceed as provided in this act for proceedings for the assessment of damages and benefits by viewers The aggregate of the assessments in any sewer district shall not exceed the amount charged to such district for its share of the cost of the sewer or drain construction unless the same shall by petition of taxpayers whose property valuation as aforesaid shall amount to fifty per centum of the total property valuation as assessed for taxable purposes within the township presented within three months after the adoption of a resolution or ordinance providing for an assessment by frontage be stated to insufficiently represent the amount of benefits to such properties in which case the proceedings by taxpayers authorized above shall be applicable Upon the filing of such a petition by taxpayers as aforesaid for appointment of viewers any assessment made by the supervisors and any proceedings thereunder shall be [null and void] stayed pending the disposition of the petition by the court

Section 1511 Liens for Assessments Costs of Proceedings After the amount of the assessment charged upon the several properties has been established either by resolution or ordinance making assessments according to frontage or by confirmation of any report of viewers in whole or in part [it shall be the duty of the township supervisors to file municipal liens for the assessments covered by such resolution or confirmation within the time and in the manner provided by law the same to be subject in all respects to the general law providing for the filing and recovery of municipal liens The] the amounts of all assessments shall be payable to the township treasurer for the use of the sewer district or districts or the township as the case may be in which they are assessed The supervisors shall [also] make out bills for the amounts charged against each property which shall be forthwith sent to all property owners residing in the township and mailed to all such owners residing elsewhere whose address is known If any such assessment is not paid within sixty days after the mailing of a bill therefor the supervisors shall cause it to be collected by action of assumpsit or such assessment shall be collected in the manner provided for the filing and recovery of municipal claims

The costs of publication of notices in proceedings before viewers shall be paid by the township upon presentation of bills approved by the court

Section 34 The said act is hereby amended by adding thereto a new section known as Section 1512 as follows

Section 1512 Sewer Rentals All persons whose property connects with a system of sewers or drains shall pay to the township treasurer in addition to the cost of making such connection a monthly quarterly semi-annual or annual charge prescribed by a resolution of the board of

supervisors Such monthly quarterly semi-annual or annual charge or charges shall constitute a lien until paid against the property so connecting with such system and the amount thereof may be recovered by due process of law

Nothing in this section shall be construed to repeal or modify any of the provisions of the Public Utility Law

Section 35 Subdivisions b and c of Article XV and Sections 1515 and 1520 of the said act are hereby repealed

Section 36 Sections 1525 to 1531 inclusive of the said act are hereby reenacted revised and amended as follows

[(d)] (b) Sewers Under State and County Highways

Section 1525 Consents Necessary Townships may construct sewers and drains in [and] or under any county or State highway [or State-aid highway] within the township boundaries In case of the construction of sewers [upon] or drains in or under county highways the consent of the county commissioners of the county shall first be obtained and in case of the construction of sewers [upon] or drains in or under any State highway [or State-air highway] the consent of the Secretary of Highways shall first be obtained

Section 1526 Assessment of Cost Whenever sewers or drains have been or shall be laid or constructed by any township in [and] or under [such] state or county highways [such] the township unless the same can be agreed upon may ascertain levy and collect the costs and expenses of the construction thereof from the abutting property holders by viewers in accordance with the provisions of this act relating to the assessment of damages and benefits by viewers

[(e)] (c) Connecting with Sewer of Adjoining Municipality

Section 1530 Agreements for Connections Appointment of viewers Any Township may by agreement connect with an existing sewer owned by any adjacent municipality for sewage purposes in the following manner

[An application shall be made] A petition shall be presented by the board of supervisors to the court of quarter sessions setting forth [that fact] the facts The court shall fix a day for hearing upon such petition and shall direct such public notice to all parties interested therein as to it shall seem desirable If after hearing the court shall be of the opinion that such connection can be made without impairing the usefulness of the existing sewer it shall appoint three viewers who shall view the premises and investigate the facts of the case and shall assess the necessary costs and expenses of making the connection and the proportionate part of the expense of building the original sewer upon such township and shall fix the proportion of the expense for repairs which the municipality and the township shall thereafter bear and determine all other questions liable to arise in connection therewith

Section 1531 Report of Viewers The viewers shall report to the court the result of their investigation which report shall be confirmed within thirty days unless exceptions thereto are filed [After confirmation of such report or] from the disposal of [any] which exceptions any party interested may appeal [from the decision of the court of quarter sessions] to the Superior Court as in other cases

Section 37 Section 1532 of the said act is hereby repealed

Section 38 Sections 1535 to 1545 inclusive of the said act are hereby reenacted revised and amended as follows

[(f)] (d) Acquisition of Sewer Systems

Section 1535 Acquisition Any township in which any person [firm or corporation] is maintaining sewers and culverts with the necessary inlet and appliances for surface and under-surface and sewage drainage may become the owner of such sewers culverts inlet and appliances by paying therefor the actual value of the same at the time of the taking by the township

In case the supervisors of the township cannot agree with the owners of such sewers as to the price to be paid therefor the supervisors may enter upon and take passession of such sewers culverts inlets and appliances For all damage done or suffered or which accrues to the owner [or owners] of such sewer by reason of the taking of the same the [funds] general fund of the township [raised by taxation] shall be pledged and deemed as security such damages to be determined by viewers in the manner provided by this act for eminent domain proceedings If any sewer or sewer system is acquired by purchase under the provisions of this section the cost of such acquisition may be redistributed or assessed in the same manner as if such sewer or sewer system had been constructed by such township under the provisions of this act

[(g)] (e) Joint Sewers and Drains

Section 1 0 [Building] Joint Sewers (a) Townships may jointly with [municipalities] cities boroughs or other townships build and construct sewers including trunkline sewers or drains and sewage treatment works and may connect into such system existing sewers and may assess their respective portions of the cost thereof or so much thereof as may be legally assessable upon property benefited by the improvement as is provided in the case of townships by sections one thousand five hundred and nine one thousand five hundred and ten and one thousand five hundred and eleven of this act Any portion of the cost of such an improvement not assessed or not assessable shall be paid by the respective townships cities and boroughs joining as may be agreed upon

(b) The townships cities and boroughs joining or contemplating joining in any such improvement in order to facilitate the building of the same and in securing preliminary surveys and estimates may by [resolution or] ordinance provide for the appointment of a joint sewer board composed of one representative from each of the townships cities and boroughs joining which shall act generally as the advisory and administrative agency in the construction of such improvement and its subsequent operation and maintenance The members of such board shall serve for terms of six years each from the dates of their respective appointments and until their successors are appointed The [joint sewer] board shall organize by the election of a chairman vice-chairman secretary and treasurer The several township cities and boroughs may in the [resolutions and] ordinances creating the [joint sewer] board authorize [the board] it to appoint an engineer a solicitor and such other assistants as are deemed necessary and agree to the share of the compensation of such persons each township city and borough is to pay The members of the [joint] sewer board shall receive such compensation for attending its meetings [of the board] as shall be fixed in the budget prepared by the board [for submission] and submitted to and [adoption] adopted by the several townships cities and boroughs as hereinafter provided [and the] The budget item providing for the compensation to members for attending meetings shall not exceed a total of two hundred and fifty dollars [$250] per year [and no member shall be paid unless he actually attends and the fee for each such attendance shall be stipulated and] but the members in addition thereto shall be entitled to actual expenses to be paid by the respective townships cities and boroughs which such members represent The fee for each attendance at meetings shall be stipulated and no member shall be paid such fee for any meeting which he does not attend

(c) The joint sewer board shall have power to adopt rules and regulations to govern its proceedings and shall prepare and suggest any practical measures and plans by means of which the joint improvement may be carried to successful completion and the future development of the system so as to conform to a general plan assured and safeguarded It shall have power to prepare a joint agreement or agreements for submission to and adoption by the several townships cities and boroughs defining the advisory and administrative powers of the board setting forth the consents of the several townships cities and boroughs to the proposed improvement the manner which shall not be inconsistent with the provisions of this act in which preliminary and final plans specifications and estimates for the proposed improvement shall be prepared and adopted [how] and in which proposals for bids shall be advertised and contracts let the manner in which the

costs of the improvement and other incidental and preliminary expenses in connection therewith and the future cost of operation and maintenance shall be equitably shared apportioned and paid and all such other matters including the preparation and submission of annual and other budgets as may be deemed necessary or required by law to carry the proposed improvement to completion and to assure future maintenance and operation thereof But nothing herein contained shall authorize the board to make any improvement or expend any public moneys which has not first been authorized by all of the townships cities and boroughs proceeding with the improvement

(d) In any case where it shall be necessary to acquire appropriate [injure] damage or destroy private property [(lands property or material)] to build any such joint sewer improvement and the same cannot be acquired by purchase or gift the right of eminent domain shall vest in the township city or borough where such property is located In any such case where it shall be necessary to acquire [injure] damage or destroy property in any territory not within the limits of any of the townships cities or boroughs joining in the improvement then the right of eminent domain shall be vested in any township city or borough adjacent to such territory where such property is located Damages for any property taken [injured] damaged or destroyed shall be assessed as provided by the general laws relating to the township cities or boroughs exercising the right of eminent domain and shall be paid by the several townships cities and boroughs joining in the same proportion as other costs of the improvements

Section 1541 State Permit No such sewer or plant shall be constructed until plans and specifications have been submitted to the State Department of Health and approved in accordance with law [provisions of the act of April twenty-second one thousand nine hundred and five (page two hundred and sixty) entitled "An act to preserve the purity of the waters of the State for the protection of the public health"]

[h] (f) Non-Debt Revenue Sewer Bonds

Section 1545 Sewer Bond For the purpose of financing the cost or expense or its share of the cost or expense of constructing or acquiring a sewer sewer system or sewage treatment works either singly or jointly with [other municipalities] cities boroughs or other townships [or both] any township may issue and sell in accordance with the provisions of the Municipal Borrowing Law non-debt revenue bonds secured solely by a pledge in whole or in part of the annual rentals or charges for the use of such sewer system or sewage treatment works [said bonds shall not pledge the credit nor create any debt nor be a charge against the general revenues nor be a lien against any property of the township but shall be a lien upon and payable solely from the annual rentals or charges for the use of said sewer sewer system or sewage treatment works

Whenever any township has enacted an ordinance or resolution imposing a sewer rental or charge upon properties to be served by such sewer system or sewage treatment works when the same is completed and has pledged sufficient of the revenues to be derived therefrom for the payment of the interest and sinking fund charges on such non-debt revenue bonds it shall have power to authorize the issue and sale of such non-debt revenue bonds from time to time as the work of construction proceeds and sufficient additional non-debt revenue bonds as may be necessary may be issued and sold to provide for the interest and sinking fund charges accruing thereon until said sewer system or sewage treatment works has been completed and has been in operation for not exceeding one year in order to provide sufficient revenues until such time as sewer rentals or charges may be collected from the owners of properties being served

Nothing in this section shall be construed to abridge or restrict or in any way impair the right of any township to create indebtedness in accordance with existing laws]

Section 39 Sections 1550 and 1551 of the said act are hereby repealed

Section 40 Sections 1601 to 1612 of the said act are hereby reenacted revised and amended as follows

Article XVI

Water Supply and Waterworks

Section 1601 Contracts With Water Companies and Municipalities The supervisors of any township may be contract with any private corporation or any adjacent municipality owning a waterworks system provide for a supply of water for public and private uses [to be delivered into the lines of the township at or near the boundary thereof or] to be delivered through lines owned by such company or municipality within such township or any part thereof The contract shall provide how and in what manner the cost of such water service shall be paid by the consumers thereof

Section 1602 Water Lines and Connections Township supervisors shall have full power to contract with any private corporation or any adjacent municipality owning a waterworks system to provide for a supply of water for public and private uses to be delivered into the lines of the township at or near the boundary thereof In such case the supervisors shall have the power by contract to lay water lines and to provide for extensions thereof and to regulate the making of connections therewith [or to contract or enter into agreements with any private water company or municipality for the laying of water lines within the limits of such township or any part thereof]

Section 1603 [Expeditures of Township Moneys] Water Rents The township supervisors are authorized to [expend moneys of the township for the purpose of providing such water lines and connections and for the purpose of providing a supply of water for private and public use They may] provide for the collection of water rents from users of [such] water supplied by the township [or may enter into contracts or agreements with private corporations and municipalities supplying such water for the collection by such private corporations and municipalities of water rents from such users]

Section 1604 Distribution System State Permit The supervisors of any township may by [resolution] ordinance provide acquire establish regulate and protect any system of distribution of water for private and public use after a certified copy of the plans and surveys for such system with a description of the sources from which it is proposed to derive the supply are filed with the Department of Health and a written permit for the construction of such system obtained from the Secretary of Health in accordance with [existing] law

Section 1605 Occupation of Highways In providing for regulating protecting and extending its system of distribution of water the township may occupy public highways but no highway under the jurisdiction of the [State] Department of Highways shall be occupied until a permit therefor has been obtained from [the Department of Highways of the Commonwealth] such department nor any highway under the jurisdiction of the county until a permit therefor has been obtained from the county commissioner

Section 1606 Joint Construction Acquisition or Maintenance of Works [with a Borough] Any township may [unite] join with a city borough or another township of either the first or second class in the construction or acquisition and maintenance of works for the supply of water The construction of such waterworks shall be commenced only after plans for such waterworks have been filed with the [State Secretary] Department of Health and the Water and Power Resources Board and [a permit] permits issued in accordance with [the act of Assembly of April twenty-second one thousand nine hundred and five (page two hundred sixty) entitled "An act to preserve the purity of the waters of the State for the protection of the public health" and after a permit has been issued by the Water and Power Resources Board for the construction of any dam in accordance with the act of the twenty-fifth day of June one thousand nine

hundred and thirteen (P. L. 555) entitled "An act providing for the regulation of dams or other structures or obstructions as defined herein in along across or projecting into all streams and bodies of water wholly or partly within or forming part of the boundary of this Commonwealth vesting certain powers and duties in the Water Supply Commission of Pennsylvania for this purpose and providing penalties for the violation of the provisions hereof"] law

Section 1607 Commission of Waterworks [Whenever any township unites with a borough in the construction or acquisition and maintenance of waterworks the supervisors of such township after the passage of a resolution to that effect may join with the councils of such boroughs now authorized by the General Borough Law so to join and apply to the court of common pleas for the appointment of a commission of waterworks Such commission shall be composed of citizens of each of the boroughs and townships so uniting] The townships cities and boroughs joining in any such improvement in order to facilitate the building of the same and in securing preliminary surveys and estimates may be ordinance provide for the appointment of a joint commission of waterworks composed of one representative from each of the townships cities and boroughs joining which shall act generally as the advisory and administrative agency in the construction of such improvement and its subsequent operation and maintenance. The members of such board shall serve for terms of six years each from the dates of their respective appointments and until their successors are appointed The commission shall organize by the election of a chairman a vice chairman secretary and treasurer The several townships cities and boroughs may in the ordinances creating the commission authorize it to appoint an engineer a solicitor and such other assistants as are deemed necessary and agree to the share of the compensation of such persons each township city and borough is to pay The members of the commission shall receive such compensation for attending its meetings as shall be fixed in the budget prepared by the commission and submitted to and adopted by the several townships cities and boroughs as hereinafter provided The budget item providing for the compensation to members for attending meetings shall not exceed two hundred and fifty dollars per year but members in addition thereto shall be entitled to actual expenses to be paid by the respective townships cities and boroughs which such members represent The fee for each attendance at meetings shall be stipulated and no member shall be paid such fee for any meeting which he does not attend

Section 1608 Public [Service Company] Utility Law Saved Nothing contained in this article shall be construed to repeal or to supersede any of the provisions of the Public [Service Company] Utility Law

Section 1609 Water Districts Application of Taxpayers Whenever the taxpayers of any section of a township whose property valuation as assessed for taxable purposes within such section shall amount to fifty per centum of the total property valuation as assessed for taxable purposes within such section shall by petition so request the supervisors of such township shall constitute such section into a water district or divide it into several water districts In every case of division into several districts the supervisors shall [make an estimate of] determine the proportion of the cost of the water system which should equitably be charged on each of said districts and declare and establish such apportionment by resolution No district shall be charged with more than its due proportion of the cost of the main pipe lines pumping stations et cetera used jointly by more than one district [the aggregate amount charged on property in any such district shall not exceed the amount of such estimate

Any amount not legally chargeable upon properties benefited shall be paid out of the general township fund]

Section 41 The said act is hereby amended by adding thereto a new section known as Section 1609.1

Section 1609.1 Non-Debt Revenue Bonds Water Rents Where a township contracts to lay water lines or extensions thereof as provided in Section One thousand six hundred two or provides acquires or establishes any water system as provided in Section One thousand six hundred four or unites with any city borough or other township in the construction and acquisition of works for the supply of water as provided in Section one thousand six hundred six or provides for the construction of a water system in any water district as provided in Section one thousand six hundred nine the supervisors shall have power to issue and sell in accordance with the provisions of the Municipal Borrowing Law non-debt revenue bonds secured solely by a pledge in whole or in part of the rentals or charges for water service and for such purposes the supervisors shall have power to provide for the collection of water rents from users of such water service sufficient in amount for the payment of interest and sinking fund charges on such non-debt revenue bonds and the cost of furnishing water service

Section 42 Sections 1610 to 1612 inclusive of the said act are hereby reenacted revised and amended to read as follows

Section 1610 [Manner of] Assessment [The charge for any such water system construction in any township shall be assessed] In lieu of issuing and selling non-debt revenue bonds as provided in Section one thousand six hundred nine point one of this act the township supervisors may provide for the payment of the cost of water lines or water system in the township or in districts thereof by an assessment upon the properties accommodated or benefited in either of the following methods

(a) By an assessment pursuant to resolution or ordinance of the board of supervisors of each lot or piece of land in proportion to its frontage abutting on the mains allowing such reduction in the case of properties abutting on more than one main as the resolution or ordinance may specify No assessment by frontage shall be made on properties of such a character as not to be lawfully subject to such manner of assessment and each abutting property shall be assessed with not less than the whole amount of the benefit accruing to it and legally assessable or

(b) By an assessment upon the several properties abutting on the mains in proportion to benefits The amount of the charge on each property shall be ascertained as hereinafter provided

When there is more than one district the assessment in each district may be by different methods

Section 1611 Procedure for Assessment of Benefits In all cases where the board of supervisors shall select the method provided in subsection (b) of the foregoing section they shall petition the court of common pleas for appointment of viewers to assess benefits In all cases where they shall neglect for a period of three months after the completion of the water system to either ordain assessments by frontage or present petition for appointment of viewers taxpayers of the district or districts affected whose property valuation as assessed for taxable purposes within the district shall amount to fifty per centum of the total property valuation [as] so assessed [for taxable purposes within the township] may present a petition to the court of common pleas of the proper county for the appointment of viewers to assess benefits and in all cases where such taxpayers shall within three months of the adoption of a resolution levying an assessment under the method provided by subsection (a) of said foregoing section by petition state to said court that such assessment insufficiently represents the benefits accruing to abutting properties they may include in such petition a prayer for the appointment of viewers to assess benefits In either case the court shall thereupon appoint three disinterested persons from the board of county viewers [neither] none of whom shall be a resident of that portion of the township which is accommodated by the water system in question and the viewers so appointed shall proceed as provided in this act for proceedings for the assessment of damages and benefits by viewers The aggregate of the assessments in any water district shall not exceed the amount charged to such district for its share of the cost of the water system construction unless the

same shall by petition of taxpayers whose property valuation as aforesaid shall amount to fifty per centum of the total property valuation as assessed for taxable purposes within the districts affected presented within three months after the adoption of a resolution or ordinance providing for an assessment by frontage be stated to insufficiently represent the amount of benefits to such properties in which case the proceedings by taxpayers authorized above shall be applicable Upon the filing of such a petition by taxpayers as aforesaid for apointment of viewers any assessment made by the supervisors and any proceedings thereunder shall be [null and void] stayed pending the disposition of the petition by the court

Section 1612 Liens for Assessments Costs of Proceedings After the amount of the assessment charged upon the several properties has been established either by resolution or ordinance making assessments according to frontage or by confirmation of any report of viewers in whole or in part it shall be the duty of the township supervisors to file municipal liens for the assessment covered by such resolution ordinance or confirmation within the time and in the manner provided by law the same to be subject in all respects to the general law providing for the filing and recovery of municipal liens The amounts of all assessments shall be payable to the township treasurer for the use of the township The supervisors shall also make out bills for the amount charged against each property which shall be forthwith sent to all property owners affected residing in the township and mailed to all such owners residing elsewhere whose address is known

The cost of publication of notices in proceedings before viewers shall be paid by the township upon presentation of bills approved by the court

ARTICLES XVII

PUBLIC BUILDINGS

Section 43 Section 1701 of the said act is hereby repealed

Section 44 Section 1702 to 1802 inclusive of the said act are hereby reenacted revised and amended as follows

Section 1702 Town Hall The supervisors of townships may procure a suitable lot of ground and erect or use a suitable building thereon for a [townhouse in which to hold elections store road machinery hold meetings of township officers and community activities and] townhall for [other] township [uses] purposes For the purpose of procuring a plot of ground and erecting a town hall the supervisors may borrow money at a rate of interest not exceeding six per centum and issue bonds therefor

Section 1703 Unloaders and Warehouses Townships may purchase or lease land [adjacent to the tracks or right of way of any railroad or street railway] within or without the limits of such townships and erect thereon suitable unloaders warehouses or other buildings as may be necessary for unloading handling and storing road materials and supplies

Section 1704 Appropriation of Property Townships may enter upon and appropriate private property [and also land heretofore granted or dedicated to public or other use within the limits of such township and which is no longer used for the purpose for which the same was granted or dedicated] for the erection thereon of a town hall [hose house lockup] and such other public buildings as are necessary for public purposes No land or property used for any cemetery burying ground public or parochial school educational or charitable institution seminary or place of public worship shall be taken or appropriated by virtue of any power contained in this section

Section 1705 Resolution of Supervisors Whenever the supervisors desire to acquire enter upon take use and appropriate private property or lands for public buildings they shall declare such intention by [a resolution] an ordnance [duly enacted]

Section 1706 How Damages Are Assessed The compensation and damages arising from such taking using and appropriating of private property for such purposes shall be [considered] ascertained determined awarded and paid in the manner provided in this act for eminent domain proceedings

Section 1707 Use of Public Land Acquired for Other Purposes Whenever the supervisors desire to take any lands heretofore granted or dedicated to a use or purpose for which they are no longer used they shall pass [a resolution] an ordinance declaring such intention and shall thereupon petition the court of common pleas for leave to file the bond of [such] the township for the purpose of securing any person or persons who may be [injured by the] entitled to compensation for such taking [of such lands] The court shall thereupon direct notice to be given by publication in at least two newspapers [of] circulating generally in the county [If no exceptions are filed to the bond on or before the day fixed in the notice the court shall approve the same] The court may increase the amount of the bond and shall hear [and determine] all exceptions that are filed against the [approved thereof] petition and the sufficiency of the bond and may grant or deny the prayer of the petition Upon the granting of the petition and the approval of [such] the bond the supervisors may enter upon and take such lands for the purpose of erecting public buildings The bond which shall be in the name of the Commonwealth for the use of any person or persons who are entitled to damage by reason of the taking of the lands shall remain on file for their use and benefit

In case the compensation for damages accruing from any such appropriations has not been agreed upon by the parties in interest the same may be assessed by viewers in accordance with the provisions of this act for the assessment of damages in eminent domain proceedings

ARTICLE XVIII

LICENSES AND LICENSE FEES

(a) Transient Retail Merchants

Section 1801 Transient Retail Merchants to Be Licensed Every person whether principal or agent entering into beginning or desiring to begin a transient retail business in any township for the sale of any goods wares or merchandise whatsoever and who hires leases occupies or uses any room apartment store shop building railway car or other place or structure for the exhibition and sale of such goods wares or merchandise shall take out a license for the same from the supervisors of the said township Provided however That nothing herein contained shall apply to farmers selling their own produce or to any sale of goods wares or merchandise donated by the owners thereof the proceeds whereof are to be applied to any charitable or philanthropic purpose

Section 1802 Amount and Payment of License Fee Penalty The amount of such license in any township shall be the sum of twenty-five dollars [($25)] per month or fractional part thereof to be paid to the township treasurer Said license shall be renewed monthly during the continuance of said sale and upon failure of [said] any person [or persons] so to secure such license he [she or they] shall upon conviction in a summary proceeding be fined [in a sum not less than one hundred dollars ($100) nor] not more than two hundred dollars [($200)] and in default of payment of said fines shall be imprisonmeed in the jail of the county for a period not exceeding thirty days

Section 45 Section 1803 of the said act is hereby repealed

Section 46 Sections 1811 to 1917 inclusive of the said act are hereby reenacted revised and amended to read as follows

(b) Restrictions

Section 1811 Agents for Licensed Dealers Not to be Licensed It shall be unlawful for any township to levy any license fee or mercantile tax upon any persons taking orders for merchandise by sample from dealers or merchants [for individuals or companies who pay a license or mercantile tax at their chief places of business] Nothing in this section shall authorize any person to sell by retail to others than dealers or merchants

Section 1812 Insurance Agents and Brokers Not to Be Licensed It shall be unlawful for any township to impose or collect any license fee upon insurance companies or their agents or insurance brokers authorized to transact business under the Insurance Laws of the Commonwealth

Section 1813 License Fees on Residents Not to Exceed Those on Nonresidents It shall be unlawful for any township to impose [by resolution or] exast or collect [under the provisions of any resolution heretofore or hereafter enacted] any license tax or fee upon or from any manufacturer or the agent representative or employe of any manufacturer who is a resident of the Commonwealth for soliciting orders for or for selling any goods merchandise or wares manufactured within this Commonwealth that is not or cannot legally be imposed upon or exacted or collected from any manufacturer or Dealer or the Agent Representative or Employe of any manufacturer who is a nonresident of the Commonwealth for soliciting orders for or for selling any goods merchandise or wares manufactured without the Commonwealth

Article XIX

Parks Playgrounds Gymnasiums Public Baths Swimming Pools Indoor Recreation Centers and Forests

Section 1901 Designation and Acquisition of Lands The [township] supervisors of any township may by ordinance designate and set apart for use as parks playgrounds playfields gymnasiums public baths swimming pools or indoor recreation centers hereinafter called recreation places any lands or buildings owned by such township and not dedicated or devoted to other public use Such township may in such manner as may be authorized or provided by law for the acquisition of lands or buildings for public purposes in such township acquire lands or buildings therein for [use as parks playgrounds playfields gymnasiums public baths swimming pools or indoor recreation centers] any of such purposes or if there be no law authorizing such acquisition the township supervisors may acquire lands or buildings for such purposes by gift or purchase or may lease lands or buildings in such township for temporary use for such purposes

Section 1902 Park and Recreation Boards The authority to supervise and maintain [parks playgrounds playfields gymnasiums public baths swimming pools or indoor] such recreation [centers] places may be vested in any existing body or board or in a park board or recreation board as the township supervisors may determine The [local authorities of any such township] supervisors may equip operate and maintain [the parks playgrounds playfields gymnasiums swimming pools public baths or indoor] such recreation [centers] places as authorized by this [act] article Such [local authorities] supervisors may for the purpose of carrying out the provisions of this [act] article employ play leaders recreation directors supervisors superintendents or any other officers or employes as they deem proper

Section 1903 Appointment of Park and Recreation Boards If the township supervisors shall determine that the power to equip operate and maintain [parks playgrounds playfields gymnasiums public baths swimming pools or] such recreation [centers] places shall be exercised by a park board or recreation board they may establish in said township such park board or recreation board [which shall possess all the powers and be subject to all the responsibilities of the respective local authorities under this act] Either of such boards when established shall consist of five persons The members of such boards shall be appointed by the supervisors and shall serve for terms of five years or until their successors are appointed except that the members of such board first appointed shall be appointed for such terms that the term of one member shall expire annually thereafter Members of such board shall serve without pay Women shall be eligible for appointment Vacancies in such board occurring otherwise than by expiration of term shall be for the unexpired term and shall be filled in the same manner as original appointments

Section 1904 Officers of Board The members of a park board or recreation board established pursuant to this [act] article shall elect their own chairman and secretary and select all other necessary officers to serve for a period of one year and may with the prior approval of the supervisors employ such persons as may be needed as authorized by this [act] article Such boards shall have power to adopt rules and regulations for the conduct of all business within their jurisdiction

Section 1905 Joint Municipal Acquisitions Any township may jointly with any one or more townships boroughs and cities acquire property for and operate and maintain any [parks playgrounds playfields gymnasiums public baths swimming pools or indoor] such recreation [centers] places

Section 1906 Bond Issues The township supervisors may issue bonds for the purpose of acquiring lands or buildings for [parks playgrounds playfields gymnasiums swimming pools public baths or indoor] such recreation [centers] places and for the equipment thereof

Section 1907 Cost of Maintenance Annual Tax Levies All expenses incurred in the operation of such [parks playgrounds playfields gymnasiums swimming pools public baths or indoor] recreation [centers] places established as herein provided shall be payable from the [treasury of such] general township fund The [local authorities of such township having power to appropriate money therein] supervisors may annually appropriate and cause to be raised by taxation such tax not to exceed two mills on the dollar of the assessed valuation of taxable property in such township for the purpose of maintaining and operating [parks playgrounds playfields gymnasiums public baths swimming pools and] such recreation [centers] places

Section 1908 Right of Acquisition of Forest Lands Townships may require by purchase gift or lease and hold tracts of land covered with forest or tree growth or suitable for the growth of trees and administer the same under the direction of the [Secretary] Department of Forests and Waters in accordance with the practices and principles of scientific forestry for the benefit of the township Such tracts may be of any size suitable for the purpose and may be located within or without the township limits

Section 1909 Approval of Secretary of Forests and Waters Before the passage of any [resolution] ordinance for the acquisition of land to be used as township forests the township supervisors shall submit to the [Secretary] Department of Forests and Waters and secure [his] its approval of the area and location of such land

Section 1910 Resolution and Notice Whenever the township supervisors deem it expedient to acquire any lands for forests they shall so declare by [a resolution] an ordinance wherein shall be set forth all facts and conditions relating to the proposed action [which proposed resolution shall be advertised once a week for three weeks prior to its passage]

Section 1911 Appropriation for Acquisition All money necessary for the purchase of such tracts shall be appropriated in the same manner as appropriations for township purposes and such funds may be provided from the current revenue or by the proceeds of a sale of general obligation bonds in accordance with existing law

Section 1912 Control of Forests by Secretary of Forests and Waters Upon the acquisition of any forests or lands suitable for forests the township supervisors shall notify the [Secretary] Department of Forests and Waters [who] which shall make such rules for the government and proper administration of the same as may be deemed necessary and the [secretary] department shall publish such rules declare the uses of the forest in accordance with the intent of this article and make such provision for its administration maintenance protection and development as shall be deemed necessary or expedient The rules governing the administration of such forests shall have for their main purpose the producing of a continuing township revenue by the sale of forest products

Section 1913 Appropriation for Maintenance All moneys necessary to be expended for the administration maintenance protection and development of such forests shall be appropriated and applied as is now done for township purposes All revenue and emoluments arising from such forests shall be paid into the general township [treasury to be used for general township purposes] fund

Section 1914 Use of Township Forests as Outing Grounds Township forest may be used by the public as general outing or recreation grounds subject to the rules of the Department of Forests and Waters governing their administration and rules adopted by the supervisors not inconsistent with law and the rules of the department

Section 1915 Disposition of Township Forests Procedure Ordinance Submission of Question Whenever the township supervisiors deem it expedient to [alienate] sell or release any forest or part thereof or products therefrom they shall so declare by [a resolution] an ordinance wherein shall be set forth all the facts and conditions relating to the proposed action [which proposed resolution shall be advertised once a week for three weeks prior to its passage] No [resolution] ordinance shall be effective in legalizing such alienation until it has been approved by a majority vote of the people at the next ensuing election

Section 1916 Appropriation of Moneys to Forestry Organizations The supervisors of any township may appropriate moneys from the General Township Fund to any forest protection association cooperating in forest work with [State] Department of Forests and Waters or to be expended in direct cooperation with [said Department of Forests and Waters] such department in forest work

Section 1917 Approval of Electors for Acquisition of Land The township supervisors hereby are authorized on behalf of the township to accept the title to land which may be donated to the township for any of the purposes mentioned in this article [of this act] but none of the other powers conferred upon them by [sections one thousand nine hundred and one thousand nine hundred and sixteen inclusive] this article shall be exercised by them except after the approval thereof by the electors of said township at an election for the purpose held on a regular municipal election day of which election notice shall be given by publication in a newspaper of general circulation in the county in which the township is located [and by at least twenty hand bills posted in as many public places in the township] said publication [and posting] to be at least ten days before the day of election

Section 47 The said act is hereby amended by adding thereto a new article known as Article XX comprised of new Sections 2001 to 2010 inclusive as follows

ARTICLE XX

ZONING

Section 2001 Grant of Power For the purpose of promoting health safety morals or the general welfare of townships of the second class the supervisors are hereby empowered to regulate and restrict the height number of stories and size of buildings and other structures their construction alteration extension repair maintenance and all facilities and services in or about such buildings and structures and percentage of lot that may be occupied the size of yards courts and other open spaces the density of population and the location and use of buildings structures and land for trade industry residence or other purposes and may also establish and maintain building lines and set back building lines upon any or all public roads or highways The power hereby granted shall be suspended in any township or part of a township during any period of time that any zoning ordinance adopted pursuant to law by the county commissioners of the county shall continue to be in effect in such township or part of a township and any ordinance adopted by any township before the adoption of such county ordinance shall likewise be suspended during such period The power hereby granted shall not be exercised if taxpayers whose property valuation as assessed for tax purposes within the township shall amount to fifty-one per centum or more of the total property valuation as assessed for tax purposes within the township or within the district of the township affected if the township has been divided into districts as hereinafter provided shall sign and file in the office of the prothonotary of the county in which the ownership is located a written protest against the exercise of such powers

Section 2002 Districts Procedure (a) For any or all said purposes the supervisors may divide the township into districts of such number shape and area as may be deemed best suited to carry out the purpose of this article and within such districts it may regulate and restrict the erection construction reconstruction alteration repair or use of buildings structures or land All such regulations shall be uniform for each class or kind of buildings throughout each district but the regulations in one district may differ from those in another district

(b) The supervisors shall provide by ordinance the manner in which the boundaries of such districts shall be determined and established and from time to time amended or changed However no such boundary shall become effective until after public hearing in relation thereto at which parties in interest and citizens shall have an opportunity to be heard At least fifteen days' notice of the time and place of such hearing shall be published in a newspaper of general circulation in such township

Section 2003 Purpose in View All regulations made pursuant to the powers granted in this article shall be made in accordance with a comprehensive plan and designed to lessen congestion in the roads and highways to secure safety from fire panic and other dangers to promote health and the general welfare to provide adequate light and air to preven the overcrowding of land to avoid undue congestion of population to facilitate the adequate provision of transportation water sewerage schools parks and other public requirements Such regulations shall be made with reasonable consideration among other things to the character of the district and its peculiar suitability for particular uses and with a veiw to conserving the value of buildings and encouraging the most appropriate use of land throughout such municipality

Section 2004 Method of Procedure The supervisors shall exercise the powers granted in Section 2001 hereof by ordinance which shall provide for the enforcement of the regulations and restrictions established therein by reasonable fines and by the instituting of appropriate actions or proceedings at law or in equity At least one week and not more than three weeks prior to the presentation of the proposed ordinance a notice of intention to consider such proposed ordinance and a brief summary setting forth the principal provisions of the proposed ordinance in such reasonable detail as will give adequate notice of its contents and a reference to the place or places within the township where copies of the proposed ordinance may be examined The Department of Internal Affairs shall prepare suitable forms for such notice which may be used by the supervisors of any township for this purpose

The provisions of the ordinance need not be advertised or recorded as in other cases Provisions respecting the construction alteration extension repair care and maintenance of buildings and structures may be supplied by reference to a standard building code approved by the Department of Internal Affairs or to parts thereof determined by the supervisors or such provisions of the ordinance may be supplied by reference to a typed or printed building code prepared under the direction of or accepted by the supervisors or such provisions may consist of a standard code approved as aforesaid or parts thereof and also further provisions typed or printed as aforesaid Copies of the provisions of the ordinance thus adopted by reference shall be made available to any interested party at the cost thereof or may be furnished

or loaned without charge and a copy of such provisions of the ordinance whether by reference to a standard building code or a combination of them shall be attached to the ordinance book with the same force and effect as if duly recorded therein

The procedure set forth relating to the adoption of the ordinance may likewise be adopted in amending supplementing or repealing any of the provisions of the ordinance

Section 2005 Changes Such regulations restrictions and boundaries may from time to time be amended supplemented changed modified or repealed In case however of a protest against such change signed by the owners of twenty per cent or more either of the area of the lots included in such proposed change or of those immediately adjacent in the rear thereof extending one hundred feet from the street frontage of such opposite lots such amendment shall not become effective execpt by the favorable vote of all the supervisors

Section 2006 Zoning Commission In order to avail themselves of the powers conferred by this act the supervisors shall appoint a commission of five citizens of the township to be known as the zoning commission to recommend the boundaries of the various original districts and appropriate regulations to be enforced therein Such commission may consult the State Planning Commission of the Department of Commerce and shall make a preliminary report and hold public hearings thereon before submitting its final report and the supervisors shall not take action until they have received the final report of such commission

Section 2007 Board or Adjustment The supervisors may appoint a board of adjustment and in the regulations and restrictions adopted pursuant to the authority of this article may provide that said board of adjustment may in appropriate cases and subject to appropriate conditions and safeguards make special exceptions to the terms of the ordinance in harmony with its general purpose and intent and in accordance with general or specific rules therein contained

The board of adjustment shall consist of three members one of whom shall be designated to serve until the first day of January following the adoption of the zoning ordinance one until the first day of the second January thereafter and one until the first day of the third January thereafter Their successors shall be appointed on the expiration of their respective terms to serve three years The members of the board shall be removable for cause by the appointing authority upon written charges and after public hearing Vacancies shall be filled for the unexpired term of any member whose term becomes vacant

The board of adjustment shall adopt rules in accordance with the provisions of any ordinance adopted pursuant to this article Meetings of the board shall be held at the call of the chairman and at such other times as the board may determine The chairman or in his absence the acting chairman may administer oaths and compel the attendance of witnesses All meetings of the board shall be open to the public The board shall keep minutes of its proceedings showing the vote of each member upon each question or if absent or failing to vote indicating such fact and shall keep records of its examinations and other official actions all of which shall be immediately filed with the township secretary and shall be a public record

Appeals to the board of adjustment may be taken by any person aggrieved or affected by any decision of the supervisors Such appeal shall be taken within a reasonable time as provided by the rules of the board by filing with the township secretary and with the board of adjustment a notice of appeal specifying the grounds thereof The secretary shall forthwith transmit to the board all the papers constituting the record upon which the action appealed from was taken

An appeal shall stay all proceedings in furtherance of the action appealed from unless the supervisors certify to the board of adjustment after the notice of appeal shall have been filed that by reason of facts stated in the certificate a stay would in their opinion cause imminent peril to life and property In such case proceedings shall not be stayed otherwise than by a restraining order which may be granted by the board of adjustment or by a court of record on application on notice to the supervisors and due cause shown

The board of adjustment shall fix a reasonable time for the hearing of the appeal give public notice thereof as well as due notice to the parties in interest and decide the same within a reasonable time Upon the hearing any party may appear in person or by agent or by attorney

The board of adjustment shall have the following powers

(1) To hear and decide appeals where it is alleged there is error in any order requirement decision or determination made by the supervisors in the enforcement of this article or of any ordinance adopted pursuant thereto

(2) To hear and decide special exceptions to the terms of the ordinance upon which such board is required to pass under such ordinance

(3) To authorize upon appeal in specific cases such variance from the terms of the ordinance as will not be contrary to public interest where owing to special conditions a literal enforcement of the provisions of the ordinance will result in unnecessary hardship and so that the spirit of the ordinance shall be observed and substantial justice done

In exercising the above-mentioned powers such board may in conformity with the provisions of this article reverse or affirm wholly or partly or may modify the order requirement decision or determination appealed from and may make such order requirement decision or determination as ought to be made Notice of such decision shall forthwith be given to all parties in interest

Any person aggrieved by any decision of the board of adjustment or any taxpayer or any supervisor may within thirty days after such decision of the board appeal to the court of common pleas of the county by petition duly verified setting forth that such decision is arbitrary capricious an abuse of discretion or otherwise not in accordance with law and specifying the grounds upon which he relies Upon presentation of the petition in proper form the court shall forthwith issue a writ of certiorari directed to the board of adjustment commanding it within twenty days after the service thereof to certify to the court under the certificate of its chaiman its entire record in the matter in which the appeal has been taken The prothonotary shall serve the board of adjustment by registered mail with a copy of the writ and a copy of the appeal petition On or before the return day of the writ the board of adjustment shall file the entire record with the writ in the office of the prothonotary

Any time during the pendency of an appeal upon application of the appellant and upon due notice to the board of adjustment the court or a judge thereof may after hearing grant an order of supersedeas upon such terms and conditions including the filing of security as the court or the judge thereof may prescribe

If upon the hearing of the appeal it shall appear to the court that testimony is necessary for the proper disposition of the appeal it may take evidence or appoint a referee to take such evidence as it may direct and report the same to the court with his findings of fact and conclusions of law The court may reverse or affirm in whole or in part or may modify the decision appealed as to it may appear just and proper

Costs shall not be allowed against the board unless it shall appear to the court that it acted with gross negligence or in bad faith or with malice in making the decision appealed from

Section 2008 Remedies In case any building or structure is erected constructed reconstructed altered repaired converted altered repaired converted or maintained or any building structure or land is used in violation of this article or of any ordinance or other regulation made under authority conferred hereby the supervisors in addition to other remedies may institute any appropriate action

or proceedings to prevent such unlawful erection construction reconstruction alteration repair conversion maintenance or use to restrain correct or abate such violation to prevent the occupancy of said building structure or land or to prevent any illegal act conduct business or use in or about such premises

Section 2009 Certain Buildings of Public Utility Corporations Exempted This article shall not apply to any existing or proposed building or extension thereof used or to be used by a public utility corporation if upon petition of the corporation the Public Utility Commission shall after a public hearing decide that the present or proposed situation of the building in question is reasonably necessary for the convenience or welfare of the public

Section 2010 Finances The supervisors are empowered to appropriate out of the general township fund such moneys otherwise unappropriated as they may deem fit to finance the work of the township zoning commission and the board of adjustment and to enforce the zoning regulations and restrictions which are adopted and to accept grants of money and service for these purposes from either private or public sources State or Federal

Section 48 The said act is hereby amended by renumbering Article XX as Article XXI and Sections 2001 to 2006 inclusive as Sections 2101 to 2106 inclusive as follows

Article [XX] XXI

Actions By and Against Townships

Section [2001] 2101 Supervisors to Bring and Defend Suits All suits by a township shall be brought and conducted by the township supervisors In all suits against a township [process shall be served upon and] defense shall be made by the township supervisors

Section [2002] 2102 Right of Taxpayers to Inquire Into Judgments Any taxpayer of any township may inquire into the validity of any judgment or defend the township in any suit or judgment upon filing a petition with the court of common pleas of the county in which suit is pending or judgment exists accompanied by an affidavit that the taxpayer believes that injustice will be done to the township in such suit or judgment Whenever it is deemed necessary the court may order such taxpayer to file a bond with one or more sureties to be approved by court to save harmless the township from all the costs that may accrue in such proceeding subsequent to the filing of such petition

Section [2003] 2103 Appeals by Taxpayers Whenever a judgment is rendered by any justice of the peace or alderman against any township and a right of appeal is given to such township and for ten days immediately after the rendition of such judgment the township officials neglect to perfect an appeal any taxpayer of such township may take an appeal in behalf of the township from such judgment to the court of common pleas of the county within the time prescribed for the taking of such appeal

Section [2004] 2104 Affidavit and Bail by Taxpayers In taking the appeal the taxpayer shall make an affidavit that the same is not taken for the purpose of delay but because he verily believes that injustice has been done The taxpayer shall pay the costs of the appeal and enter sufficient bail for the payment of all costs before the justice of the peace or alderman and all costs in the court of common pleas

Section [2005] 2105 Taxpayers Parties to Suits Upon the filing of such appeal in the court of common pleas of the county the taxpayer shall be made a party to the suit and shall have the right to defend such township therein

Section [2006] 2106 Recovery of Municipal Claims In addition to the remedies provided by law for the filing of liens for the collection of municipal claims [all townships] a township may proceed for the recovery and collection of any municipal [claims] claim by action of assumpsit against the person [or persons] who [were] was the owner [or owners] of the property at the time of the completion of the improvement notwithstanding the fact that there was a failure on the part of any such township or its agents to enter [any] such municipal claim as a lien against the property assessed for the improvement and for the recovery of which the action of assumpsit was brought

Any such action in assumpsit shall be commenced within three years after the completion of the improvement from which said claim arises

[This section shall extend to all municipal claims where improvement was heretofore made where the action of assumpsit has been instituted under the provisions of prior acts of Assembly and where the claim is not barred by the statute of limitations affecting actions of debt or assumpsit]

Section 49 The said act is hereby amended by renumbering Article XXI to Article XXII and Section 2101 as Section 2201 and so much of the said section as is hereinafter set forth is hereby reenacted amended and revised as follows

ARTICLE [XXI] XXII

REPEALS

Section [2101] 2201 Nothing contained in this act shall be construed to revive any act or part of any act repealed by the act reenacted amended or revised by this act

The following additional acts or parts of acts are hereby repealed as respectively indicated

The act approved the first day of May one thousand nine hundred and thirteen (P. L. 155 Number 104) entitled "An act regulating the letting of certain contracts for the erection construction and alteration of public buildings" so far as it relates to townships of the second class

The act approved the tenth day of May one thousand nine hundred and twenty-three (P. L. 198) entitled "An act authorizing courts of quarter sessions to commit the care of certain burial grounds to the councils of boroughs township commissioners and township supervisors of townships and requiring boroughs and townships to pay the expenses in connection therewith" so far as it relates to townships of the second class

The act approved the twenty-second day of June one thousand nine hundred and thirty-one (P. L. 844) "An act authorizing the Commonwealth of Pennsylvania or any department or division thereof and counties cities boroughs incorporated towns townships school districts and poor districts to make contracts of life health and accident policies for the benefit of employes thereof and contracts for pensions for such employes and providing for the payment of the cost thereof" so far as it relates to townships of the second class

The act approved the twenty-second day of June one thousand nine hundred and thirty-one (P. L. 845) entitled "An act authorizing the publication of advertisements for bids for public works supplies or equipment in certain publications and journals devoted to information about construction work" so far as it relates to townships of the second class

The act approved the first day of May one thousand nine hundred and thirty-five (P. L. 124 Number 47) entitled "An act authorizing the insurance of deposits of funds of this Commonwealth and of the political subdivisions thereof with the Federal Deposit Insurance Corporation or other similar agency and prohibiting requiring further security for amounts so insured" so far as it relates to townships of the second class

The act approved the eighteenth day of July one thousand nine hundred and thirty-five (P. L. 1173) entitled "An act to prohibit discrimination on account of race creed or color in employment under contracts for public buildings or public works" so far as it relates to townships of the second class

The act approved the sixteenth day of March one thousand nine hundred and thirty-seven (P. L. 98) entitled "An act authorizing political subdivisions to stipulate in specifications upon which contracts for the construction alteration or repairs of any public work or improvement are entered into the minimum wages to be paid to laborers and mechanics and providing for the stipulation of penalties in such contracts where such

minimum wage stipulations are violated and for the recovery of such penalties and their return in certain cases" so far as it relates to townships of the second class

The act approved the first day of July one thousand nine hundred and thirty-seven (P. L. 2624) entitled "An act authorizing townships of the second class to adopt and enforce zoning ordinances regulating the location construction and use of buildings the size of courts and open spaces the density of population and the use of land" absolutely

The act approved the fifteenth day of May one thousand nine hundred and forty-five (P. L. 538 Number 210) entitled "An act relating to the liabilities of elected and appointed officers of the various political subdivisions and limiting surcharges to the actual financial loss sustained" so far as it relates to townships of the second class

It is the intention that this act shall furnish a complete and exclusive system for the government and regulation of townships except as to the several matters enumerated in section one hundred and three of Article one of the act

All other acts and parts of acts inconsistent with this act are repealed This act shall not repeal or modify any of the provisions of the Public [Service Company] Utility Law [nor the act entitled "An act to preserve the purity of the waters of the State for the protection of the public health" approved the twenty-second day of April one thousand nine hundred and five nor the act of the twenty-fifth day of June one thousand nine hundred and thirteen (P. L. 555) entitled "An act providing for the regulation of dams or other structures or obstructions as defined herein in along across or projecting into all streams and bodies of water wholly or partly within or forming part of the boundary of this Commonwealth vesting certain powers and duties in the Water Supply Commission of Pennsylvania for this purpose and providing penalties for the violation of the provisions hereof" except as modified by section one thousand three hundred and fifteen herein] nor any local or special law nor any law relating to the Board of Commissioners of Navigation for the River Delaware and its navigable tributaries nor the provisions of any law the enforcement of which is vested in the department of Health the Sanitary Water Board the Department of Forests and Waters or the Water and Power Resources Board nor shall this act repeal or modify any of the provisions of any act of Assembly amendatory of law in force at the time of the passage of this act or otherwise adopted at the session of the General Assembly of one thousand nine hundred and [thirty-three] forty-seven whether such acts were adopted prior to the passage of this act or shall be adopted subsequent to the passage of this act nor shall this act repeal any such act or part thereof in force at the time of the passage of this act which is amended by any act of Assembly adopted at the session of the General Assembly of one thousand nine hundred and [thirty-three] forty-seven

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48.

Barr,	Farrell,	Letzler,	Tarr,
Becker,	Frazier,	Lord,	Taylor,
Berger,	Geltz,	Mahany,	Tyler,
Blass,	Haluska,	Margie,	Wade,
Carr,	Hare,	Rahauser,	Wagner,
Chapman,	Heyburn,	Rosenfeld,	Walker,
Crider,	Holland,	Ruth,	Watson,
Crowe,	Homsher,	Scarlett,	Wilson,
Dent,	Jaspan,	Snowden,	Wolfe,
DiSilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,
Donlan,	Leader,	Tallman,	Woodring.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 332, on third reading, entitled:

An act to amend the title and section one of the act, approved the twenty-eighth day of July, one thousand nine hundred forty-one (P. L. 560), entitled "An act authorizing and empowering school districts of the first and second class to furnish food including milk, to undernourished and poor school children in their districts, and providing that the acceptance and distribution of surplus commodities furnished by the Federal Government to such school districts shall not affect or limit the provisions hereof," extending the provisions thereof to all classes of school districts.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 333, on third reading, entitled:

An act to provide for the establishment, maintenance, operation, and expansion of nonprofit school lunch programs in schools in the Commonwealth of Pennsylvania.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 334, on third reading, entitled:

An Act to amend the act approved the second day of May one thousand nine hundred forty-five (P. L. 382) entitled "An act providing for the incorporation as bodies corporate and politic of 'Authorities' for municipalities countes and townships prescribing the rights powers and duties of such Authorities heretofore or hereafter incorporated authorizing such Authorities to acquire construct improve maintain and operate projects and to borrow money and issue bonds therefor providing for the payment of such bonds and prescribing the rights of the holders thereof conferring the right of eminent domain on such Authorities authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof and conferring exclusive jurisdiction on certain courts over rates" by further providing for the incorporation of such Authorities and further prescribing the rights powers and duties of such Authorities

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 336, on third reading, entitled:

An Act to amend the title to further amend section two and to amend section seven of the act approved the fourth day of June one thousand nine hundred forty-three (P. L.

886) entitled "An act creating a Municipal Employes' Retirement System for the payment of retrement allowances to officers and employes of political subdivisions and institutions supported and maintained by them and providing for the administration of the same by a board composed of certain state officers and others appointed by the Governor imposing certain dutes on the State Employes' Retrement Board and the actuary thereof providing the procedure whereby political subdivisions may join such system and imposing certain liabilities and obligations on such political subdivisions in connection therewith and as to certain existing retirement and pension systems and upon officers and employes of such political subdivisions and institutions supported and maintained by them providing certain exemptions from taxation executon attachment levy and sale and making an appropriation" including employes of municipal authorities within the provisions of the act and prescribing the procedure by which muncipal authorities may join the retirement system

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 337, on third reading, entitled:

An Act to further amend the act approved the seventh day of June one thousand nine hundred seventeen (P. L. 447) entitled as amended "An act relating to the administration and distribution of the estates of decedents and of minors and of trust estates including the appointment bonds rights powers and duties liabilities accounts discharge and removal of executors administrators guardians and trustees herein desingated as fiduciaries and the administration and distribution of the estates of presumed decedendts widow's and children's exemptions debts of decedents rents of real estate as assets for payment thereof the lien thereof sales and mortgages of real estate for the payment thereof judgments and executions therefor and the discharge of real estate legacies including legacies charged on land the discharge of residuary estates and of real estate from the lien of legacies and other charges and appraisement of real estate devised at a valuation the ascertainment of the curtilage of dwelling houses or other buildings devised the abatement and survival of actions and the substitution of executors and administrators therein the survival of causes of action and suits thereupon by or against fiduciaries investments by fiduciaries the organization of corporations to carry on the business of decedents the audit and review of accounts of fiduciaries refunding bonds transcripts to the court of common pleas of balances due by fiduciaries the rights powers and liabilities of nonresident and foreign fiduciaries the appointment bonds rights powers duties and liabilities of trustees durante absentia the recording and registration of decrees reports and other proceedings and the fees therefor appeals in certain cases and also generally dealing with the jurisdiction powers and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents" by permitting the investment of trust funds by fiduciaries in municipality authority bonds.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 338, on third reading, entitled:

An Act to further amend clause (c) of section three of the act approved the first day of June one thousand nine hundred thirty-seven (P. L. 1168) entitled "An act to protect the right of employes to organize and bargain collectively creating the Pennsylvania Labor Relations Board conferring powers and imposing duties upon the Pennsylvania Labor Relations Board officers of the State government and courts providing for the right of employes to organize and bargain collectively declaring certain labor practices by employers to be unfair further providing that representatives of a majority of the employes be the exclusive representatives of all the employes authorizing the board to conduct hearings and elections and certify as to representatives of employes for purposes of collective bargaining empowering the board to prevent any person from engaging in any unfair labor practice and providing a procedure for such cases including the issuance of a complaint the conducting of a hearing and the making of an order empowering the board to petition a court of common pleas for the enforcement of its order and providing a procedure for such cases providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order and establishing a procedure for such cases providing for an appeal from the common pleas court to the Supreme Court providing the board with investigatory powers including the power to issue subpoenas and the compelling of obedience to them through application to the proper court providing for service of papers and process of the board prescribing certain penalties" excluding municipal authorities from the definition of employer.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 371, on third reading, entitled:

An Act to amend section six and section thirteen of the act approved the twenty-third day of May one thousand nine hundred forty-five (P. L. 926) entitled "An act for the protection of the public health by regulating the conduct and operation of public eating and drinking places within this Commonwealth requiring their licensing imposing certain duties on the Department of Health of this Commonwealth and on local health authorities and providing penalties" by conferring on local health authorities power to suspend or revoke licenses and making fines collected in cities boroughs and townships of the first class payable to these political subdivisions

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 401, as follows:

An Act to further amend section one thousand nine hundred two of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" further regulating the letting of contracts

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one thousand nine hundred two of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An ace relating to cities of the third class and amending revising and consolidating the law relating thereto" as last amended by the act approved the twenty-fifth day of May one thousand nine hundred forty-five (P. L. 1048) is hereby further amended to read as follows

Section 1902 Regulations Converning Contracts All work and materials required by any city of the third class or any department thereof where the amount exceeds the sum of five hundred dollars shall be furnished and performed under written contract and the contract shall

be awarded and given to the lowest responsible bidder after advertising three times each publication on a different day in not more than two newspapers in accord with the provisions of section one hundred and nine of this act and the bids shall not be opened until at least ten days have elapsed after the first advertisement [Provided That the requirements of this section as to advertising and contracts and bidding and to the sum of five hundred dollars shall not apply (1) to contracts for any public utility service where the service is available only from one public utility and is to be provided by such utility under tariffs on file with the Pennsylvania Public Utility Commission or to (2) repairs of highways sewers and other public improvements or to (3) resurfacing or maintaining of highways or to (4) street and sewer cleaning or to (5) the collection of rubbish ashes and garbage or improvements repairs or maintenance of any kind made done and provided by the officers and employes of the city or to (6) any agreement with the Commonwealth whereby the city agrees to pay a portion of the cost of any improvement made under contract let by the Commonwealth or any department thereof (7) or where the State or county is a party or cooperates through its employes or the loan of its equipment with the city to a street repair maintenance or improvement or to (8) those made for any surety company bond or policy of insurance or to (9) those made for maintenance repairs or replacements for water electric light and other public works of the city provided they do not constitute new additions or enlargements of existing facilities and equipment or to (10) those where particular types models or pieces of equipment articles apparatus appliances vehicles or parts thereof new second-hand or rebuilt other than construction materials used in road improvement are required which are patented and manufactured products and in case of purchase under this provisions, specifications shall not be required to be prepared nor a bond exacted]

The contracts or purchases made by council involving an expenditure of over five hundred dollars which shall not require advertising or bidding as hereinbefore provided are as follows

(1) Those for maintenance repairs or replacements for water electric light or other public works of the city provided they do not constitute new additions extensions or enlargements of existing facilities and equipment but a bond may be required by council as in other cases of work done.

(2) Those made for improvements repairs and maintenance of any kind made or provided by any city through its own employes Provided however That this shall not apply to construction materials used in a street improvement

(3) Those where particular types models or pieces of new equipment articles apparatus appliances vehicles or parts thereof are desired by council which are patented and manufactured products

(4) Those involving any policies of insurance or surety company bonds those made for public utility service under tariffs on file with the Pennsylvania Public Utility Commission those made with another political subdivision or a county the Commonwealth of Pennsylvania the Federal government any agency of the Commonwealth or the Federal government or any municipal authority including the sale leasing or loan of any supplies or materials by the Commonwealth or the Federal Government or their agencies But the price thereof shall not be in excess of that fixed by the Commonwealth the Federal government or their agencies

(5) Those involving personal or professional services [And further provided That where]

Where the roadway of a street is to be paved originally and for the first time or reconstructed by putting down a new base or a sewer is to be constructed or grading done work shall be done under written contract after advertising as provided in section one hundred and nine of this act and such contract shall be given to the lowest responsible bidder

The council shall by ordinance provide for and regulate the purchase of supplies and materials and the sale of personal property

The council may also by ordinance provide a contingent fund or funds for necessary repairs and incidental expenses not otherwise provided in the general appropriations and such funds may be expended without advertising for bids

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48.

Barr,	Farrell,	Letzler,	Tallman,
Becker,	Frazier,	Lord,	Tarr,
Berger,	Geltz,	Mahany,	Taylor,
Blass,	Haluska,	Mallery,	Tyler,
Carr,	Hare,	Margie,	Wade,
Chapman,	Heyburn,	Rahauser,	Wagner,
Crider,	Holland,	Rosenfeld,	Walker,
Crowe,	Homsher,	Ruth,	Watson,
Dent,	Jaspan,	Scarlett,	Wilson,
DiSilvestro,	Klein,	Snowden,	Wolfe,
Doehla,	Lane,	Stevenson,	Wood, L. H.,
Donlan,	Leader,	Stiefel,	Wood, T. N.,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence,

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 402, on third reading, entitled:

An Act to amend section three of the act approved the fifteenth day of June one thousand nine hundred thirty-seven (P. L. 1743 No. 368) entitled "An act relating to magistrates and magistrates' courts in the city of Philatain practices by magistrates imposing certain duties on the city controller in regard thereto authorizing the employment by him of additional clerks and fixing their compensation regulating the practice in magistrates' courts the entering of bail and the issuance of discharges in criminal cases in the county of Philadelphia conferring certain powers over magistrates and magistrates' courts and imposing certain duties in connection therewith upon the judges of the courts of common pleas of the county of Philadelphia providing for the appointment and employment of stenographers to report proceedings in certain cases heard by magistrates fixing salaries of persons employed by authority of this act providing penalties for violations of the provisions thereof and repealing certain prior acts" by removing the restrictions against magistrates participating in political activities.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING CALENDAR

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 7, entitled:

An Act making an appropriation to the National Farm School at Doylestown Pennsylvania

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 66, entitled:

An Act making a deficiency appropriation to the Pennsylvania Institution for the Deaf at Mount Airy Philadelphia Pennsylvania

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 72, on second reading, entitled:

An Act to further amend section three hundred twenty of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by providing for the payment of retirement allowances to widows of deceased county employes and for crediting employes with time spent in military servise in counties of the second class

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 105, on second reading, entitled:

An Act to prohibit the payment of appropriations to institutions which pay for insurance or annuity contracts to insurance companies associations and exchanges of other states and foreign countries not legally doing business in Pennsylvania and not subject to the jurisdiction of the Insurance Commissioner

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 118, entitled:

An Act to further amend the third paragraph of section five of the act, approved the eleventh day of June, one thousand nine hundred thirty-five (P. L. 326), entitled "An act relating to counties of the first class, defining deceased service persons, providing for contributions by the county to the funeral expenses for such persons and their widows; providing for the erection and care of markers, headstones, and flags, and for the compilation of war records," authorizing the erection of headstones for deceased service persons whose bodies will not or cannot be returned to the United States, and increasing amount of costs in certain cases.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 120, entitled:

An Act to further amend the third paragraph of section four hundred twenty-six of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," authorizing the erection of headstone for deceased service persons whose bodies will not or cannot be returned to the United States and increasing amount of costs in certain cases.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 135 on second reading, entitled:

An Act to amend sections one thousand three and one thousand one hundred ten of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" changing method of determining priority of political parties on ballot

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 136, entitled:

An Act making an appropriation to the Pennsylvania Museum and School of Industrial Art Philadelphia

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 234, on second reading, entitled:

An Act to amend section fifteen of the act approved the seventeenth day of July one thousand nine hundred thirty-five (P. L. 1092) entitled "An act defining fraternal benefit societies and their status authorizing such societies to create subordinate lodges and to pay benefits to members and their beneficiaries from funds collected and regulating such benefits and collections providing for the organization

and incorporation of such societies and for their supervision regulation and examination by the Insurance Commissioner and for the admission of foreign societies designating tables of mortality as a basis for rates of contribution requiring all societies to make annual and other reports and appointing the Insurance Commissioner as attorney for service of process providing penalties for any violations of the act exempting such societies from taxation and certain other societies from its provisions and requiring beneficial associations other than fraternal benefit societies to report to and be supervised by the Insurance Commissioner and repealing existing laws" by further providing for the investment of funds by domestic societies

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 235, entitled:

An Act to establish The Brandywine Battlefield Park Commission and to authorize the acquisition by purchase condemnation or gift of lands for the establishment of the Brandywine Battlefield Park providing for the control management and supervision of the property to be acquired for such park by such commission authorizing the commission to make and to enforce rules and regulations for its preservation development and visitation and making appropriations

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. CRIDER. Mr. President, I move that Senate Bill No. 235, the bill just read, be recommitted to the Committee on Appropriations.

Mr. FARRELL. Mr. President, I second the motion.

The motion was agreed to.

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 237, on second reading, entitled:

An Act to amend sections one thousand seventeen and one thousand two hundred seven of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" removing the maximum and minimum limits on salaries of councilmen and mayors

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 315, entitled:

An Act making an appropriation to the Department of Forests and Waters for the acquisition by purchase or condemnation of forest land and the development and use thereof for reforestation for the work of the department with respect to forests and forest land and for the acquisition by purchase condemnation or gift of lands buildings or other properties for State parks and for the development thereof for the operation maintenance development and improvement of existing parks for recreation facilities for any flood control purposes including purchase and maintenance of flood forecasting equipment and services and the payment of the employes and expenses of the Flood Control Commission and for stream channel improvement for construction of dams to create lakes and other stream clearance of any type for flood control and for encouragement of proper forest practices by private land owners

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 337, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to convey to the Borough of Ebensburg Cambria County certain property located in Cambria County and commonly known as the "Keystone Airport."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 341, entitled:

An Act to amend section ten of the act approved the twenty-fifth day of May one thousand nine hundred forty-five (P. L. 1050) entitled "An act relating to the collection of taxes levied by counties county institution districts cities of the third class boroughs towns townships certain school districts and vocational school districts conferring powers and imposing duties on tax collectors courts and various officers of said political subdivisions and prescribing penalties" providing for interest on unpaid taxes

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 342, entitled:

An Act making an appropriation to the Senate and the House of Representatives to pay the expenses of their committees directed to visit State institutions under the supervision of the Department of Welfare

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 362, entitled:

An Act to amend section two of the act approved the eleventh day of April one thousand nine hundred forty-five (P. L. 203) entitled "An act to provide assistance for typhoid fever carries and persons having typhoid fever carriers in their households and imposing certain responsibilities upon the Secretary of Health the Secretary of Public Assistance and the Secretary of Welfare in connection therewith" by fixing the date on which financial assistance shall begin

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 364, entitled:

An Act to add sections four hundred ninety-six point five and four hundred ninety-six point six to the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by prescribing the procedure and entering into contracts for establishment operation and maintenance of aviation landing fields and air dromes

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 366, on second reading, entitled:

An Act to amend section five of the act approved the sixteenth day of May one thousand nine hundred forty-five (P. L. 577) entitled "An act for the prevention control and cure of venereal diseases by requiring certain persons to submit to physical examination and blood tests providing for the treatment of certain persons requiring reports to be made to the State Department of Health imposing duties upon and authorizing and directing the Secretary of Health to make rules and regulations and to disseminate certain information regulating the advertisement and restricting the sale of certain drugs and remedies and imposing penalties" authorizing county jails to receive persons under quarantine and providing for reimbursement by the Commonwealth

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 369, entitled:

An Act to authorize railroad corporations incorporated in this Commonwealth to hold directors' meetings at such place within this Commonwealth or elsewhere as appointed by a majority of the directors

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 370, entitled:

An Act validating charters and amendments of the articles of incorporation of certain non-profit corporations incorporated under the Nonprofit Corporation Law

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 393, on second reading, entitled:

An Act authorizing certain existing beneficial or protective societies heretofore incorporated to reincorporate or to merge and reincorporate as limited life insurance companies for the purpose of making insurance upon the health of individuals and against personal injury and disablement and death including endowment insurance regulating such corporations and limiting the amounts for which such corporations may issue policies

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 394, on second reading, entitled:

An Act to further amend section four hundred nineteen of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by permitting certain additional stock insurance companies to come within the provisions thereof

go over in its order.

The PRESIDENT. Is there objection? The Chair haers none.

BILLS ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 408, entitled:

An Act authorizing the Pennsylvania Historical and Museum Commission to accept on behalf of the Commonwealth certain real estate comprising the Crispin Cemetery in Philadelphia and providing for its restoration and maintenance as an historic shrine

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 433, entitled:

An Act authorizing the Secretary of Property and Supplies to sell and convey a tract of land in Limerick Township Montgomery County Pennsylvania with the approval of the Governor

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 434, on second reading, entitled:

An Act to further amend section two of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 685) entitled "An act designating certain life insurance companies as limited life insurance companies and further describing the powers thereof" further describing the powers of limited life insurance companies under certain conditions

go over in its order.

The PRESIDENT. It there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 436, entitled:

An Act making an appropriation to the Pennsylvania Historical and Museum Commission for the preservation and permanent casing of battle flags and war relics

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 447, entitled:

An Act to amend the act approved the fourth day of June one thousand nine hundred forty-five (Appropriation Acts page 106) entitled "An act making an appropriation for the preparation of the Eightieth Division History and creating a commission for such purposes" continuing the commission and reappropriating the unexpended balance

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 462, on second reading, entitled:

An Act relating to Federal aid to political subdivisions for the development of public airports.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 463, on second reading, entitled:

An Act to add clause II to section one thousand five hundred two of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" authorizing either alone or jointly with other political subdivisions the acquisition of land for the operation and leasing of airports airdromes landing fields and airport facilities

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 464, on second reading, entitled:

An Act to add clause XXVI to section seven hundred two of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law reatiing thereto" authorizing either alone or jointly with other political subdivisions the acquistion of land for and the operation and leasing of airports airdromes landing fields and airport facilities

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in tis case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 472, entitled:

An Act to amend section one of the act approved the fourth day of June one thousand nine hundred forty-five entitled "An act making an apropriation to te Department of Health for the acquisition of land by purchase or condemnation the construction of buildings the improvement furnishing and repairs of the State Sanatoria and the Cripled Cildren's Hospital for te payment by the Commonwealth of a share of the cost of preparing plans and surveys for sewage or industrial waste treatment plants and for the payment by the Commonwealth of a share of the cost of constructing such industrial waste plants for sealing abandoned mines from stream clearance including the purchase or condemnation of lands easements or right of ways and acquisition or construction of pipes conduits or tunnels and pumps and pumping equipment and for experimental and research work relating to the pollution of streams and the prevention thereof" by reducing the amount appropriated by said act

And said bill haveng been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 475, entitled:

An Act to further amend section two of the act approved the tenth day of July one thousand nine hundred thirty-five (P. L. 645) entitled "An act imposing certain requirements on certain hospitals receiving State aid

authorizing the withholding of appropriations and imposing duties on the Department of Welfare" extending temporary wartime provisions

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 477, entitled:

An Act to amend sections three four and nine of the act approved the twenty-fifth day of May one thousand nine hundred thirty-seven (P. L. 808) entitled "An act providing for the use of the Pennsylvania Industrial School at Huntingdon as an institution for the reception care maintenance detention employment and training of defective delinquents authorizing the preparation and equipment (including necessary construction) of the institution for such purposes either by the Department of Property and Suplies or the General State Authority and authorizing the necessary leases or conveyances for this purpose changing the name of the Board of Trustees of Pennsylvania Industrial School providing for the commitment and transfer of such persons to such institution and discharge therefrom conferring powers and imposing duties on the aforesaid board of trustees the Department of Welfare and courts and imposing certain charges on counties" further providing for the mental examination of juvenile delinquents and their release or retention

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 478, entitled:

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by extending the wartmie purchasing powers of the Department of Property and Supplies for a period of not longer than two years after te state of war and by further prescribing the methods of making purchases and entering into contracts by the Department of Property and Supplies

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 501, entitled:

An Act to amend article seven, section seven hundred one, paragraph (i) of the act approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions, defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers, fixing the salaries of the Governor, Lieutenant-Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by authorizing the substitution of a facsimile signature of the Governor on official documents requiring his signature or approval.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

HOUSE BILL No. 237 CALLED UP

Mr. TALLMAN. Mr. President, I call up House Bill No. 237, Printer's No. 55, on page 12 of the Calendar.

BILL ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 237, entitled:

An Act to amend sections one thousand seventeen and one thousand two hundred seven of the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto," removing the maximum and minimum limits on salaries of councilmen and mayors.

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. MAHANY offered the following amendments:

Amend sec. 1, (Sec. 1017), page 2, lines 12 and 14, by striking out the bracket before the word "The" in line 12, and after the word "year" where it appears the first time in line 14; amend sec. 1 (Sec. 1207), page 3, lines 18 and 19, by striking out the bracket before the word "The" in line 18, and after the word "dollars" in line 19.

They were agreed to.

The section was agreed to as amended.

The title was read.

On the question,

Will the Senate agree to the title:

Mr. MAHANY offered the following amendment:

Amend title, page 1, next to last line of title, by striking out the words "and minimum"

It was agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time, and agreed to, as amended,

Ordered, To be transcribed for a third reading.

BILL INTRODUCED AND REFERRED

Mr. BERGER. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BERGER read in place and presented to the Chair Senate Bill No. 546, entitled:

An Act to further amend the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties, imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts making an appropriation and providing for refunds," by further providing for timing the speed of vehicles the erection and maintenance of traffic signals, violations brought before, and the record of, magistrates, and the disposition of certain fines and penalties.

Which was committed to the Committee on Highways.

ADJOURNMENT

Mr. TALLMAN. Mr. President, I move that the Senate do now adjourn until Monday, April 14, 1947, at 4:00 o'clock, p. m., Eastern Standard Time.

Mr. WADE. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 1:40 o'clock, p. m., Eastern Standard Time until Monday, April 14, 1947, at 4:00 o'clock, p. m., Eastern Standard Time.

HOUSE OF REPRESENTATIVES

WEDNESDAY, April 9, 1947

The House met at 1:00 p. m.

The SPEAKER (Franklin H. Lichtenwalter) in the Chair.

PRAYER

Rev. Rodney Thaine Taylor, of Falling Spring Presbyterian Church of Chambersburg, guest of Mr. Nelson, offered the following prayer:

Our Father and our God, Thou who has created this Commonwealth, blessed with its rich resources, we invoke Thy Blessing, that Thy children might be directed; that we might live and move and act in accordance with Thy Divine Will. Let Thy Blessing be upon these our servants that liberty and justice might prevail for Jesus' sake. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of Tuesday, April 8, 1947.

The Clerk proceeded to read the Journal of Tuesday, April 8, 1947, when, on motion of Mr. VAUGHAN unanimously agreed to, the further reading was dispensed with and the Journal approved.

BILLS INTRODUCED AND REFERRED

By Messrs. McCORMACK and O'DARE.

HOUSE BILL No. 1245.

An Act making an appropriation to the Trustees of the Hahnemann Medical College and Hospital of Philadelphia, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. REILLY and Mrs. McCOSKER.

HOUSE BILL No. 1246.

An Act making an appropriation to the Trustees of the University of Pennsylvania.

Referred to the Committee on Appropriations.

By Messrs. THOMPSON and CLARENCE M. SMITH.

HOUSE BILL No. 1247.

An Act making an appropriation to the Moore Institute of Art, Science and Industry, formerly Philadelphia School of Design for Women, at Philadelphia, Pennsylvania.

Referred to the Committee on Appropriations.

By Messrs. LIVINGSTON and GRIFFITHS.

HOUSE BILL No. 1248.

An Act making an appropriation to the Board of Trustees of the Philadelphia Museum, Philadelphia.

Referred to the Committee on Appropriations.

By Mr. LEE. HOUSE BILL No. 1249.

An Act making an appropriation to the Trustees of Temple University at Philadelphia, Pennsylvania.

Referred to the Committee on Appropriations.

By Messrs GORMAN and WALTON.

HOUSE BILL No. 1250.

An Act making an appropriation to The Franklin Institute of the State of Pennsylvania, at Philadelphia.

Referred to the Committee on Appropriations.

By Mr. EWING. HOUSE BILL No. 1251.

An Act making an appropriation from the Motor License Fund to the State Employes' Retirement Board, to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the Motor License Fund.

Referred to the Committee on Appropriations.

By Mr. KRISE. HOUSE BILL No. 1252.

An Act making an appropriation from the Banking Department Fund to the State Employes' Retirement Board, to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the banking Department Fund.

Referred to the Committee on Appropriations.

By Mr. GOODLING. HOUSE BILL No. 1253.

An Act making an appropriation from the Fish Fund to the State Employes' Retirement Board, to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the Fish Fund.

Referred to the Committee on Appropriations.

By Mr. RAY L. RILEY. HOUSE BILL No. 1254.

An Act making an appropriation from the Game Fund to the State Employes' Retirement Board, to meet obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the Game Fund.

Referred to the Committee on Appropriations.

By Mr. YEAKEL. HOUSE BILL No. 1255.

An Act making an appropriation from the Manufacturing Fund to the State Employes' Retirement Board, to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the Manufacturing Fund.

Referred to the Committee on Appropriations.

By Mr. WAGNER. HOUSE BILL No. 1256.

An Act making an appropriation from the State Stores Fund to the State Employes' Retirement Board, to meet obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the State Stores Fund.

Referred to the Committee on Appropriations.

By Mr. BAUMUNK. HOUSE BILL No. 1257.

An Act making an appropriation from the State Workmen's Insurance Fund to the State Employes' Retirement Board, to meet obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the State Workmen's Insurance Fund.

Referred to the Committee on Appropriations.

By Mr. GYGER. HOUSE BILL No. 1258.

An Act making an appropriation to the Downingtown Industrial and Agricultural School, Downingtown, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. GUTHRIE. HOUSE BILL No. 1259.

An Act making an appropriation from the Motor License Fund to the Department of Property and Supplies, for the payment of costs incurred by that department in acting as purchasing agent for the Department of Highways.

Referred to the Committee on Appropriations.

By Mr. DENNISON. HOUSE BILL No. 1260.

An Act making appropraitions from the Motor License Fund to the Board of Finance and Revenue to meet interest, sinking fund, and service requirements on the State debt.

Referred to the Committee on Appropriations.

By Mr. BRICE. HOUSE BILL No. 1261.

An Act to repeal the act approved the fourth day of June, one thousand nine hundred forty-five, entitled: "An act authorizing the Department of Military Affairs to collect and to preserve the selective service and war records of the Commonwealth of Pennsylvania; authorizing the storage of such records in available buildings or the construction of a new building to accommodate them, if necessary; and making an appropriation therefor."

Referred to the Committee on Appropriations.

By Mr. BOWER. HOUSE BILL No. 1262.

An Act making appropriations to the Treasury Department out of various funds, to pay replacement checks issued in lieu of outstanding checks when presented, and to adjust errors.

Referred to the Committee on Appropriations.

By Mr. BONAWITZ. HOUSE BILL No. 1263.

An Act making an appropriation for aid to free public non-sectarian county libraries, and for the purchase and transportation of books.

Referred to the Committee on Appropriations.

By Messrs. TITTLE and DAVID P. REESE. HOUSE BILL No. 1264.

An Act making an appropriation to the several fire companies of the City of Harrisburg, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. GIBSON. HOUSE BILL No. 1265.

An Act making an appropriation for the purpose of maintaining the public roads, and improving and replacing bridges thereon, through the Cornplanter Indian Reservation in Elk Township, Warren County, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. FISH. HOUSE BILL No. 1266.

An Act making an appropriation to the State Veterans' Commission for the expenses of the commission, preparing and printing a compilation of veterans' laws, furnishing certain assistance to needy Pennsylvania veterans of any war or their dependents, for participation in certain defense activities, for the rehabilitation and care of veterans including the acquisition of land by purchase, condemnation or gift, and construction of buildings for such purpose.

Referred to the Committee on Appropriations.

By Mr. TURNER. HOUSE BILL No. 1267.

An Act making an appropriation to The Glen Mills Schools, situate in Delaware County, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. FLEMING. HOUSE BILL No. 1268.

An Act making an appropriation to the Trustees of the University of Pittsburgh for the general maintenance of said university, the purchase of apparatus and equipment therefor, and the maintenance of teaching facilities in hospitals for students in the School of Medicine of said university.

Referred to the Committee on Appropriations.

By Mr. HOOPES. HOUSE BILL No. 1269.

An Act making an appropriation to the Trustees of the College of Lincoln University, Chester County.

Referred to the Committee on Appropriations.

By Mr. WATKINS. HOUSE BILL No. 1270.

An Act making an appropriation to aid certain school districts.

Referred to the Committee on Appropriations.

By Mr. DAVID P. REESE. HOUSE BILL No. 1271.

An Act making an appropriation to the Department of Labor and Industry, to meet the obligation of the Commonwealth, to pay a part of the compensation payable for certain occupational diseases.

Referred to the Committee on Appropriations.

By Mr. WORLEY. HOUSE BILL No. 1272.

An Act making an appropriation of moneys in the Motor License Fund to the Board of Finance and Revenue for the payment of the Loan and Transfer Agent of the Commonwealth.

Referred to the Committee on Appropriations.

By Mr. WOOD. HOUSE BILL No. 1273.

An Act to repeal the act approved the fourth day of June, one thousand nine hundred forty-five, entitled; "An act authorizing the Department of Property and Supplies, with the approval of the Governor, to acquire, by condemnation or purchase, land or land and buildings within the City Philadelphia, and within the City of Pittsburgh, or the County of Allegheny; and to construct, alter, improve and equip such property for use of the Commonwealth; providing for the maintenance thereof; and making an appropriation."

Referred to the Committee on Appropriations.

By Mr. SERRILL. HOUSE BILL No. 1274.

An Act making an appropriation to the Department of Health for the purpose of conducting cancer research.

Referred to the Committee on Appropriations.

By Mr. MURRAY. HOUSE BILL No. 1275.

An Act making an appropriation to the Department of Health for the purpose of organizing projects for the adequate prevention, diagnosis, care and treatment of rheumatic fever and rheumatic heart disease.

Referred to the Committee on Appropriations.

By Mr. ROYER. HOUSE BILL No. 1276.

An Act making an appropriation to the Department of Military Affairs, for the maintenance and education of children of certain soldiers, sailors, marines, female field clerks, yeomen (female) and nurses.

Referred to the Committee on Appropriations.

By Mr. MOHR. HOUSE BILL No. 1277.

An Act making an appropriation to the Women's Medical College of Pennsylvania located at East Falls, Philadelphia, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. LOFTUS. HOUSE BILL No. 1278.

An Act making an appropriation to the Jefferson Medical College, of Philadelphia, Pennsylvania, for Medical education.

Referred to the Committee on Appropriations.

By Mr. DIX. HOUSE BILL No. 1279.

An Act to amend subsection (a) of section thirty of the act, approved the first day of June, one thousand nine hundred thirty-seven (P. L. 1132), entitled "An act to provide for the permanent personal registration of electors in cities of the second class A as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; and imposing penalties," providing that reports of nonresidents' deaths be made to the registration commission of the county or city in which they resided.

Referred to the Committee on Elections and Apportionment.

By Mr. DIX. HOUSE BILL No. 1280.

An Act to amend subsection (a) of section thirty of the act, approved the twenty-fifth day of May, one thousand nine hundred thirty-seven (P. L. 849), entitled "An act to provide for the permanent personal registration of electors in cities of the third class as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; imposing penalties; and repealing existing legislation," providing that reports of nonresidents' deaths be made to the registration commission of the county or city in which they resided.

Referred to the Committee on Elections and Apportionment.

By Mr. DIX. HOUSE BILL No. 1281.

An Act to amend subsection (a) of section twenty-nine of the act, approved the twenty-ninth day of April, one thousand nine hundred thirty-seven (P. L. 487), entitled "An act to provide for the permanent personal registration of electors in boroughs, towns, and townships as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; requiring the county commissioners of the various counties to act as a registration commission therefor; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporationsfi real estate brokers, rental agents, and boards of school directors; and imposing penalties," providing that reports of deaths of nonresidents be made to the registration commission of the county or city in which they resided.

Referred to the Committee on Elections and Apportionment.

By Mr. DIX. HOUSE BILL No. 1282.

An Act to amend subsection (a) of section thirty-one of the act, approved the thirtieth day of March, one thousand nine hundred thirty-seven (P. L. 115), entitled "An act to provide for the permanent persoal registration of electors in cities of the first class as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens, parties, bodies of electors, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commission, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, real estate brokers, rental agents, certain public service companies, persons, firms, and corporations operating vehicles for moving furniture and household goods, and boards of school directors; and imposing penalties," providing that reports of deaths of nonresidents be made to the registration commission of the county or city in which they resided.

Referred to the Committee on Elections and Apportionment.

By Mr. GRIFFITHS. HOUSE BILL No. 1283.

An Act to amend the act, approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 289), entitled "An act relating to nonprofit corporations; defining and providing for the organization, merger, consolidation, and dissolution of such corporations; conferring certain rights, powers, duties, and immunities upon them and their officers and members; prescribing the conditions on which such corporations may exercise their powers; providing for the inclusion of certain existing corporations of the first class within the provisions of this act; prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth; conferring powers and imposing duties on the courts of common pleas, prothonotaries of such courts, recorders of deeds, and certain State departments, commissions, and officers; authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act; imposing penalties; and repealing certain acts and parts of acts relating to corporations," providing that name registrations shall automatically expire if the registrant has not become incorporated within six months, requiring a statement in the articles that the name registration has been made within such period and providing for re-registration in case of such expiration.

Referred to the Committee on Judiciary.

By Messrs. JOHNSON and TOMPKINS. HOUSE BILL No. 1284.

An Act to further amend sections one and three of the act, approved the fourth day of April, one thousand nine hundred twenty-five (P. L. 127), entitled "An act relating to Adoption," permitting petitions for adoption to be filed in the county of births of the person proposed to be adopted; and requiring hearing on petitions to be heard promptly.

Referred to the Committee on Judiciary.

By Mr. COOPER. HOUSE BILL No. 1285.

An Act to further amend section two of the act, approved the eighth day of June, one thousand eight hundred and ninety-three (P. L. 344, No. 284), entitled "An act relating to husband and wife, enlarging her capacity to acquire and dispose of property, to sue and be sued, and to make a last will, and enabling them to sue and to testify against each other in certain cases," authorizing a married woman to mortgage her real property to the same extent as a married man; to make contracts as if unmarried.

Referred to the Committee on Judiciary.

By Mr. COOPER. HOUSE BILL No. 1286.

An Act validating certain conveyances of real property made by a county home or by the directors of the poor.

Referred to the Committee on Judiciary.

By Mr. COOPER. HOUSE BILL No. 1287.

An Act to provide for the change of objects of the corporate existence of volunteer fire-companies and firemen's relief associations connected with volunteer fire departments, and authorizing and providing a mode for the dissolution and surrender of the charter of said companies and associations.

Referred to the Committee on Judiciary.

By Mr. REAGAN. HOUSE BILL No. 1288.

An Act to promote the public welfare, and to protect mental defectives by prescribing circumstances under which selective sterilization of certain types of individuals may be performed without civil or criminal liability, and providing penalties.

Referred to the Committee on Welfare.

By Messrs. YETZER and CAPANO. HOUSE BILL No. 1289.

An Act to repeal clauses (f) and (g) of and to add five new clauses to section three hundred six of the act,

approved the twenty-first day of June, one thousand nine hundred thirty-nine (P. L. 566), entitled "An act defining the liability of an employer to pay damages for occupational disease contracted by an employe arising out of and in the course of employment; establishing an elective schedule of compensation; providing procedure for the determination of liability and compensation thereunder; imposing duties on the Department of Labor and Industry, the Workmen's Compensation Board, Workmen's Compensation Referees, and deans of medical schools; creating a medical board to determine controverted medical issues; establishing an Occupational Disease Fund in custody of the State Workmen's Insurance Board; imposing upon the Commonwealth a part of the compensation payable for certain occupational diseases; making an appropriation; and prescribing penalties," changing the provisions relating to medical services to be furnished by employers.

Referred to the Committee on Workmen's Compensation.

By Messrs. CAPANO and MILLS.

HOUSE BILL No. 1290.

An Act to repeal clauses (f), (g) and (h) of, and to add five new clauses to, section three hundred six of the act, approved the second day of June, one thousand nine hundred fifteen (P. L. 736), entitled as amended "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment; establishing an elective schedule of compenliability and compensation thereunder; and prescribing sation; providing procedure for the determination of penalties," changing the provisions relating to medical services to be furnished by the employers.

Referred to the Committee on Workmen's Compensation

By Messrs. BANE and PETROSKY.

HOUSE BILL No. 1291.

An Act to further amend the act, approved the second day of June, one thousand nine hundred fifteen (P. L. 736), entitled as amended "An act defining the liability of an employer to pay damages for injustice received by an employe in the course of employment; establishing an elective schedule of compensation; providing procedure for the determination of liability and compensation thereunder; and prescribing penalties," making the provisions of said act mandatory, and abolishing actions at common law for damages resulting from injuries received by an employe in the course of employment.

Referred to the Committee on Workmen's Compensation.

By Mr. CORDIER. HOUSE BILL No. 1292.

A Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Pennsylvania, limiting the taxation on real property taxed according to value.

Referred to the Committee on Judiciary.

By Messrs BUCCHIN and BENTZEL.

HOUSE BILL No. 1293.

An Act requiring equality in rate of pay regardless of sex in all occupations; conferring powers and imposing duties upon the Department of Labor and Industry, and the secretary thereof; and prescribing penalties.

Referred to the Committee on Labor Relations.

By Messrs COLE and EVANS.

HOUSE BILL No. 1294.

An Act to amend the act, approved the twenty-first day of June, one thousand nine hundred thirty-nine (P. L. 566), entitled "An act defining the liability of an employer to pay damages for occupational disease contracted by an employe arising out of and in the course of employment; establishing an elective schedule of compensation; providing procedure for the determination of liability and compensation thereunder; imposing duties on the Department of Labor and Industry, the Workmen's Compensation Board, Workmen's Compensation Referees, and deans of medical schools; creating a medical board to determine controverted medical issues; establishing an Occupational Disease Fund in custody of the State Workmen's Insurance Board; imposing upon the Commonwealth a part of the compensation pay able for certain occupational diseases; making an appropriation; and prescribing penalties," making the provisions of said act mandatory and abolishing actions at common law for damages resulting from occupational disease.

Referred to the Committee on Workmen's Compensation.

By Messrs. LOVETT and NEEDHAM.

HOUSE BILL No. 1295.

An Act providing for the creation and administration of a State Fund for the insurance of the liability of employers for injuries to employes sustained in their course of employment, declaring false oaths by the subscribers to be misdemeanors, providing penalties for the violation thereof, and making an appropriation.

Referred to the Committee on Workmen's Compensation.

By Messrs. VAUGHAN, WALDRON, HAUDENSHIELD and EWING. HOUSE BILL No. 1296.

An Act to promote the welfare and general well-being of the veterans of this Commonwealth; creating a State Veterans' Authority as a body corporate and politic with power to purchase, sell, construct and administer real estate, homes or farms in aid of veterans; authorizing and regulating the issuance of bonds by said Authority, and providing for the payment of such bonds, and the rights of the holders thereof; and providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act; further prescribing the powers and duties of said Authority and making an appropriation.

Referred to the Committee on Military Affairs.

By Messrs. PICKENS, GUTHRIE and HELM.

HOUSE BILL No. 1297.

An Act requiring the Department of Highways to assume the counties or townships share of rental and cost of repair and maintenance of railroad bridges over which vehicular traffic also travels connecting two State highways.

Referred to the Committee on Highways.

By Mr. DIX. HOUSE BILL No. 1298.

An Act to amend subsection (a) of section thirty of the act, approved the twenty-fifth day of May, one thousand nine hundred thirty-seven (P. L. 814), entitled "An act to provide for the permanent personal registration of electors in cities of the second class as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and pri-

maries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; and imposing penalties," providing that reports of nonresidents' deaths be made to the registration commission of the county or city in which they resided.

Referred to the Committee on Elections and Apportionment

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence, bills numbered and entitled as follows:

SENATE BILL No. 15.

An Act validating certain sales hertofore made by school districts without advertisement or confirmation and the titles conveyed thereby.

Referred to the Committee on Judiciary.

SENATE BILL No. 38.

An Act to further amend sections one and two of the act approved the thirty-first day of May one thousand eight hundred and ninety-three (P. L. 188) entitled "An act designating the days and half days to be observed as legal holidays and for the payment acceptance and protesting of bills notes drafts checks and other negotiable paper on such days" by making Saturdays bank holidays under certain conditions and repealing inconsistent laws.

Referred to the Committee on Banking and Building and Loan Associations.

SENATE BILL No. 103.

An Act authorizing the staging of certain performances and playing of certain sports on Sunday after certain hours where the electors of a municipality or township vote in favor of the same providing for referendums to escertain the will of the electors prescribing penalties and repealing inconsistent laws

Referred to the Committee on Law and Order.

SENATE BILL No. 134.

An Act to amend section three of the act approved the second day of July one thousand nine hundred thirty-seven (P. L. 2793) entitled "An act authorizing and empowering any city county school district or other municipality which shall have acquired a limited title to real estate for municipal purposes to secure a title in fee simple to any such real estate and providing and regulating the procedure in such cases" by reducing the period within which any person claiming a reversionary or other interest in and to such property may petition the Court of Common Pleas of the County in which such real estate is situated for the assessment and recovery of any damages to which he may be entitled and making final against any subsequent claim the determination thereof.

Referred to the Committee on Judiciary.

SENATE BILL No. 273.

An Act to further amend sections two hundred twenty and two hundred eighty-five of the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" increasing the resident fishing license fee and limiting the use of a part of the money derived from such increase

Referred to the Committee on Fisheries.

SENATE BILL No. 279.

An Act to repeal section fifty-three of the act approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1237), entitled "An act affecting marital relations prescribing grounds and regulating proceedings for divorce and the annulment of bigamous marriages and amending, revising, and consolidating the law relating thereto," cancelling necessity of proving lunacy of respondent when the petition or libel sets forth such lunacy.

Referred to the Committee on Judiciary.

SENATE BILL No. 289.

An Act to further amend section four hundred ten and four hundred eleven of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals and amending, revising, consolidating and changing the law relating thereto," by providing an alternate method for marking boundary lines of regulated shooting grounds and authorizing fixing of shooting periods thereon under certain conditions.

Referred to the Committee on Game and Forestry.

SENATE BILL No. 307.

An Act proposing an amendment to section five of article fourteen of the Constitution providing for fixing salaries of county officers and employes.

Referred to the Committee on Judiciary.

SENATE BILL No. 314.

An Act to further amend section seven of the act, approved the seventh day of August, one thousand nine hundred thirty-six (P. L. 106), entitled, as amended, "An act relating to flood control prescribing the powers and duties of the Water and Power Resources Board of the Department of Forests and Waters in relation to the creation of flood control districts adoption of plans for flood control works and improvements carrying into effect of such plans assistance aid and cooperation with public and private agencies and the Federal Government in Federal flood control works and improvements and entering into compacts and agrements with other states for flood control works and improvements conferring the power of eminent domain, providing for the setting off of benefits imposing certain charges upon the Commonwealth providing for appeals and conferring certain powers on municipalities, counties and townships and the Department of Highways," permitting the Department of Forests and Waters to use dams, lakes, reservoirs and adjoining lands acquired for flood control purposes as recreational areas and providing for the installation of flood forecasting and warning systems.

Referred to the Committee on State Government.

SENATE BILL No. 316.

An Act authorizing the Department of Forests and Waters to provide for stream clearance and stream channel recitifications to construct and maintain dams reservoirs lakes and other works and improvements for impounding flood waters and conserving the water supply of the Commonwealth and for creating additional recreational areas to acquire by purchase condemnation or otherwise certain lands for such purposes to construct and maintain flood forecasting and warning systems.

Referred to the Committee on State Government.

SENATE BILL No. 382.

An Act to further amend section two hundred three to add subsection (d) to section four hundred forty-eight and to add a new section one thousand eight hundred ten to the act approved the nineth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and dtuies of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant-Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by creating as departmental administrative advisory board in the Department of Forests and Waters the Flood Control Commission prescribing its powers duties and personnel directing cooperation of other governmental agencies and giving jurisdiction to the Dauphin County Court to enforce subpoenas.

Referred to the Committee on State Government.

SENATE BILL No. 385.

An Act to amend subsection (b) of section four of the act approved the twenty-fifth day of May one thousand nine hundred forty-five (P. L. 1050) entitled "An act relating to the collection of taxes levied by counties county institution districts cities of the third class boroughs towns townships certain in school districts and vocational school districts conferring powers and imposing duties on tax collectors courts and various officers of said political subdivisions and prescribing penalties" by providing that where borough taxes are collected by an appointee of council the council may prescribe the bond that may be required for the borough taxes.

Referred to the Committee on Boroughs.

RESOLUTION INTRODUCED AND REFERRED

By Mr. ANDREWS. RESOLUTION No. 38.

In the House of Representatives, April 8, 1947.

Whereas, legislation effecting teachers salary schedules has figured largely in the proceedings of this House and has aroused state-wide interest, and

Whereas, it is desirable that the members of the General Assembly before passing finally upon teachers salary schedules be informed concerning the schedule of teachers salaries in effect in other states and also have information concerning the methods used in other states in financing teachers salaries, therefore be it

Resolved, that the Committee on Education, at its earliest convenience, furnish the members of this House with the following information:

1—Schedules of the salaries paid teachers in the following states: Massachusetts, New Jersey, New York, Ohio, Illinois, Iowa, Texas, California.

2—Methods by which teachers salaries are financed in the states named.

3—Basis upon which state subsidies, if any, in the states named are allocated.

4—Teacher-pupil ratios in the states named.

And, in addition, the Committee on Education is directed to supply the members of this House with such other information concerning educational costs and teachers salaries as may, in the Committee's judgment, be useful in enabling the members of this House make intelligent comparisons between proposed teacher salary schedules in Pennsylvania and the schedules to which the states named in this resolution now adhere.

Referred to the Committee on Rules.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. KLINE asked and obtained permission for the Committee on Insurance to meet during the session of the House.

BILL SIGNED BY SPEAKER

Bill numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the title was publicly read as follows:

HOUSE BILL No. 313.

An Act authorizing and empowering cities of the first class of this Commonwealth to acquire by purchase lease or condemnation any land within said cities with the buildings thereon if any to construct buildings and facilities thereon to operate the same as parking lots or public garages subject to certain conditions or to lease such parking lots or garages for private operation and to fix the terms and conditions of such leases.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

REPORTS FROM COMMITTEES

Mrs. DYE from the Committee on Education, reported as amended, House Bill No. 6, entitled:

An Act to amend subsection four of section one thousand two hundred nine point one, of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," requiring librarians with five years of accredited study to be paid as teachers holding Master's Degrees.

Mr. THOMASSY from the Committee on Professional Licensure, reported as committed, House Bill No. 191, entitled:

An Act to amend the act, approved the third day of May, one thousand nine hundred thirty-three (P. L. 242), entitled "An act to promote the public health and safety by providing for examination and registration of those who desire to engage in the occupation of beauty culture; defining beauty culture, and regulating beauty culture shops, schools, students, apprentices, teachers, managers and operators; conferring powers and duties upon the Department of Public Instruction; providing for appeals to certain courts by applicants and licensees; and providing penalties," providing for the keeping and distribution of a registry roster by the department.

Mr. McDONALD from the Committee on Judiciary, reported as committed, House Bill No. 234, entitled:

An Act to amend section seven of the act approved the twenty-fourth day of July, one thousand nine hundred forty-one (P. L. 490), entitled "An act relating to acknowledgments of written instruments, and to make uniform the law with relation thereto," regulating acknowledgments of written instruments made by corporations.

Mr. LAYER from the Committee on Municipal Corporations, reported as committed, House Bill No. 419, entitled:

An Act to repeal the act approved the twenty-eighth day of July, one thousand nine hundred forty-one, (P. L. 535), entitled "An act providing for the redemption of real property purchased by political subdivisions at tax sales upon the payment of the amount charged against the same and costs by installment payments, and prescribing the procedure therefor."

Mr. GREENWOOD from the Committee on Professional Licensure, reported as committed, House Bill No. 339, entitled:

An Act to further amend section eleven of the act, approved the nineteenth day of June, one thousand nine hundred thirty-one, (P. L. 589), entitled, as amended "An act to promote the public health and safety, by providing for the examination and licensure of those who desire to engage in the occupation of barbering; regulating barber shops and barber schools, and apprentices and students therein; regulating compensation for service rendered; conferring certain powers and duties on the Department of Public Instruction; and providing penalties," providing for the keeping and distribution of a registry roster by the department.

Mr. MAZZA from the Committee on Liquor Control, reported as committed, House Bill No. 1014, entitled:

An Act to further amend the fifth paragraph of section three hundred five of the act, approved the twenty-ninth day of November, one thousand nine hundred thirty-three (P. L. 15—1933-34), entitled, as amended "An act to regulate and restrain the sale, manufacture, possession, transportation, importation, traffic in, and use of alcohol, and alcoholic and malt or brewed beverages; conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents, the Department of Public Instruction, other officers of the State government, courts, and district attorneys; authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises, and the granting of licenses, subject to local option, to sell such beverages for consumption on and off the premises; forbidding importation or bringing of such beverages into the State except as herein provided; prohibiting certain sales or practices in, connection with, and transactions in such beverages by licensees and others; providing for the forfeiture of certain property; making disposition of the receipts from State stores and of fees; and imposing penalties," permitting for a limited period of time wines to be sold without having affixed to the package the official seal of the board.

Mr. McMILLEN from the Committee on Education, reported as committed, House Resolution No. 32.

Mr. RAGOT from the Committee on Professional Licensure, re-reported as amended, House Bill No. 494, entitled:

An Act to further amend the act, approved the nineteenth day of June, one thousand nine hundred thirty-one (P. L. 589) entitled as amended "An act to promote the public health and safety, by providing for the examination and licensure of those who desire to engage in the occupation of barbering; regulating barber shops and barber schools, and apprentices and students therein; regulating compensation for service rendered; conferring certain powers and duties on the Department of Public Instruction and providing penalties," by further regulating the practice of barbering, the annual renewal of certificates, and the eligibility requirements for examinations.

Mr. GOODLING from the Committee on Game and Forestry, reported as amended, House Bill No. 507, entitled:

An Act to amend sections eleven hundred three and eleven hundred five of the act approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," by restricting the payment of bounties to residents of the Commonwealth; reducing the penalty for presentation of illegal bounty claims; and clarifying the law with reference thereto.

Mr. YESTER from the Committee on Professional Licensure, reported as committed, House Bill No. 720, entitled:

An Act defining and providing for the licensing and regulation of private business schools and classes and agents thereof; conferring powers and imposing duties upon the State Board of Private Business Schools; and prescribing penalties.

Mr. BEECH from the Committee on Cities and County—Second Class, reported as committed, House Bill No. 754, entitled:

An Act to further amend sections three hundred seventeen, three hundred eighteen, three hundred ninteen, three hundred twenty,three hundred twenty-one, three hundred twenty-two, three hundred twenty-three, and three hundred twenty-four, of the act, approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," by changing the amount of contributions to the employes' retirement fund and the retirement age of new employes; extending the power of the retirement board in investing the money of the retirement fund; decreasing the length of service necessary to entitle certain members to a retirement allowance upon being totally disabled; refund of contributions; authorizing counties of the second class and county institution district to make additional appropriations.

Mr. DALRYMPLE from the Committee on Education, reported as amended, House Bill No. 767, entitled:

An Act to amend sections one thousand one hundred five, one thousand one hundred twenty-one, one thousand one hundred twenty-seven, one thousand one hundred thirty-four and one thousand one hundred thirty-seven of the act approved the eighteenth day of May, one thou-

sand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith" by further providing for the term of office and the election of county superintendents, assistant county superintendents, district superintendents, and assistant district superintendents in all second, third and fourth class school districts of the Commonwealth.

Mr. STUART from the Committee on Education, reported as committed, House Bill No. 768, entitled:

An Act to add section one thousand six hundred ten point one to the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," authorizing the teaching of safe driving of automobiles.

Mr. GYGER from the Committee on Education, reported as committed House Bill No. 769, entitled:

An Act making an appropriation out of the motor License Fund to the Department of Public Instruction to promote highway safety education.

Mr. BENTZEL from the Committee on Education, reported as committed, House Bill No. 792, entitled:

An Act to further amend sections two thousand one hundred one and two thousand one hundred seven of the act approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," by further providing for the meetings of teachers of public schools under the jurisdiction of the county superintendent, authorizing instructional courses for such teachers upon approval of the county board of school directors, and increasing the amount of expenses for teachers' meetings or instructional courses to be paid by the county treasurer.

Mr. BEECH from the Committee on Professional Licensure, reported as committed, House Bill No. 827, entitled:

An act defining and providing for the licensing of private correspondence schools and the registration of agents of such schools; providing for contractual liability; conferring powers and imposing duties on the State Council of Education; and prescribing penalties.

Mr. VAUGHAN from the Committee on Cities and County—Second Class, reported as committed, House Bill No. 832, entitled:

A Supplement to the act, approved the twenty-fifth day of April, one thousand nine hundred forty-five (P. L. 299), entitled "An act providing for the establishment in counties of the second class of the lot and block plan for the registration of land titles, for the accumulation of county tax liens, and for the enumeration of the parcels of real estate to be assessed for county, city, borough, township, school and institution district taxation; providing for the incurring of indebtedness for the installation thereof; and imposing duties upon the county controller and the deed registrar in each of such counties," providing for the use in counties of the second class of the lot and block descriptive number, in the making of assessments, in the preparation of tax bills and tax receipts, in the filing of liens for delinquent taxes and in the sale of real estate for taxes; and imposing duties upon certain county officials in second class counties, and upon treasurers, tax collectors and solicitors of cities, boroughs, towns, townships and school districts in said counties.

Mr. STOCKHAM from the Committee on Education, reported as committed, House Bill No. 848, entitled:

An Act to amend clause (d) of subsection one of section four of the act approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing employes; defining the uses and purposes thereof, and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon boards having the employment of public school employes; exempting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," by increasing the membership of the Public School Employes' Retirement Board.

Mr. STIMMEL from the Committee on Professional Licensure, reported as committed, House Bill No. 863, entitled:

An Act to further amend section three of the act approved the thirteenth day of May, one thousand nine hundred twenty-seven (P. L. 988), entitled "An act providing for and regulating the State registration of nurses and licensed attendants, the annual recording of registration certificates; and regulating the profession of nursing; and repealing certain existing laws," further providing for emergency registration of nurses.

Mr. CHERVENAK from the Committee on Education, reported as committed, House Bill No. 873, entitled:

An Act to repeal the act approved the twenty-eighth day of May, one thousand nine hundred forty-three (P. L. 784), entitled "An act prescribing temporary emergency war provisions with respect to the administration of certain provisions of the school laws of this Commonwealth; relating to days for school to be in session; closing schools and suspending classes; temporary assignment and reassignment of teachers; extension of transportation facilities; payment of tuition in lieu of transportation; and granting temporary farm and conservation employment certificates for certain pupils, under certain conditions; providing for full state subsidies when employing teachers holding special wartime certificates; authorizing boards of school directors (or boards of public education), subject to the approval of the district or county superintendent, to put such provisions into operation."

Mrs. McCOSKER from the Committee on Judiciary, reported as committed, House Bill No. 876, entitled:

An Act empowering all corporations incorporated under the laws of the State of Pennsylvania for purposes not for profit to change, alter, and amend by by-law such provisions of their charters as are purely administrative, and validating such changes, alterations and amendments heretofore made.

Mr. MADIGAN from the Committee on Education, reported as committed, House Bill No. 881, entitled:

An Act to amend section one thousand two hundred forty-four of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," providing Commonwealth reimbursement on account of elementary school tuition for attendance in other districts.

Mr. KOHL from the Committee on Professional Licensure, reported as committed, House Bill No. 905, entitled:

An Act to amend and reenact section one of the act, approved the twenty-first day of May, one thousand nine hundred forty-three (P. L. 491), entitled "An act reducing, for a limited period of time, the training period of internship, in osteopathic hospitals, in order to qualify for examination for license by the Osteopathic Surgeons" Examining Board to practice major surgery, and suspending inconsistent laws," further regulating the training period of internship in osteopathic hospitals.

Mr. O'DONNELL from the Committee on Professional Licensure, reported as committed, House Bill No. 917, entitled:

An Act to repeal the act, approved the nineteenth day of March, one thousand nine hundred forty-three (P. L. 19), entitled "An act reducing, for a period of time, the training period of medical internship in hospitals in order to qualify for examination for license to practice medicine and surgery, and suspending inconsistent laws."

Mr. EDWIN S. LIVINGSTON from the Committee on Professional Licensure, reported as committed, House Bill No. 921, entitled:

An Act to repeal the act, approved the twenty-second day of April, one thousand nine hundred forty-three (P. L. 71), entitled "An act authorizing the State Board of Medical Education and Licensure to issue temporary permits to doctors of medicine legally licensed in other states to practice medicine and surgery in this State, under certain conditions, for a limited period of time."

Mr. WEST from the Committee on Professional Licensure, reported as committed, House Bill No. 936, entitled:

An Act to further amend section one of the act, approved the twenty-sixth day of May, one thousand nine hundred forty-three (P. L. 607), entitled "An act authorizing administrative boards within the Department of Public Instruction, for the duration of the present War, to admit to examination and grant licenses or registration to certain applicants who are less than twenty-one, but not less than twenty years of age," further regulating the professional examination, licensure, or registration of persons who are less than twenty-one, but over twenty years of age.

Mr. POWERS from the Committee on Cities and County —Second Class, reported as committed, House Bill No. 940, entitled:

An Act to amend subdivision (e) of article five of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," allowing counties of the second class to expend county moneys for aiding townships to construct or complete water systems.

Mr. O'DONNELL from the Committe on Judiciary, reported as committed, House Bill No. 957, entitled:

A Joint Resolution proposing an amendment to article nine, section four of the Constitution of the Commonwealth of Pennsylvania, increasing the maximum amount of State debt to supply deficiencies in revenue.

Mr. O'CONNOR from the Committee on Education, reported as committed, House Bill No. 1044, entitled:

An Act to further amend the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043), entitled "An act establishing a public school employees' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing employees, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain said funds; imposing powers and duties upon boards having the employment of public school employees; exempting annuities, allowances, returns, benefits and rights from taxation and judicial process; and providing penalties" by requiring the retirement board to submit annual statements to contributors.

Mr. POLASKI from the Committee on Education, reported as committed, House Bill No. 1041, entitled:

An Act to provide for the minimum salaries, qualifications, classification, leaves of absence, and regulations of the administrative officers, heads of special service departments and faculties of state teachers colleges.

Mr. NEFF from the Committee on Professional Licensure, reported as committed, House Bill No. 1046, entitled:

An Act to amend section two of the act, approved the twenty-sixth day of May, one thousand nine hundred twenty-one (P. L. 1172), entitled "An act to regulate the practice of pharmacy and sale of poisons and drugs, and providing penalties for the violation thereof; defining the words 'drug' and 'poison'; and providing for the appointment of a board which shall have in charge the enforcement of said law, and the power to make rules and regulations for the enforcement of said law, and providing for the purchase of samples of drugs for determining their quality, strength, and purity," regulating the use of a corporate title in applying for a pharmacy permit and its use on labels, signs and advertisements.

Mr. JOHNSON from the Committee on Judiciary, reported as committed, House Bill No. 1088, entitled:

An Act validating the charters and the registration of the corporate name of certain nonprofit corporations.

Mr. TITTLE from the Committee on Education, reported as committed, House Bill No. 1090, entitled:

An Act to further amend the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," providing for

medical examiners in lieu of medical inspectors, and prescribing their duties, making mandatory the employment of a school nurse and repealing provisions relating to medical inspections and reports of medical inspectors.

Mr. CORDIER from the Committee on Welfare, reporte as amended, House Bill No. 1143, entitled:

An Act providing that the Soldiers' and Sailors' Home at Erie, Pennsylvania, shall provide ample facilities for caring for four mentally deranged veterans or civilians who may be detained there.

Mr. MILLER from the Committee on Game and Forestry, reported as committed, House Bill No. 1173, entitled:

An Act to amend the title of the act, approved the fifth day of May, one thousand nine hundred twenty-seven (P. L. 817), entitled, "An act authorizing and regulating the growth, sale, and distribution of forest tree seedlings and transplants by the Department of Forests and Waters; regulating the use of such forest tree seedlings and transplants; and imposing duties upon the Department of Agriculture with regard to the enforcement of this act," by extending its provisions to include shrubs and vines under certain circumstances.

Mr. CLEVENGER from the Committee on Game and Forestry, reported as committed, House Bill No. 1174, entitled:

An Act to further amend clause (j) of section one thousand eight hundred two of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certani department, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, board and commissions shall be determined," by prescribing certain additional forest powers and duties.

Mr. CORDIER from the Committee on Municipal Corporation, reported as committed, House Bill No. 438, entitled:

An Act to further amend section three of, and add section four to the act, approved the twenty-fourth day of May, one thousand eight hundred ninety-three (P. L. 129), entitled "An act to empower boroughs and cities to establish a police pension fund, to take property in trust therefor, and regulating and providing for the regulation of the same," deleting provisions relating to termination of right to participate in the fund and regulation thereof; and providing that compensation or pension is not to be subject to attachment, execution, assignment or transfer and payable only to beneficiary designated, in person.

BILL RE-REFERRED

Mr. KRISE from the Committee on Professional Licensure, returned with the recommendation that it be rereferred to the Committee on Appropriations, House Bill No. 828, entitled:

An Act making an appropriation to the Department of Public Instruction for the expenses involved in licensing and regulating private correspondence schools and classes.

The SPEAKER. The bill is re-referred to the Committee on Appropriations.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. WAGNER asked and obtained permission for the Committee on Liquor Control to meet during the session of the House.

LEAVE OF ABSENCE

By consent of the House leave of absence was granted as follows:

Mr. BOORSE for himself for the remainder of the week.

SENATE MESSAGES

CONCURRENCE IN HOUSE RESOLUTION NO. 22

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives as follows:

In the House of Representatives, March 12, 1947.

Whereas no revision of the Vehicle Code and the Tractor Code of this Commonwealth have been made since 1929 but frequent amendments have been made and laws on subjects related thereto have been enacted which render these laws difficult of apprehension and uncertain in their application and effect and

Whereas the expected improvement and expansion of State highways coupled with the expected high production of motor vehicles and tractors and the resultant increase in travel and in the use of tractors which will result therefrom create an immediate and pressing need to revise modernize and clarify the Motor Vehicle Code the Tractor Code and laws on related subjects therefore be it

Resolved (if the Senate concur) that the Joint State Government Commission is hereby requested during the interim between the present session of the General Assembly and the regular biennial session of 1949 to study revise and prepare for reenactment the Vehicle Code the Tractor Code together with all their amendments and all separate laws that should properly be incorporated therein and to present them for the consideration of the General Assembly at its next session

The Commission shall constitute and provide for the appointment of advisory committees consisting of administrative officials of the State government and of the representatives of organized groups having direct interest in and affected by the vehicle code or the tractor code to aid in the study of the problems presented by this resolution

CONCURRENCE IN HOUSE RESOLUTION

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives as follows:

In the House of Representatives, April 7, 1947.

The gift to the people of Pennsylvania of two hundred sixty-eight acres of woodland in the heart of Cook's Forest in Clarion County, by Mr. and Mrs. A. E. Braun, of Pittsburgh, is deserving of the highest public commendation.

Mr. and Mrs. Braun purchased this forest tract several years ago, when it was offered for sale by an estate, and when the Commonwealth did not avail itself of the opportunity to purchase it. Thereby, through their foresightedness, their intense desire to preserve this marvelous asset for the people of future generations, and their great generosity, Mr. and Mrs. Braun have bestowed upon the

Commonwealth a rare and irresplaceable gift and have earned the gratitude of every Pennsylvanian.

Therefore, be it resolved, (if the Senate concur), That the Members of the General Assembly of the Commonwealth of Pennsylvania extend their warm thanks and express their sincere gratitude to Mr. and Mrs. A. E. Braun, of Pittsburgh, Pennsylvania, in recognition of their magnificent contribution to the preservation of one of the great forest areas of Pennsylvania.

And be it further resolved, That the Chief Clerk shall transmit a copy of this resolution to Mr. and Mrs. A. E. Braun, Pittsburgh, Pennsylvania.

The Clerk of the Senate being introduced, presented extracts from the Journal of the Senate:

Senate Bills for concurrence 47, 96, 133, 224, 282, 310, 318, 146, 345, 401 and 313.

PETITIONS AND REMONSTRANCES

The SPEAKER laid before the House the following communications which were read by the Clerk as follows:

FAIR EMPLOYMENT PRACTICE

Communications from
Philadelphia Lodge No. 1, Judaic Union
Morais Lodge No. 6, Judaic Union
favoring the passage of House Bill No. 562 and Senate Bill No. 265.

Referred to the Committee on Labor Relations.

FORMER MEMBER WELCOMED

The SPEAKER. The Chair understands that a former Member is present in the hall of the House today, the Hon. Samuel Blank of Philadelphia.

THANKS EXTENDED TO LEGISLATIVE CORRESPONDENT'S ASSOCIATION

The SPEAKER. The Chair would like to express its personal thanks, and is sure the gratitude of the membership of the House who were present last evening at the Gold Rush Party of 1947. The Chair thanks the Newspaper Correspondents' Association for the gold that they handed out, and also for the roasting. We would like to say that certainly the efforts on the part of the Legislative Correspondents' Association were well received by all those present, from the comments which the Speaker has had during the morning, and wishes to encourage the members of the Press in the continuation of their fine work.

ANNOUNCEMENT BY SPEAKER

The SPEAKER. The Chair will again announce that there will be a meeting conducted by the Parliamentarian for freshmen Members tomorrow morning at 9:45 in the New House Caucus Room. Of course, that does not exclude any Members who wish to attend.

STUDENTS OF COOPERSBURG HIGH SCHOOL WELCOMED

The SPEAKER. The Chair is very happy and pleased to present at this time the students of Coopersburg High School who are here today as guests of the Speaker. They are under the supervision of a member of the faculty, Thomas Price.

FORMER MEMBER WELCOMED

The SPEAKER. The Chair is informed that a former Member, the Honorable M. R. Hoffman of Lancaster County, who was a Member of the House from 1907 to 1923 is present in the House today. The Chair welcomes him.

The SPEAKER. The Chair requests the gentleman from Bucks, Mr. Yeakel, to preside during the first reading calendar.

MR. YEAKEL IN THE CHAIR

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 15, entitled:

An Act to further amend section one of the act, approved the eleventh day of May, one thousand nine hundred eleven (P. L. 275), entitled "An act to provide for the appointment of county and city inspectors and weights and measures; providing for their compensation and expenses; prescribing their duties prohibiting vendors from giving false or insufficient weights; and fixing the penalties for the violation of the provisions hereof," requiring inspectors of weights and measures to be appointed by council in third class cities.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 173, entitled:

An Act to further amend the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes and revising, amending and consolidating the laws relating thereto," by increasing the maximum amount of funeral expenses of deceased service persons and their widow to be contributed by counties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 206, entitled:

An Act to amend section two of the act, approved the third day of May, one thousand nine hundred twenty-three (P. L. 134), entitled "An act making the proceedings of the conventions of the Departments of Pennsylvania of the Grand Army of the Republic and the United Spanish War Veterans a part of the public records of the State; and providing for their publication and distribution," by increasing the number of copies to be published.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 335, entitled:

An Act to further amend section one of the act, approved the eighth day of April, one thousand eight hundred sixty-seven (P. L. 50), entitled "An act to permit disabled soldiers to peddle by procuring a license therefor, without charge," prohibiting the imposition of taxes on such licenses.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 365, entitled:

An Act to further amend the first paragraph of section two hundred twenty and to add clause (n) to section two hundred eighty-five of the act, approved the second day of May, one thousand nine hundred twenty-five (P. L. 448), entitled "An act relating to fish; and amending, revising, consolidating, and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth," increasing the resident fishing license fee.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 558, entitled:

An Act to amend section four hundred nineteen of the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 682), entitled "An act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," by permitting certain additional insurance companies to come within the provisions thereof.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 765, entitled:

An Act requiring persons elected or appointed as judges of any court of record to be residents of the judicial district for which they are elected or appointed two prior to the time of such election or appointment.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 791, entitled:

An Act to amend or further amend the title and certain sections of the act, approved the third day of June, one thousand nine hundred thirty-three (P. L. 1449), entitled "An act establishing a court of record in the county of Allegheny for control, care, guidance, treatment, trial, placement and commitment of delinquent, neglected and dependent children under sixteen years of age contributing to or encouraging delinquency, neglect or dependency of children defining the jurisdiction and powers of the court, and regulating procedure therein; providing for the transfer thereto of certain powers, fupnctions and duties from other courts, providing for the election of judges thereof, the appointment of probation officers, other necessary staff officials and assistants; providing for housing of same, and providing for detention facilities; making the contributing to or encouraging of the delinquency, neglect or dependency of children a misdemeanor and providing penalties," establishing a separate juvenile court for Luzerne County.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 878, entitled:

An Act to further amend sections twenty-one and thirty-one of the act, approved the sixth day of August, one thousand nine hundred forty-one (P. L. 861), entitled "An act to create a uniform and exclusive system for the administration of parole in this Commonwealth; establishing the 'Pennsylvania Board of Parole'; conferring and defining its jurisdiction, duties, powers and functions, including the supervision of persons placed upon probation in certain designated cases; providing for the method of appointment of its members, regulating the appointment, removal and discharge of its officers, clerks and employes; dividing the Commonwealth into administrative districts for purposes of parole; fixing the salaries of members of the board and of certain other officers and employes thereof making violations of certain provisions of this act misdemeanors; providing penalties therefor; and for other cognate purposes, and making an appropriation," further defining the jurisdiction, duties, powers and functions of the Pennsylvania Board of Parole.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 887, entitled:

An Act relating to the regulation of rates for insurance which may be written by stock or mutual casualty insurance companies, associations or exchanges, including fidelity, surety and guaranty bonds and all other forms of motor vehicle insurance and title insurance; to rating and advisory organizations; conferring on the Insurance Commissioner the power and duty of supervising and regulating persons, associations; companies and corporations, and of enforcing the provisions of this act; prescribing and regulating the practice and procedure before the commissioner, and procedure for review by the courts; giving the Court of Common Pleas of Dauphin County exclusive jurisdiction over certain proceedings; prescribing penalties and providing for enforcement thereof; and repealing inconsistent acts.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 888, entitled:

An Act relating to the regulation of rates for insurance which may be written by stock or mutual fire, marine or fire and marine insurance companies, associations or exchanges, to rating and advisory organizations; to reports by rating organizations and insurers to the Pennsylvania State Police; conferring on the Insurance Commissioner the power and duty of supervising and regulating persons, associations, companies and corporations, and of enforcing the provisions of this act; prescribing and regulating the practice and procedure before the commissianer, and procedure for review by the courts; giving the court of common pleas of Dauphin County exclusive jurisdiction over certain proceedings; prescribing penalties and providing for enforcement thereof; and repealing inconsistent acts.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 890, entitled:

An Act to further amend the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 789), entitled, as amended, "An act relating to insurance; establishing an insurance department; and amending, revising, and consolidating the law relating to the licensing, qualification, regulation, examination, Lloyds associations, reciprocal and interinsurance exchanges, and certain societies and orders, the examination and regulation of fire insurance rating bureaus, and the licensing and regulation of insurance agents and brokers the service of legal process upon foreign insurance companies, associations or exchanges; providing penalties, and repealing existing laws," making the provisions thereof applicable to rating organizations authorizing the commissioner to collect prescribed fees, fines and penalties of such organizations; excluding from the definition of agent and broker, in the case of title insurance companies, attorneys, licenseed real estate agents and brokers and repealing certain sections.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 895, entitled:

An Act to add section six hundred twenty-six to the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 789), entitled as amended "An act relating to insurance; establishing an insurance department; and amending, revising, and consolidating the law relating to the licensing, qualification, regulation, examination, suspension, and dissolution of insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and certain societies and orders, the examination and regulation of fire insurance rating bureaus, and the licensing and regulation of insurance agents and brokers the service of legal process upon foreign insurance companies, associations or exchanges; providing penalties, and repealing existing laws," authorizing insurance companies, associations and exchanges to pay commissions to licensed brokers.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 897, entitled:

An Act to further amend the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 682), entitled "An act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds association, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," excluding from the provisions thereof fire rating bureaus and repealing the sections relating to fire insurance rates and rating bureaus.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 908, entitled:

An Act to add four new sections to the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 682), entitled "An act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," regulating ownership by domestic insurance companies of the capital stock of other insurance companies, conferring powers upon the Insurance Commissioner, prescribing procedure before the commissioner and on appeal and conferring powers and duties upon the Court of Common Pleas of Dauphin County.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 910, entitled:

An Act relating to unfair methods and unfair or deceptive acts and practices in the business of insurance; defining and prohibiting such methods, acts and practices; conferring on the Insurance Commissioner the power and duty of enforcing the provisions of this act; prescribing and regulating the practice and procedure before the commissioner, and procedure for review by the courts; conferring upon the Court of Common Pleas of Dauphin County exclusive jurisdiction over certain proceedings; prescribing penalties and providing for enforcement thereof; and repealing inconsistent acts.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 983, entitled:

An Act to further amend clause (a) of section four hundred fifteen of the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 682), entitled "An act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulations, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties and repealing existing laws," changing the definition of group life insurance.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1013, entitled:

A Joint Resolution proposing an amendment to section one, article nine of the Constitution of the Commonwealth of Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1053, entitled:

A Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Pennsylvania by adding thereto a new section authorizing the creation of an additional debt by the Commonwealth for the payment of compensation to certain veterans.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1215, entitled:

A Joint Resolution ratifying the proposed amendment to the Constitution of the United States relative to the terms of the President of the United Staes.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

THE SPEAKER (Franklin H. Lichtenwalter) IN THE CHAIR

The SPEAKER. The Chair thanks the gentleman from Bucks, Mr. Yeakel, for presiding.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 7, entitled:

An Act to amend sections one and four of the act approved the twenty-eighth day of May one thousand nine hundred forty-three (P. L. 793) entitled "An act authorizing counties of the second class to regulate the production of smoke from chimneys smokestacks or other source including provisions for the payment of inspection and certificates of compliance fees incident thereto authorizing the expenditure of money for the employment of persons and the acquisition of property for effectuating such regulations and providing penalties for the violation thereof" removing exemption regarding railroad locomotives and changing the effective date

The first section was read.

On the question,

Will the House agree to the section?

Messrs. THOMASSY and MAZZA offered the following amendment:

Amend Sec. 1 (Sec. 1), page 3, line 3, by adding after the word "regulation" the following:

The boards of commissioners of counties of the second class shall have discretion to determine the effective date of any resolutions or ordinances promulgated by them pursuant to this act, and in making such determination shall take into consideration the availability of fuel burning devices suitable for burning high volatile bituminous coal smokelessly.

On the question,

Will the House agree to the amendment?

Mr. THOMASSY. Mr. Speaker, I wish to speak in behalf of the amendments just offered.

This amendment gives the Commissioners of Counties of the second class the right to determine the effective date of any resolution or ordinance promulgated by them pursuant to this act.

The County Commissioners under this amendment would be required to take into consideration the availability of fuel burning devices suitable for burning high volatile bituminous coal smokelessly before putting an ordinance into effect.

Without this amendment in effect, the County Commissioners could outlaw the use of western Pennsylvania coal in 165,000 homes that are using this coal at the present time.

Coal is the life blood of Pennsylvania's Industries—as a matter of fact coal is Pennsylvania's "Gold".

Let me read a portion of an editorial which appeared in the Pittsburgh Sun-Telegraph last week—March 26th. Remember this article was published during the height of the fever, enthusiasm, and hysteria on the question of smoke abatement.

> "Public opinion in the Pittsburgh district is solidly against the smoke evil. As it should be.
>
> "The problem is to stop smoke without cutting the foundations out from under one of our basic industries, which is coal.
>
> "The Sun-Telegraph long has favored regulations to require that all fuels must burn smokelessly in this area. These include the Fleming-Barrett Amendment, House Bill No. 7, to give Allegheny County the right to regulate smoke from railroad locomotives.
>
> "But we do not favor laws which would ban the proper use of our own Pittsburgh coal, or any other Pennsylvania fuel. Our coal is our 'gold'. It must not be outlawed, but burned correctly.
>
> "Progress, as we see it, must come in improved methods of combustion or in the large-scale conversion of coal into electricity or into gas or liquid fuel"

The improved methods or large scale conversion will not be available to the public in sufficient quantity for some years.

This delay can be attributed to many factors—of which the most important is the shortage of steel.

Before the war considerable progress had been made on new burning devices, such as smokeless stoves and smokeless furnaces. Design and production of these devices was interrupted during the period of the war when all energies, men and materials, were directed to the winning of the war.

Since the conclusion of the war, the products of the Steel Industry have been directed to supplying the immediate, basic needs of a peacetime civilian economy.

Therefore, there is no steel for the manufacture of a new design of stove or furnace.

Assuming that equipment were available, let me read a letter from a G.I.'s wife.

> "Need More Time.
>
> "So good old 'Smoky City' is to be smokeless. This is all well and good, but I ask you where is the 'little guy' supposed to get money to reconvert furnaces from coal to a smokeless method?
>
> "My husband is an overseas veteran and after his return to the states we managed to go into housekeeping. Shortly after this, we were burned out of our apartment and suffered great loss.
>
> "Then, once again, the search for a house or apartment began. As I was expecting a baby at the time, no one would consider renting to us. It was the same thing over and over—no children.
>
> "This being the case, we had to buy a house at an inflated price, which at the present time we are trying to pay off.

"I'm sure my husband isn't the only veteran who has had 'hard knocks" since his return and yet we are compelled to convert our furnace by fall.

"A smoky city means more dirt, but I am only too glad to clean that dirt and not have to go into further debt. It seems to me that we could be given a little more time and thus manage to get the money together. I can't do it in a matter of several months and I'm sure there are many, many others in the same situation."

Look at the thousands in your own districts in the same predicament who need the protection of this amendment.

The commercial coal industry of western Pennsylvania represents an investment of three hundred million dollars, has an annual payroll of one hundred million dollars, employs 55,000 miners who afford a living for 250,000 people and pay over four million dollars in direct taxes.

Certainly the product of an industry of such magnitude as this should not be legislated out of business by emotional minorities when the smoke from high voltatile coal contributes only two per cent of the air pollution.

What is being done to control the other 98 per cent of the air pollution? To my knowledge—nothing.

And why? Because it is a complex engineering question for which scientific study as yet has not found the answer.

Why then penalize these 165,000 families who depend upon coal for their heat and comfort?

Now, once again—I say it is the responsibility of this Assembly to protect the investment, means of livelihood of thousands of people engaged in the coal industry, not to mention the additional thousands who depend upon the product of this industry for their comfort, utility, and welfare.

Members, I urge you to adopt this amendment so that the people of Western Pennsylvania can continue to use high volatile coal, while mechanical devices are being made available to burn it smokelessly.

Mr. FLEMING. Mr. Speaker, I rise to oppose the amendments offered by the gentleman from Washington County, Mr. Thomassy and Mr. Mazza. I realize the Speaker has given the pevious speaker quite a bit of latitude in going into the merits of the bill. I hope that you and the Members of the House will bear with me if I possibly do the same.

This bill is only an amendment to an enabling act which is already on the statute books of Pennsylvania, and provides only that the County Commissioners of Allegheny County shall be permitted to regulate smoke emitted from railroad locomotives. I particularly wish to draw to the attention of the Members of the House the fact that the Commissioners of Allegheny County, which is the only second class county in Pennsylvania, already have the right to regulate smoke that emits from the industries or from homes generally, and that they can under the present act invoke such rules, such ordinances and such regulations as they see fit to control that smoke. The only thing they would not have the right over is railroad locomotives. The Companies' Association and the railroads of Pennsylvania have agreed to be included in this enabling legislation.

In opposing this amendment which is offered, in my opinion it raises a question of constitutionality by virtue on which the bill in its entirety may later be attacked in the courts of Pennsylvania and be declared unconstitutional. I will, however, leave the argument on the question of constitutionality to far more capable and able hands than mine, but I would call attention to the House that the amendment is superfluous. It does absolutely nothing that the County Commissioners cannot now do. Certainly we can assume that any man who has been elected County Commissioner of any county would certainly use his discretion before the enactment of any ordinances, or before the enactment of any kind of legislation which would in any way have a detrimental effect on the citizens of that county.

I am absolutely convinced, and am sure that the County Commissioners of Allegheny County would not put into effect any ordinance, or any regulation until they had completely gone into the effect that it would have on the citizens of Allegheny County.

Again I would say to you that I can see nothing that this amendment could possibly do, except to bring about a picture of ambiguity by the inserting of certain words that would certainly do nothing but in the end defeat that which we are trying to bring about, a bigger and better Allegheny County and the city of Pittsburgh.

Mr. BROWN. Mr. Speaker, this is the type of legislation that we might designate as a "pinch" legislation or a "squeeze" legislation. On the one hand you have the sponsor rightfully saping—because it is anybody's guess at the time being, that the amendments add nothing to the bill. On the other hand you have the sporsors of the amendment saying that the amendment will save the bill.

Without casting, of course, any reflection upon the sponsors of the amendment, and without attempting to quote him verbatim, as I understood one of the sponsors, these amendments are inserted for the purpose of putting a time element in the act.

Therefore, Mr. Speaker, we have the anomalous situation of an act which becomes effective immediately upon its final passage, and yet it cannot be put in operation until those who are given the authority to put the act into effect have found that a certain condition prevails, so that a matter of law the amendments will determine the effective date of the act insofar as the operation of the act is concerned.

It is, therefore, in my opinion a delegation of power by this legislative body. If it is a delegation of power then it must conform to Article II, Section I of the Pennsylvania Constitution which prohibits the General Assembly from delegating its power, or prohibits the General Assembly from transferring or conferring delegated powers on any governmental body.

Now, I am in sympathy with what the gentleman from Washington says as to the fact that a hardship will be worked on certain people if the act takes effect immediately without the amendments. However, we must be guided by the decision of the Supreme Court of Pennsylvania. I know this may be tedious, but we want to get it on the record and I should like to call to your attention the pronouncement of the Supreme Court of Pennsylvania in the case of Holgate Brothers Company versus Bashore, et al, reported in our Supreme Court

Reports, Volume 331, page 255. In order to make it known that the element of difficulty is of no concern when we are discussing delegated powers. I quote from page 260.

> "Regardless of exigencies which at times arise or of how trying our economic or social conditions become, the powers and duties imposed by the Constitution upon the legislative branch of our government remain steadfast and neither the urgency of the necessity at hand nor the gravity of the situation allow the Legislature to abdicate, transfer or delegate its authority or duty to another branch of the Government".

So, Mr. Speaker, if it is a delegation of power the question of urgency is of no concern, and therefore, with all due regard to what the gentleman has said, as a matter of law it in nowise controls the constitutionality of this amendment.

The reason I say this, Mr. Speaker, is that there is no saving clause in this bill, and that is important because if this amendment is declared unconstitutional the whole bill falls. I would suggest to the sponsors of the bill that if the amendment is adopted that a saving clause be inserted in the bill. I think that request is legally sound and sound from the standpoint of statutory construction, for obviously I do not believe it is the intention of the gentlemen from Washington who sponsored the amendment to see the bill fall if the amendment is unconstitutional.

Secondly, Mr. Speaker, we should discuss very briefly not only for this bill, but for any other bill, and I am taking perhaps too much time—what is meant by delegation of power.

I refer again to the same case, and will just read a brief part of that decision. I now quote from page 260 as follows:

> "The Legislature may, however, leave to administrative officers, boards and commissions, the duty to determine whether the facts exist to which the law is itself restricted. In all such occasions, nevertheless, the legislative body must surround such authority with definite standards, policies and limitations to which such administrative offices, boards or commissions, must strictly adhere and by which they are strictly governed."

Now, Mr. Speaker, I ask the sponsors, presuming it is a delegation of power, and I can see no other reason to ask this question, what definite standards, policies or limitation are inherent in these amendments that would conform with the ruling of the Supreme Court to make a delegated power constitutional. In my opinion the language of the amendment is broad, indefinite, and there are no standards to guide those who are to exercise this unlimited delegation of power.

Referring again to the same case, on page 263, I quote as follows:

> "If the Legislature fails, however, to prescribe with reasonable clarity the limits of the power delegated or if those limits are too broad its attempt to delegate is a nullity."

It is my opinion, Mr. Speaker, that the amendments are too broad. We set no standard as to what the commissioners shall take into consideration in determining whether or not the equipment is available on the market. If that is true, then I read again from page 263 of the same decision which I have just cited, and I quote verbatim:

> "If the Legislature fails, however, to prescribe with reasonable clarity the limits of the power delegated or if those limits are too broad its attempt to delegate is a nullity."

Important legislation such as this should not be surrounded with words that are broad, that are indefinite, that admit of no scientific conclusion, and if the House decides to put these amendments into this act, certainly in fairness to the people of Allegheny County and in fairness to those who sponsored the amendments, they should put a saving clause in this bill.

MOTION TO TABLE

Mr. BROWN. Mr. Speaker, I move that the bill, together with the amendments, because of the situation which I have just tried to enunciate, be laid upon the table.

Mr. TURNER. Mr. Speaker, inasmuch as the motion to lay upon the table is not debatable, I would like to interrogate the gentleman from Allegheny, Mr. Brown, for the purpose of ascertaining whether he would not withdraw his motion for just a moment.

The SPEAKER. The gentleman from Delaware, Mr. Turner, desires to interrogate the gentleman from Allegheny, Mr. Brown. Will the gentleman permit himself to be interrogated?

Mr. BROWN. I shall, Mr. Speaker.

Mr. TURNER. I presume, Mr. Speaker, that I first should ask the gentleman whether he would withdraw his motion temporarily.

MOTION TO LAY ON TABLE WITHDRAWN

Mr. BROWN. Yes, Mr. Speaker, I will be happy to do so, and may I say in answer to the interrogation that it was not my intention to in any way stop debate, but it would be the only way that we could arrest the bill at the present time, because as I understand this is the last day the bill can remain on the calendar. I will be glad to withdraw my motion, Mr. Speaker.

On the question recurring,

Will the House agree to the amendment?

Mr. TURNER. Mr. Speaker, I did not intend or desire to debate this measure, but I would like to interrogate the gentleman from Allegheny, Mr. Brown.

The SPEAKER. Will the gentleman from Allegheny permit himself to be interrogated?

Mr. BROWN. I shall, Mr. Speaker.

Mr. TURNER. Mr. Speaker, the gentleman from Allegheny in his remarks stated that he felt that for guidance in the future he should place on the record the opinion and the legal definition of delegation of authority, for future guidance of the members of the House. Am I correct in that?

Mr. BROWN. The gentleman is correct, Mr. Speaker. I may have been naive in saying that. It was perhaps presumptive on my part, but I did say that.

Mr. TURNER. I think it was very well done, Mr. Speaker. In determining that it was an unlawful delegation of authority, as to what part of the amendment

does the gentleman form his opinion that it is an unlawful delegation of authority?

Perhaps I can explain this a little further; there are really two parts to the amendment. The first one says that the council, or the commissioners in this case shall determine the effective date of the ordinance is that right?

Mr. BROWN. That is correct, Mr. Speaker.

Mr. TURNER. As I recall, Mr. Speaker, the second part is that they shall take into consideration the availability of devices, that will smokelessly burn bituminous coal.

Mr. BROWN. That is correct, Mr. Speaker.

Mr. TURNER. Mr. Speaker, when the gentleman says this is an unlawful delegation of authority, is the gentleman referring to both the provisions of the amendment, or only to one provision.

Mr. BROWN. Mr. Speaker, the amendment as I have it is one amendment. If the gentleman wishes to divide the question I would say that the first part is absolutely harmless, because the first part has nothing to do with the time the act takes effect.

The second part, and I will read it for the gentleman if he will permit me to do so is, "And in making such determination," that is as to the ordinances or regulations, "They shall take into consideration the availability of burning devices suitable for burning high volatile bituminous coal smokelessly." Therefore the legislative intent that the act take effect immediately is absolutely rendered a nullity by this mandatory instruction to the county commissioners that they shall not set the ordinances or resolutions until they find that there are these low burning devices on the market.

Mr. TURNER. That is all for the moment.

Mr. Speaker I might say that I was at first very much of the opinion held by the gentleman from Allegheny, Mr. Brown, and the reason for my interrogation—and I would not have injected this into the present situation had it not been that I felt that Mr. Brown was endeavoring to give us a guide for our record here for future reference at any time when the same question might arise. However, I am not easy in my mind that the gentleman from Allegheny is correct in this way; this it not a provision exactly like many other provisions that are put in the law which become effective on the happening of some event, in which case the law says that it can be indefinite as to the date of change or left to chance in which case the law says that it can be indefinite as to the date of change. This is in line with all our legislation in the past giving powers to counties or boroughs or townships to do certain things. Therefore it seems to me that there is a distinction in the first part of this amendment between the question that arises under the ordinary case as to the effective date of an act, and this provision which merely says that the commissioners can set the effective date. Now, you don't have to have this in this bill to permit the commissioners to set the effective date, because if you merely give them the power to regulate smoke, then they can pass an ordinance at any time and in that ordinance they can set the effective date just as we do in all other ordinances that we enact for boroughs, cities, townships or whatever they may be, so that insofar as the provisions of this amendment provide that the commissioners may set the effective date, I cannot see that there is any unlawful delegation of authority or power on the part of the Legislature, because that is the thing that we do in every ordinance of any municipality that sets an effective date, and that would be null and void and unconstitutional, if that be true.

Therefore, the only provision that I see in this amendment that raises the question is that one pertaining to the smoke devices, I don't remember the exact language, but "They should take into consideration." Whether that may be considered as mandatory, and whether that may be considered as a sufficient limitation, or as setting up sufficient boundaries within which the Commissioners can act, again is doubtful in my mind. But the part that seems to me that might relieve them from that is that provision which says that they "Shall take into consideration." "Take into consideration," what does that mean? That does not mean they are to set up standards, it does not mean even that they can not go ahead and enact the ordinance. It merely says that at the time they shall set an effective date, "taking into consideration," and so forth. That is the same provision that we place in other acts.

I amended a certain act in 1945 in which I practically said the same thing in reference to one of the administrative agencies of the Commonwealth, that we did not consider that it was binding upon them to absolutely find that there was, as in this instance, some device, but it said that they must "take into consideration" and so forth.

Therefore, under that interpretation I have some question as to whether this is unconstitutional, and whether this would not be sustained as constitutional, because in the first instance the amendment only says that the Commissioners can do what they under the law do all the time, fix an effective date. And the second point was merely a guidance and not something which said they could not do it unless there were devices available, in which event I think we would have to set up some standard.

I again say, Mr. Speaker, that I did not want to debate this. I hope I have not muddied the waters by my discussion, or my opinion on the constitutionality, but at least if you can wade through it, I hope it will be something that will help the gentleman from Allegheny, Mr. Brown, to be clear as to the law on the subject.

Mr. BROWN. Mr. Speaker, I am very thankful to the gentleman from Delaware, Mr. Turner.

I submit that from his remarks, which follow closely my remarks, the best thing that we could do would be to delete this amendment from the bill. We have a good bill now, and he himself is not certain, he said, and why make a good bill unconstitutional by uncertain amendments?

However, I would say to the gentleman that I believe he was here in 1937 when we debated the subject somewhat, not perhaps as much as we should have, and enacted the famous 44-hour bill. There we attempted to give aid and comfort to certain persons because of the hardship that would apply under the 44-hour bill. We sincerely thought that the little section of the bill which gave the Department of Labor and Industry the right to relieve any hardship, not setting up any standards as to what a hardship is, was a very good amendment, only to find that the Supreme Court struck the whole thing down.

I think that the gentleman remembers that decision and remembers the argument. It is the same type of argument that I am giving today. At least, if you feel that this amendment is worthy of statutory enactment, there should be a savings clause if you have to pass it. I believe that the gentleman will agree with me in that.

Mr. TURNER. Mr. Speaker, is the gentleman from Allegheny, Mr. Brown, now going to renew his motion to table?

Mr. BROWN. Mr. Speaker, I yield to the gentleman from Allegheny County, Mr. Haller.

Mr. HALLER. Mr. Speaker, this amendment might appear to be analogous to the Trojan Horse. Innocent appearance, in its phaseology, it would appear to be a harmless matter, and therefore a good amendment.

For the purpose of the record, however, let us look at the act of 1943 to which this House Bill 7 would be an amendment. It was purely an enabling act authorizing the County Commissioners of Counties of the second class to regulate and control smoke. No time was mentioned in which they were in duty bound to regulate that smoke. It was purely the granting of a power.

In the light of that act and analyzing the amendment which is offered by the gentlemen from Washington County it would appear that the first section of their amendment is merely a reiteration of the original act of 1943. It merely states that the Commissioners shall fix the effective date of any ordinance that they might enact. Assuming for the purpose of argument that this amendment was not taken into consideration, it would only be a matter of logic in the passage of any ordinance by the county commissioners that they would have to state when that ordinance would become effective. So, consequently this first section of the amendment is an absolute surplusage.

The second portion of the amendment attempts to set up vague and uncertain standards as a guide for the county commissioners. It mentions that they shall take into consideration certain factors before they pass any ordinances. I appeal to your logic to realize that any group of commissioners in passing any ordinances would necessarily have to take those factors into consideration.

Therefore, I wish to submit, Mr. Speaker, that the amendment, while appearing to be innocent, a reiteration of the act of 1943 in certain parts, renders the condition so vague and uncertain that in my opinion the Supreme Court might declare it unconstitutional. The effect of that will be to undo the work which was done by this Legislature in 1943 to enable counties of the second class to eliminate smoke.

I heartily agree with my colleague from Allegheny County, Mr. Brown, that if this amendment had been offered in good faith, and not as an attempt to scuttle the original smoke control act, there would be no harm in adding a saving clause.

If a saving clause is added and the Supreme Court shall determine that this amendment is unconstitutional, at least the Act of 1943 would be saved. On the other hand, if our Supreme Court should ultimately decide that this amendment is within the province of this Legislature to enact, then the saving clause would be a mere nullity, but in its present form we are gambling with any decision which will be rendered at a later time, which might result in scrapping the entire smoke control act which we passed in 1943, and under which we hope to clean up the County of Allegheny.

Mr. THOMASSY. Mr. Speaker, I do not intend to argue the technical or the legal aspects of this particular amendment with such capable men as Mr. Brown and Mr. Haller, but in the past few weeks I have contacted numerous law firms over the state and have been told that the amendment is constitutional.

The other day I took the liberty to go to the Legislative Reference Bureau and I conversed with Mr. Hannestad pertaining to this particular amendment. Mr. Hannestad after weighing the problem as thoroughly as he possibly could, suggested that he write a letter as to the constitutionality of the bill, and if you will bear with me just a moment I would like to read the letter. This letter is addressed to my colleague, Mr. Mazza, and myself and reads as follows:

"April 7, 1947

"Gentlemen:

"You have asked me to advise you whether the amendment which you propose to House Bill No. 7 would render the measure unconstitutional. The effect of your amendment would be to vest discretion in the county commissioners as to when a resolution or ordinance adopted by the commissioners pursuant to the Act of May 28, 1943 (P. L. 793) for the regulation of Smoke, should become effective and to require the commissioners in fixing such effective date to take into consideration the availability of fuel burning devices suitable for burning high volatile bituminous coal smokelessly."

"If the amendment had placed in the discretion of the county commissioners the power to determine when the Act of 1943 would become effective, the result would unquestionably be a violation of the Constitution, as it would then constitute a delegation of legislative power. Even in this case, however, the entire measure would not become unconstitutional but only the part improperly delegating power to the county commissioners."

"The effect of your proposed amendment is merely to give the county commissioners the power to fix an effective date, not of the legislative act, but of the resolution or ordinance adopted by the county commissioners pursuant to authority given them by the act. This power is inherent in the county commissioners whether or not expressed in the act. The effect of your amendment is, therefore, to limit this power rather than to confer it. It is limited by requiring the county commissioners to take into consideration, before an effective date of a resolution or ordinance is fixed, whether or not the equipment necessary to bring about the required effect is available. In my opinion this is entirely proper from a constitutional point of view."

Very sincerely,

(s) S. EDW. HANNESTAD.

S. Edw. Hannestad, Director.

Mr. VAUGHAN. Mr. Speaker, I would like to read into the record an editorial that appeared in the morning Pittsburgh Post-Gazette, one of the leading independent newspapers in the country. The editorial is headed "Deceit in Harrisburg," and reads as follows:

The Fleming-Barrett amendment to the enabling act of 1943, permitting country-wide smoke control, is obviously the victim of colossal deceit.

Ostensibly, nearly every responsible party in Allegheny County favors the bill publicly, and yet the state GOP caucus has voted about 90 percent to amend it with a tricky provision designed to delay smoke control and protect the coal and railroad interests.

This provision originated not with the Allegheny County delegation, which stood reasonably firm at Monday's party caucus, but with two Westmoreland County Republican legislators, Fernad Thomassy and John Mazza.

What has happened, of course, is that parties supporting the bill publicly in the interest of good public relations are fighting it behind the scenes.

The great outside opposition to a measure affecting only Allegheny County was inspired. It would not otherwise have occurred to Republican legislators in other counties to fight a purely local measure. Lobbies have been at work and they should be exposed.

Representatives Thomassy and Mazza say they are trying to amend the Fleming-Barrett amendment to protect the jobs of soft coal miners. That's a lot of bunk. There will be plenty of demand for every lump of coal mined in this area and elsewhere for a long time to come, regardless of what happens in Allegheny County.

Those who wish to continue the fight on smoke control should have the courage to do it openly. Backstage efforts to cripple and delay it are an admission that the people of Allegheny County want smoke control and that the conspirators are afraid to be identified when they buck the will of the people.

Unfortunately, because of a House rule that no bill may be on the calendar for more than 14 days, Representatives Fleming and Barrett will have to call up their amendment today. This means that the Thomassy-Mazza joker may be tacked on to it.

We hope that Governor Duff, who is committed to real county smoke control, can help change the views of the Republican legislators.

Mr. MAZZA. Mr. Speaker, I rise in support of this amendment.

I am not going to be a part of any hasty legislation that is going to jeopardize the economy of western Pennsylvania.

I am interested in the men, who go underground to supply us with coal so that we might enjoy the comforts from coal.

I don't want to be a part of any type of legislation that is going to put thousands of men out of work.

Men that have been working in the mines all their lives and have no other trade or profession.

What are we going to do with these men?

Western Pennsylvania has already lost a substantial part of its market because of the migration of industry and the intense competition of other coal producing districts.

I am interested in Washington county.

I am interested in western Pennsylvania.

I am interested in Pennsylvania.

I am a member of the Canonsburg Area Development Committee.

We have been working for the past two years trying to induce industry to come to Washington County.

The town of Canonsburg was known as a "Ghost Town." After much hard work, we were successful in getting a few industries into our community and one of the principal reasons for our success was the availability of coal.

Are we going to force this basic industry out of existence by hasty legislation and cause the loss of jobs to many miners?

Remember—These miners spend 90c out of every dollar in western Pennsylvania for food, clothing, and other necessities of life.

There is an interdependence between western Pennsylvania coal producing areas and the balance of the Commonwealth.

Our very competent Department of Commerce under the very able guidance of Secretary Matthews is bending every effort to not only maintain industries in Pennsylvania but to attract others.

Let's help this great State to grow.

Let's be builders—not destructors.

Let's build our foundation on solid rock—not upon "quicksand."

Look the facts squarely in the eye. Let's not be caught gazing into a blue horizon while our industries are being curtailed by legislation and thousands added to our relief roles.

The coal industry alone pays nearly $4,000,000 in taxes in the counties of Allegheny, Westmoreland, Fayette, and Washington.

I might add that some communities, particularly those in Washington County, derive fifty to ninety per cent of their tax revenue from coal.

Take coal out of these communities and they face bankruptcy and become "Ghost Towns."

In addition to the coal miners, this legislation affects the coal consumer.

In Allegheny county—outside the City of Pittsburgh—there are 165,000 homes that use coal for heating.

In the City of Pittsburgh, there are 134,000.

This represents a total of 299,000 homes which will be required to change their equipment.

Unless this amendment is adopted, the County Commissioners will be without a mandate from this legislature to protect these citizens against the enactment of hasty legislation conceived in the heat of enthusiasm, sensationalism, and hysteria.

Gentlemen, I appeal to your common sense to pass this amendment and provide the protection needed by those 300,000 residents of Allegheny County.

Mr. STUART. Mr. Speaker, I beg your indulgence for a very few minutes while something more is said about the importance of this bill. I realize that by this time perhaps your ears are somewhat heavy, and I will not add to this heaviness to any great extent.

House Bill 7 as it stands is a peoples' bill, representing the ultimate thinking and wishing and hoping of the people of Allegheny County over many years. Smoke has been one of the great drawbacks in Allegheny County, to a greater extent than most people outside of Pittsburgh realize.

I resent the use of the word "hysteria" in connection with the question of smoke control. It is not hysteria. As I said before, it is the result of the determination of the people of Allegheny County to remove from their community what has been one of the greatest obstacles to the future greatness of the county. We in Allegheny

County have full faith in our present County Commissioners or in any County Commissioners who may be elected in the future. They certainly would do nothing to destroy what is a basic industry, and they certainly would not oppress the people. There is a unanimity of thought among the people of Allegheny County in their desire to enact House Bill 7 in its present form, and all civic leaders, all of the business leaders, all of the industrial leaders and people in general, and the leaders of both the Republican and Democratic parties are one hundred per cent with House Bill 7. This is the first time in my memory at least that these folks have been together on any one subject.

So I ask you to support House Bill 7 in its present form and thereby give the people of Allegheny County, the vest majority of the people of Allegheny County, the thing that they most want.

PARLIAMENTARY INQUIRY

Mr. BROWN. Mr. Speaker, I rise to a parliamentary inquiry.

The SPEAKER. The gentleman from Allegheny will state it.

Mr. BROWN. Mr. Speaker, is it permissible to move that the amendments be laid on the table, and not move that the bill together with the amendments be laid upon the table?

The SPEAKER. The Chair would read for the information of the gentleman and the House Rule 52.

> "When an amendment proposed to any pending measure is laid on the table, it shall not carry with, or prejudice such measure."

Therefore, the Chair would state that the gentleman may make a motion to lay the amendments alone on the table.

MOTION TO LAY AMENDMENTS ON TABLE

Mr. BROWN. Mr. Speaker, I move that the amendments offered by the gentleman from Washington to the bill we are now discussing be laid upon the table.

On the question,

Will the House agree to the motion?

Mr. SORG. Mr. Speaker, as I understand it, should the amendment be laid upon the table, this bill might pass second reading in its present form.

The SPEAKER. That is correct, if the House desires to pass the bill on second reading.

Mr. SORG. I am grateful, Mr. Speaker, to the sponsors of the bill and to the sponsors of the amendments for the courtesies that were extended to me and the other Members of the House thus far.

It was at my request that the bills were originally passed over for a period of time. It was also at my request that action on this measure would not be insisted upon for a period of time. This courtesy was extended, and I think that both the sponsors of the bill and the sponsors of the amendment are entitled to immediate action, and for that reason I rise to oppose the motion to table.

Mr. PETROSKY. Mr. Speaker, I concur in what the gentleman from Elk, Mr. Sorg, has said, and I oppose the motion to lay the amendment on the table.

PARLIAMENTARY INQUIRY

Mr. SPROUL. Mr. Speaker, I rise to a parliamentary inquiry.

The SPEAKER. The gentleman from Delaware will state it.

Mr. SPROUL. Mr. Speaker, does a motion to pass over take precedence over the motion just made?

The SPEAKER. It does not.

On the question,

Will the House agree to the motion to lay on the table?

The yeas and nays were required by Mr. Brown and Mr. Powers and were as follows:

YEAS—31

Andrews,	Davison,	Kelley,	Stuart,
Bane,	Depuy,	Kirley,	Toomey,
Barrett,	Ewing,	Laughner,	Vaughan,
Beech,	Fleming,	O'Connor,	Verona,
Brown,	Goff,	Powers,	Waldron,
Bucchin,	Haller,	Readinger,	West,
Chudoff,	Horan,	Richter,	Yester,
Cooper,	Johnston,	Schuster,	

NAYS—137

Baumunk,	Gallagher,	McKinney,	Sax,
Bender,	Getchey,	McMillen,	Scott,
Bentzel,	Gibson,	Mikula,	Shoemaker,
Bloom,	Goodling,	Miller,	Smith, C. C.,
Bonawitz,	Graybill,	Mills,	Snider,
Boorse,	Greer,	Mintess,	Sollenberger,
Bower,	Griffiths,	Moore, C. E.,	Sorg,
Breisch,	Guthrie,	Myers,	Sproul,
Brice,	Gyger,	Najaka,	Stank,
Brunner,	Haudenshield,	Needham,	Stimmel,
Cadwalader,	Henry,	Neff,	Stockham,
Capano,	Hewitt,	Nelson,	Stonier,
Cassidy,	Hocker,	O'Dare,	Swope,
Chervenak,	Hoopes,	O'Donnell,	Thomassy,
Clevenger,	Imbt,	O'Neill,	Tittle,
Cochran,	Jennings,	Orban,	Tompkins,
Cole,	Johnson,	Patten,	Turner,
Cook,	Jones,	Petrosky,	Upshur,
Cordier,	Jump,	Pichney,	Wachhaus,
Costa,	Kemp,	Pickens,	Walton,
Crowley,	Kent,	Polaski,	Waterhouse,
Dague,	Kohl,	Price,	Watkins,
Dalrymple,	Krise,	Propert,	Watson,
De Long,	Kurtz,	Ragot,	Weidner,
Dennison,	Layer,	Reagan,	Weiss,
Dix,	Leisey,	Reese, D. P.,	Wheeler,
Dye,	Livingston,	Reese, R. E.,	Wolf,
Efenberg,	Livingstone,	Reilly, J. M.,	Wood,
Erb,	Lovett,	Reilly, W. J.,	Worley,
Evans,	Lyons,	Riley,	Yeakel,
Feola,	Madden,	Robbins,	Yetzer,
Fish,	Madigan,	Robertson,	Young,
Flack,	Mazza,	Root,	Lichtenwalter,
Foor,	McCosker,	Royer,	Speaker.
Frost	McDonald,		

So the question was determined in the negative and the motion was not agreed to.

On the question recurring,

Will the House agree to the amendment?

The yeas and nays were required by Mr. Brown and Mr. Fleming and were as follows:

YEAS—137

Baumunk,	Greer,	Mikula,	Shoemaker,
Bentzel,	Griffiths,	Miller,	Smith, C. C.,
Bloom,	Guthrie,	Mills,	Smith, C. M.,
Bonawitz,	Gyger,	Mintess,	Snider,
Boorse,	Haudenshield,	Moore, C. E.,	Sollenberger,
Bower,	Henry,	Myers,	Sorg,
Breisch,	Hewitt,	Najaka,	Sproul,
Brice,	Hocker,	Needham,	Stank,
Brunner,	Hoopes,	Neff,	Stimmel,

Cadwalader,	Imbt,	O'Connor,	Stockham,
Capano,	Jennings,	O'Dare,	Stonier,
Cassidy,	Johnson,	O'Donnell,	Thomassy,
Chervenak,	Jones,	O'Neill,	Thompson,
Clevenger,	Jump,	Orban,	Tittle,
Cochran,	Kemp,	Patten,	Tompkins,
Cole,	Kohl,	Petrosky,	Toomey,
Cook,	Kratz,	Pichney,	Turner,
Cordier,	Krise,	Pickens,	Upshur,
Costa,	Kurtz,	Polaski,	Wachhaus,
Dague,	Layer,	Price,	Wagner,
Dalrymple,	Lee,	Propert,	Walton,
De Long,	Leisey,	Ragot,	Waterhouse,
Dennison,	Livingston,	Reagan,	Watkins,
Efenberg,	Livingstone,	Reese, D. P.,	Watson,
Erb,	Loftus,	Reese, R. E.,	Weidner,
Evans,	Lovett,	Reilly, J. M.,	Weiss,
Feola,	Lyons,	Reilly, W. J.,	Wheeler,
Fish,	Madden,	Riley,	Wolf,
Flack,	Madigan,	Robbins,	Wood,
Frost,	Mazza,	Robertson,	Worley,
Gallagher,	McCosker,	Root,	Yeakel,
Getchey,	McDonald,	Royer,	Yetzer,
Gibson,	McKinney,	Sax,	Young,
Goodling,	McMillen,	Scott,	Lichtenwalter, Speaker.
Graybill,			

NAYS—37

Andrews,	Crowley,	Horan,	Richter,
Bane,	Davison,	Kelley,	Schuster,
Barrett,	Depuy,	Kent,	Stuart,
Beech,	Dye,	Kirley,	Vaughan,
Bender,	Ewing,	Laughner,	Verona,
Brown,	Fleming,	Nelson,	Waldron,
Bucchin,	Goff,	Powers,	West,
Chudoff,	Haller,	Readinger,	Yester,
Cooper,			

So the question was determined in the affirmative and the amendment was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The second section and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 41, entitled:

An Act to amend section five hundred five of the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 571) entitled "An act relating to assessment for taxation in counties of the fourth fifth sixth seventh and eighth classes designating the subjects property and persons subject to and exempt from taxation for county borough town township school except in cities and county institution district purposes and providing for and regulating the assessment and valuation thereof for such purposes creating in each such county a board for the assessment and revision of taxes defining the powers and duties of such boards providing for the acceptance of this act by cities regulating the office of the first class providing for the appointment of a chief ward borough town and township assessors abolishing the office of assistant triennial assessor in townships of assessor assistant assessors and other employes providing for their compensation payable by such counties prescribing certain duties of and certain fees to be collected by the recorder of deeds and eliminating the triennial assessment" increasing the compensation of assessors.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 99, entitled:

An Act to add section one thousand one hundred twenty-five point one to the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" authorizing the assignment of policemen to training schools and the payment of their expenses thereat.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 211, entitled:

An Act to encourage and promote the apple industry of the Commonwealth creating the Pennsylvania State Apple Board defining its powers and duties providing for campaigns of education advertising publicity sales promotion and research to promote the sale and consumption of Pennsylvania apples levying a tax on applies appropriating the proceeds of such tax conferring powers and imposing duties on the Department of Revenue and prescribing penalties.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 505, entitled:

An Act empowering cities of the second class to levy assess and collect or to provide for the levying assessment and collection of additional taxes for general revenue purposes and permitting penalties to be imposed and enforced.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. SORG. Mr. Speaker, I move that this bill be recommitted to the Committee on Cities and County—Second Class.

In doing so, I would like to state that it is going back to committee for further study, with the definite understanding that there will be legislation to cover this same subject on a satisfactory basis to the sponsor.

The motion was agreed to.

BILL PASSED OVER

There being no objection,

Senate Bill No. 51, Printer's No. 16,

was passed over at the request of Mr. SORG.

PARLIAMENTARY INQUIRY

Mr. SORG. Mr. Speaker, I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. SORG. Mr. Speaker, I desire to inquire the number of days that Senate Bill 114 has been on the

second reading calendar, and whether there is a limitation of time for it to remain there?

The SPEAKER. For the information of the gentleman the Chair would state that there is no limitation of time so far as Senate Bills are concerned on the second reading calendar.

BILL PASSED OVER

There being no objection,

Senate Bill No. 114, Printers's No. 21,

was passed over at the request of Mr. SORG.

BILL ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 635, as follows:

An Act to amend sections three and eight of the act approved the sixth day of April one thousand eight hundred thirty (1829-30 P. L. 272) entitled "An act for the levy and collection of taxes upon proceedings in courts and in the offices of register and recorder and for other purposes" by further providing for the levy and collection of taxes in certain court proceedings

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section three of the act approved the sixth day of April one thousand eight hundred thirty (1829-30 P. L. 272) entitled "An act for the levy and collection of taxes upon proceedings in courts and in the offices of register and recorder and for other purposes" repealed in part by section three of the act approved the nineteenth day of May one thousand eight hundred ninety-seven (P. L. 67) is hereby amended to read as follows

Section 3 And be it further enacted by the authority aforesaid That the prothonotaries of the courts of common pleas and of the district courts and the court of nisi prius of this Commonwealth shall demand and receive on every original writ issued out of said courts (except the writ of habeas corpus) on the filing of every complaint by which an action is started and on the entry of every amicable action the sum of fifty cents on every writ of certiorai issued to remove the proceedings of a justice or justices of the peace or aldermen the sum of fifty cents on every entry of a judgment by confession or otherwise where suit has not been previously commenced the sum of fifty cents and on every transcript of a judgment of a justice of the peace or alderman the sum of twenty-five cents

Section 2 Section eight of said act is hereby amended to read as follows

Section 8 And be it further enacted by the authority aforesaid That the several prothontaries registers and recorders aforesaid shall annex to the said account a return upon oath or affirmation of the writs of error appeals writs of certiorari and habeas corpus for the removal of causes original writs complaints by which an action is started amicable actions ceritoraris judgments in cases where suits have not been previously commenced deeds mortgages and other instruments of writing letters testamentary and letters of administration which shall be transmitted to the [Auditor General] Department of Revenue with the account aforesaid

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—198

Aaronson,	Frost,	McCullough,	Scanlon,
Andrews,	Gallagher,	McDonald,	Schuster,
Bane,	Getchey,	McKinney,	Scott,
Barrett,	Gibson,	McMillen,	Serrill,
Baumunk,	Goff,	Mihm,	Shoemaker,
Beech,	Goodling,	Mikula,	Simons,
Bender,	Gorman,	Miller,	Smith, C. C.,
Bloom,	Graybill,	Mills,	Smith, C. M.,
Boles,	Greenwood,	Mintess,	Snider,
Bonawitz,	Greer,	Mohr,	Sollenberger,
Boorse,	Griffiths,	Mooney,	Sorg,
Bower,	Guthrie,	Moore, C. E.,	Sproul,
Breisch,	Gyger,	Moore, H. A.,	Stank,
Brice,	Haller,	Murray,	Stimmel,
Brown,	Haudenshield,	Myers,	Stockham,
Brunner,	Helm,	Najaka,	Stonier,
Bucchin,	Henry,	Naumann,	Stuart,
Cadwalader,	Hewitt,	Needham,	Swope,
Capano,	Hocker,	Neff,	Tahl,
Cassidy,	Hoopes,	Nelson,	Thomassy,
Chervenak,	Horan,	O'Connor,	Thompson,
Chudoff,	Imbt,	O'Dare,	Tittle,
Clevenger,	Jennings,	O'Donnell,	Tompkins,
Cochran,	Johnson,	O'Neill,	Toomey,
Cole,	Johnston,	Orban,	Turner,
Cook,	Jones,	Patten,	Upshur,
Cooper,	Jump,	Pichney,	Vaughan,
Cordier,	Kean,	Pickens,	Verona,
Costa,	Kelley,	Polaski,	Wachhaus,
Crowley,	Kemp,	Powers,	Wagner,
Dague,	Kent,	Price,	Waldron,
Dalrymple,	Kirley,	Propert,	Wallin,
Davison,	Kline,	Ragot,	Walton,
De Long,	Kohl,	Readinger,	Waterhouse,
Demech,	Kratz,	Reagan,	Watkins,
Dennison,	Krise,	Reese, D. P.,	Watson,
Depuy,	Kurtz,	Reese, R. E.,	Weldner,
Dix,	Laughner,	Reilly, J. M.,	Weiss,
Dye,	Layer,	Reilly, W. J.,	Wescott,
Efenberg,	Lee,	Richter,	West,
Elder,	Leisey,	Riley,	Wheeler,
Erb,	Livingston,	Robbins,	Wolf,
Evans,	Livingstone,	Robertson,	Wood,
Ewing,	Loftus,	Root,	Worley,
Feola,	Lyons,	Rose,	Yeakel,
Fish,	Madden,	Rowen,	Yester,
Fiss,	Madigan,	Royer,	Yetzer,
Flack	Mazza,	Sarraf,	Young,
Fleming,	McCormack,	Sax,	Lichtenwalter,
Foor,	McCosker,		Speaker.

NAYS—3

Bentzel,	Lovett,	Petrosky,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 287, as follows:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to convey to the Borough of Towanda for use as an airport certain real estate located in the Township of Towanda County of Bradford and heretofore acquired by the Commonwealth for development as an airport

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Department of Property and Supplies acting on behalf of the Pennsylvania Aeronautics Commission Department of Commerce and subject to the approval of the Governor is hereby specifically authorized to grant and convey to the Borough of Towanda for use as an airport all that certain lot piece or parcel of land situate lying and being in the Township of Towanda County of Bradford and State of Pennsylvania consisting of two tracts more fully bounded and described as follows

Tract No 1 Beginning at a corner at the intersection of

the road leading from Towanda to Durell with the public road leading to the Scott School House thence along the center of said road North twenty-eight (28°) degrees fifty (50′) minutes West along lands of Richard Sick one thousand two hundred twenty-eight and seven tenths (1228.7) feet to a corner in said road thence South seventy-one (71°) degrees thirty-seven (37′) minutes West along lands of J Meadows and Mrs Carrie Stroud six hundred forty-one and three hundred seventy-five thousandths (641.375) feet to a corner thence North fifty-five (55°) degrees fifty-one (51′) minutes West along land of Mrs Carrie Stroud and Mrs. H. Williams to a corner in the South line of the right of way of the Susquehanna and New York Railroad thence in a Southwesterly direction along the South side of the right of way of the Susquehanna and New York Railroad one thousand nine hundred seventy-eight (1978) feet to a point in the East line of the road leading to the Scott School House thence further on same course to the center of the said road thence South eighty-five (85°) degrees four (4′) minutes East along the center of the said road leading to the Scott School House seven hundred four (704) feet to a corner thence North seventy-three (73°) degrees forty-two (42′) minutes East still along the center of the said road lands of the grantor R J Crayton Harriet Stroud et al one thousand four hundred forty-one and three tenths (1441.3) feet to a corner thence North seventy-one (71°) degrees thirteen (13′) minutes East six hundred nine and seven tenths (609.7) feet to the place of beginning containing fifty-six and twenty-five hundredths (56.25) acres of land be the same more or less

Said description being made in accordance with a map or plot of said land made by Hiram E Bull County Surveyor of Bradford County dated the twenty-fifth day of June one thousand nine hundred thirty-one

Tract No. 2 Beginning at a stake at the Southwest corner of the lot owned by James Meadows in the line of land formerly of the New York Joint Stock Land Bank now of the Commonwealth of Pennsylvania said corner being one hundred fifty (150) feet from the West Line of the State road leading from Towanda to Liberty Corners and Durell thence by the line of said Commonwealth of Pennsylvania South seventy-one (71°) degrees thirty-seven (37′) minutes West four hundred seventy-three (473) feet to a stake for a corner at an angle in said line thence by the same Northy fifty-five (55°) degrees fifty-one (51′) minutes West one hundred seventy-two and five tenths (172.5) feet to a stake in said line at the Southwest corner of land of Mrs Hila Nobles Williams thence by the line of said Williams land North forty-seven (47°) degrees thirty-two (32′) minutes East five hundred seventy (570) feet to a stake for a corner distant one hundred fifty-three and two tenths (152.3) feet South forty-seven (47°) degrees thirty-two (32′) minutes West from the West line of the above mentioned West line of said State road thence by a line parallel with the West line of said State road by lands of Grantor Richard Vanderpool and the above mentioned James Meadows South twenty-eight (28°) degrees fifty (50′) minutes East three hundred ninety-eight and two tenths (398.2) feet to the place of beginning containing three and two tenths (3.2) acres be the same more or less

These being the same tracts of land which were purchased by the Commonwealth for use as an airport by deeds dated the eighth day of October one thousand nine hundred thiry-one and the twenty-ninth day of March one thousand nine hundred thirty-two respectively and recorded in the Record's Office in Bradford County in Deed Books Vol three hundred seventy-nine page one hundred sixty-two and Vol three hundred eighty page four hundred fifty-nine and of which tracts the deeds are now on file in the office of the Secretary of Internal Affairs

The conveyance herein authorized shall be subject to the same reservations and exceptions as expressed in the deeds to the Commonwealth hereinbefore described

Section 2 The grant or conveyance herein authorized may be made for such consideration or without consideration as the Governor may approve Said grant or conveyance shall be effected by execution of a deed in regular form from the Commonwealth executed and delivered by the Department of Property and Supplies to the Borough of Towanda

Section 3 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201.

Aaronson,	Gallagher,	McCullough,	Scanlon,
Andrews,	Getchey,	McDonald,	Schuster,
Bane,	Gibson,	McKinney,	Scott,
Barrett,	Goff,	McMillen,	Serrill,
Baumunk,	Goodling,	Mihm,	Shoemaker,
Beech,	Gorman,	Mikula,	Simons,
Bender,	Graybill,	Miller,	Smith, C C.,
Bentzel,	Greenwood,	Mills,	Smith, C. M.,
Bloom,	Green,	Min'ess,	Snider,
Boies,	Griffiths,	Mohr,	Sollenberger,
Bonawitz,	Guthrie,	Mooney,	Sorg,
Boorse,	Gyger,	Moore, C. E.,	Sproul,
Bower,	Haller,	Moore, H. A.,	Stank,
Breisch,	Haudenshield,	Murray,	Stimmel,
Brice,	Helm,	Myers,	Stockham,
Brown,	Henry,	Najaka,	Stonier,
Brunner,	Hewitt,	Naumann,	Stuart,
Bucchin,	Hocker,	Needham,	Swope,
Cadwalader,	Hoopes,	Neff,	Tahl,
Capano,	Horan,	Nelson,	Thomassy,
Cassiday,	Imbt,	O'Connor,	Thompson,
Chervenak,	Jennings,	O'Dare,	Tittle,
Chudoff,	Johnson,	O'Donnell,	Tompkins,
Clevenger,	Johnston,	O'Neill,	Toomey,
Cochran,	Jones,	Orban,	Turner,
Cole,	Jump,	Patten,	Upshur,
Cook,	Kean,	Petrosky,	Vaughan,
Cooper,	Kelley,	Pichney,	Verona,
Cordier,	Kemp,	Pickens,	Wachhaus,
Costa	Kent,	Polaski,	Wagner,
Crowley,	Kirley,	Powers,	Waldron,
Dague,	Kline,	Price,	Wallin,
Dalrymple,	Kohl,	Propert,	Walton,
Davison,	Kratz,	Ragot,	Waterhouse,
De Long,	Krise,	Readinger,	Watkins,
Demech,	Kurtz,	Reagan,	Watson,
Dennison,	Laughner,	Reese, D P.,	Weidner,
Depuy,	Layer,	Reese, R E.,	Weiss,
Dix,	Lee,	Reilly, J. M.,	Wescott,
Dye,	Leisey,	Reilly, W. J.,	West,
Efenberg,	Livingston,	Richter,	Wheeler,
Elder,	Livingstone,	Riley	Wolf,
Erb,	Loftus,	Robbins,	Wood,
Evans,	Lovett,	Robertson,	Worley,
Ewing,	Lyons,	Root,	Yeakel,
Feola,	Madden,	Rose,	Yeater,
Fish,	Madigan,	Rowen,	Yetzer,
Fiss	Mazza,	Royer,	Young,
Flack,	McCormack,	Sarraf,	Lichtenwalter,
Fleming,	McCosker,	Sax,	Speaker.
Foor,			
Frost,			

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 361, as follows:

An Act to further amend two hundred twenty of the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" providing for free fishing licenses to certain disabled war veterans

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two hundred twenty of the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" as last amended by the act approved the twenty-ninth day of March one thousand nine hundred forty-five (P. L. 99) is hereby further amended to read as follows

Section 220 Resident Fishing License Fees For the purposes of this article every person sixteen years of age and upward upon application to any issuing agent within the Commonwealth or to the Department of Revenue and upon the establishment of his identity to the satisfaction of the issuing agent or the Department of Revenue by producing a bank book letters lodge cards police cards a motor vehicle operator's permit or some other positive means of identification that he has been a bona fide resident of this Commonwealth for a period of sixty days next preceding his application and was born in the United States and in the case of naturalized foreign-born residents the production of such applicant's naturalization papers shall upon the payment to the issuing agent or the Department of Revenue of a license fee of one dollar and fifty cents ($1.50) for the use of the Commonwealth and in the event that the license is issued by an issuing agent a fee of ten cents (10c) for the use of the issuing agent be entitled to the license herein referred to as "a resident fishing license"

Any disabled veteran of any war whose disability consists of the loss of one or more limbs and who meets the above qualifications shall be issued such license upon application to any county treasurer without the payment of the above license fee provided for the use of the Commonwealth The application for the issuance of a license in such case shall in addition to the other information required contain a statement that the applicant is a war veteran and that his disability was service incurred The county treasurer may likewise require of such applicant the production of such applicant's discharge papers

For the duration of the present war any person with the above qualifications who is in service with the armed forces of the United States shall be issued such license upon application to any county treasurer within the Commonwealth without the payment of the above license fee provided for the use of the Commonwealth

The application for the issuance of a license in such case shall in addition to the other information required give the serial number of the branch of service to which the applicant is attached together with the applicant's rank company battalion regiment division and other military organization

In case the license certificate is lost or destroyed a duplicate can be secured from the Department of Revenue by making affidavit to that effect In case the button is lost or destroyed the licensee can make a duplicate and in case both the license certificate and the button are lost or destroyed a new license and button may be secured from the Department of Revenue upon making affidavit to that effect and the payment of a fee of fifty cents (50c)

Upon the making of an application by any person to the Department of Revenue for a special license to catch eels by the use and operation of eel chutes and the payment of a fee of one dollar ($1) for the use of the Commonwealth such person shall be entitled to a special eel chute license and a special metal tag which shall give him the right to use and operate an eel chute in the Susquehanna River below the boundary line of the city of Pittston and the Duryea Borough line on the north branch below the bridge at the Northumberland-Lycoming County line on the west branch in the Juniata River below Mount Union and in the Delaware River in accordance with the provisions of this act

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201

Aaronson,	Frost,	McCosker,	Sarraf,
Andrews,	Gallagher,	McCullough,	Scanlon,
Bane,	Getchey,	McDonald,	Schuster,
Barrett,	Gibson,	McKinney,	Scott,
Baumunk,	Goff,	McMillen,	Serrill,
Beech,	Goodling,	Mihm,	Shoemaker,
Bender,	Gorman,	Mikula,	Simons,
Bentzel,	Graybill,	Miller,	Smith, C. C.,
Bloom,	Greenwood,	Mills,	Smith, C. M.,
Boies,	Greer,	Mintess,	Snider,
Bonawitz,	Griffiths,	Mohr,	Sollenberger,
Boorse,	Guthrie,	Mooney,	Sorg,
Bower,	Gyger,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenshield,	Murray,	Stimmel,
Brown,	Helm,	Myers,	Stockham,
Brunner,	Henry,	Najaka,	Stonier,
Bucchin,	Hewitt,	Naumann,	Stuart,
Cadwalader,	Hocker,	Needham,	Swope,
Capano,	Hoopes,	Neff,	Tahl,
Cassidy,	Horan,	Nelson,	Thomassy,
Chervenak,	Imbt,	O'Connor,	Thompson,
Chudoff,	Jennings,	O'Dare,	Tittle,
Clevenger,	Johnson,	O'Donnell,	Tompkins,
Cochran,	Johnston,	O'Neill,	Toomey,
Cole,	Jones,	Orban,	Turner,
Cook,	Jump,	Patten,	Upshur,
Cooper,	Kean,	Petrosky,	Vaughan,
Cordier,	Kelley,	Pichney,	Verona,
Costa,	Kemp,	Pickens,	Wachhaus,
Crowley,	Kent,	Polaski,	Wagner,
Dague,	Kirley,	Powers,	Waldron,
Dalrymple,	Kline,	Price,	Wallin,
Davison,	Kohl,	Propert,	Walton,
De Long,	Kratz,	Ragot,	Waterhouse,
Demech,	Krise,	Readinger,	Watkins,
Dennison,	Kurtz,	Reagan,	Watson,
Depuy,	Laughner,	Reese, D. P.,	Weidner,
Dix,	Layer,	Reese, R. E.,	Weiss,
Dye,	Lee,	Reilly, J. M.,	Wescott,
Efenberg,	Leisey,	Reilly, W. J.,	West,
Elder,	Livingston,	Richter,	Wheeler,
Erb,	Livingstone,	Riley,	Wolf,
Evans,	Loftus,	Robbins,	Wood,
Ewing,	Lovett,	Robertson,	Worley,
Feola,	Lyons,	Root,	Yeakel,
Fish,	Madden,	Rose,	Yester,
Fiss,	Madigan,	Rowen,	Yetzer,
Flack,	Mazza,	Royer,	Young,
Fleming,	McCormack,	Sax,	Lichtenwalter,
Foor,			Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 508, as follows:

An Act to amend section five hundred twenty-one of the act approved the first day of June one thousand nine hundred forty-five (P. L. 1242) entitled "An act relating to roads streets highways and bridges amending revising consolidating and changing the laws administered by the Secretary of Highways and by the Department of Highways relating thereto" permitting the department to take over and maintain structures bridges and viaducts in certain cities

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section five hundred twenty-one of the act approved the first day of June one thousand nine hundred forty-five (P. L. 1242) entitled "An act relating to roads streets highways and bridges amending revising consolidating and changing the laws administered by the Secretary of Highways and by the Department of Highways relating thereto" is hereby amended to read as follows

Section 521 Restrictions and Limitations upon Powers and Obligations of State Bridges and Viaducts (a) The designation or taking over of any street of any city of the second second A or third class as a State highway by any act of Assembly is not intended and shall not be construed

(1) To place upon the Commonwealth any duty to regulate traffic or police any such streets but such duty shall be and remain the obligation of the cities

(2) To place upon the Commonwealth any obligation for the maintenance construction reconstruction or resurfacing of said streets other than the base or surface courses

[(3) To place upon the Commonwealth through the department any obligation to maintain construct or reconstruct any structure of any kind or character whatsoever situate upon or forming part of any such city street or section thereof except that the secretary may assume the obligation to maintain construct or reconstruct drainage structures with a total spanned length not exceeding ten (10) feet measured along the center line of the street other than storm or sanitary sewers and which were the sole obligation of the city prior to the designation of the street as a State highway Responsibility for the construction reconstruction and maintenance of any other structure shall remain with the city person association or corporation responsible therefor at the date of the approval of the act by which the street was designated as a State highway]

(3) To authorize any assessment to be made against the Commonwealth by reason of or to assist in the elimination of any grade crossing on any street described and designated as a State highway and no such assessment shall hereafter be made under any act of Assembly heretofore enacted

(4) To place upon the Commonwealth any obligation under any franchise or franchises heretofore or hereafter granted by the city to any public utility company nor to transfer to the Commonwealth from the city any rights under any such franchise or franchises heretofore granted

(5) To place upon the department any authority to regulate traffic parking or the general use by the traveling public of the streets or section thereof taken over by the Commonwealth for maintenance or improvement under the provisions of this or any other act Provided however That the department is hereby authorized to close to traffic all of the streets or sections thereof taken over as State highways during such time as improvements are being made thereon and in such case the city shall establish and maintain a suitable detour in accordance with the provisions of section five hundred twenty-six of this act

(b) All bridges and viaducts on State highways in cities of the second class which are being maintained by the city or county may be taken over by the Department of Highways upon the effective date of this amendment and all such bridges and viaducts when taken over by the department and all bridges and viaducts on State highways in cities of the second class A and third class heretofore required to be taken over by the department shall be constructed reconstructed repaired and maintained at the sole expense of the Commonwealth

Section 2 This act shall become effective immediately upon final enactment

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. McMILLEN. Mr. Speaker, I should like to interrogate the sponsor of this bill, the gentleman from Allegheny, Mr. Stuart.

The SPEAKER. Will the gentleman from Allegheny permit himself to be interrogated?

Mr. STUART. I shall, Mr. Speaker.

Mr. McMILLEN. Mr. Speaker, may I ask the gentleman how many bridges there are in Pittsburgh crossing the Monongahela and Allegheny Rivers?

Mr. STUART. I cannot answer that, Mr. Speaker.

Mr. McMILLEN. Mr. Speaker, does the gentleman know how many bridges in the Pittsburgh area are crossed presently by highway routes?

Mr. STUART. Mr. Speaker, would the gentleman mind repeating his question?

Mr. McMILLEN. Mr. Speaker, does the gentleman know how many bridges there are now in Allegheny County that would be affected by this bill which are presently on routes of prominent highway numbers?

Mr. STUART. I have no idea on that, Mr. Speaker.

Mr. McMILLEN. Mr. Speaker, does the gentleman have any idea what this bill involves as far as expense is concerned to the state of Pennsylvania?

Mr. STUART. Mr. Speaker, this bill would give the state the right to take over these bridges for mainenance purposes.

Mr. McMILLEN. Mr. Speaker, do I understand the gentleman correctly to say that this permits the Highway Department to take over these bridges for maintenance only?

Mr. STUART. As I understand the bill, Mr. Speaker, yes sir.

Mr. McMILLEN. Mr. Speaker, I do not read it that way. It permits the Highway Department, as I read the bill, to take over as a part of the highway system all those bridges for maintenance. If they have to be rebuilt, they will be rebuilt with State Highway funds.

Mr. STUART. That is correct, Mr. Speaker.

Mr. McMILLEN. Does not the gentleman think that the Members of this House ought to have some idea of the expense that is involved in this bill to the Commonwealth of Pennsylvania?

Mr. STUART. Mr. Speaker, it would be hard to determine the expense because there is no reason to believe that any of the bridges will have to be reconstructed at any time in the immediate future.

Mr. McMILLEN. Mr. Speaker, does the gentleman think that it is possible that this thing might upset the entire highway program for the next biennium?

Mr. STUART. Will the gentleman kindly repeat his question?

Mr. McMILLEN. Mr. Speaker, does the gentleman

think that it is not possible if this bill were passed that there may be repairs, there may be costs involved in this bill that would materially upset the highway program for this biennium coming?

Mr. STUART. I think not, Mr. Speaker. I understand this bill has the aproval of the Highway Department.

Mr. McMILLEN. Mr. Speaker, do I understand the gentleman to say it has the approval of the Highway Department?

Mr. STUART. I understand it has, Mr. Speaker.

Mr. McMILLEN. Mr. Speaker, for the information of the gentleman and for the information of the House, that is not the information that I get.

Mr. STUART. That is the information I received, Mr. Speaker.

Mr. McMILLEN. That will be all.

Mr. Speaker, I certainly have no purpose here of defeating this bill. We have permitted bridges to be taken over in third class cities, it is true, but I think from the line of questioning that we have had here and from the answers it is evident that no one, not even the Highway Department, has any idea what this is going to cost the state of Pennsylvania.

The fact remains that we have thousands of miles in the highway system of Pennsylvania that are still to be improved, and even made passable. It is true that there are hundreds of bridges on the highway system of Pennsylvania at the present time that are inadequate, that are posted for load weight. We have our highway program, at least we are told that it is projected for the next two years, that the funds are allocated, yet we have this unknown quantity which could very materially upset the entire plan.

I think it should be pointed out that this only permits them to take them over. It does not state that they must or that they are going to. Theoretically that is the case, but as a practical measure how long do you suppose the people of Allegheny County will continue to support these bridges and take care of them if they have a law on the statute books permitting them to ask the Highway Department and insist that the Highway Department take them over? Personally, I think we do not have sufficient figures on this, we don't have enough information, we don't know where we are going to wind up with a bill of this particular kind.

MOTION TO PASS OVER

Mr. McMILLEN. I think that this bill should be passed over until we have that information, and I would move, if I am in order, Mr. Speaker, that this bill be passed over until we have that information.

The SPEAKER. The Chair would inform the gentleman that the only motion the Chair can entertain at this time is a motion to place the bill on the final passage postponed calendar, since the bill has already been agreed to on third reading.

MOTION TO POSTPONE

Mr. McMILLEN. I move, Mr. Speaker, that this bill, be placed on the final passage postponed calendar.

On the question,

Will the House agree to the motion?

Mr. BROWN. Mr. Speaker, in answer to the gentleman from Indiana, Mr. McMillen, in regard to placing this bill on the postponed calendar, and to give him the information that he desires, if this were a mandatory bill, of course, the bill should be placed on the postponed calendar so that we can get the figures, have the bridges appraised and find out what they will cost. However, this is simply a permissive piece of legislation, and until the Department of Highways determines what bridges, if any, they wish to take over, it is impossible to get the gentleman the figures that he wishes or desires. For that reason it seems to me that placing the bill on the postponed calendar will serve no useful purpose. He can't get the figures, I can't get the figures and nobody else can get the figures because we don't know how many bridges they are going to take over, if they ever take over any.

PARLIAMENTARY INQUIRY

Mr. FLEMING. Mr. Speaker, I rise to a parliamentary inquiry.

The SPEAKER. The gentleman from Allegheny will state it.

Mr. FLEMING. Mr. Speaker, is a motion to place upon the postponed third reading calendar debatable?

The SPEAKER. The motion is debatable but not the merits of the bill.

Mr. FLEMING. Then I would ask the gentleman from Indiana, Mr. McMillen if he will temporarily withdraw his motion.

MOTION TO POSTPONE WITHDRAWN

Mr. McMILLEN. Yes, Mr. Speaker, I will.

The SPEAKER. The gentleman from Indiana temporarily withdraws his motion.

On the question,

Shall the bill pass finally?

Mr. FLEMING. Mr. Speaker, I certainly do not want to prolong the debate on this measure. It is only a permissive act, as has been pointed out by my colleague, Mr. Brown. It gives the Highway Department the right to take over the bridges. I cannot conceive of the Pennsylvania Highway Department doing this, if in so doing they would jeopardize the highway program which they have outlined for the next six or eight years—which I believe they have. I think they will only do it if it is possible and feasible under the orderly procedure and plan of the Department. Certainly it gives them the right, and it only gives them the right, if they so wish, to take over bridges in cities of the second class, the right which we in 1945, I would draw to the attention of the House, gave to the Highway Department in regard to bridges in third class cities and boroughs, if I am not mistaken.

For that reason I urge the House to vote for this measure, which I am sure would not place any hardship on any of the people of Pennsylvania or on the Highway Department.

Mr. McMILLEN. Mr. Speaker, since the motion to place on the postponed calendar was withdrawn and we are debating the bill again, I would point out to the Members of this House that the Highway Department is

finding itself in a very percarious position because we went ahead a few years ago and took over all these bridges and put them in their hands. We find ourselves therefore face to face with such a huge expenditure of money that it is going to be almost impossible to meet that expenditure.

As far as Mr. Brown's argument is concerned that this is only a "may" bill, that it just says that they "may" do that, is all the more reason why I think we should not pass the bill. If you are going to pass the bill, after all why should we enact something here that is an unknown quantity? We don't know where we are going or where we are going to end. This and a lot of other bills that we passed to the Highway Department mean that we are going to have to come in here and levy two or three cents more on a gallon of gasoline, if we ever hope that the Highway Department will be able to carry through the program.

MOTION TO POSTPONE

Mr. McMILLEN. If there is no further argument on the bill, I again move, Mr. Speaker, that we place this bill on the final passage postponed calendar.

On the question,

Will the House agree to the motion?

Mr. LOVETT. Mr. Speaker, I only have one question and I think that question is on the motion to place the bill on the postponed calendar.

Two gentlemen debated the bill. One said the Highway Department was in favor of the bill and the other gentleman said that the Highway Department was not in favor of the bill. There is only one question I would like to have decided, and I think we can decide that question by putting it on the postponed calendar, find out whether or not the Highway Department feels that this is a proper piece of legislation.

On the question recurring,

Will the House agree to the motion?

It was not agreed to.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—195.

Andrews,	Frost,	McDonald,	Schuster,
Bane,	Gallagher,	McKinney,	Scott,
Barrett,	Getchey,	Mihm,	Serrill,
Baumunk,	Goff,	Mikula,	Shoemaker,
Beech,	Gorman,	Miller,	Simons,
Bender,	Graybill,	Mills,	Smith, C. C.,
Bentzel,	Greenwood,	Mintess,	Smith, C. M.,
Bloom,	Greer,	Mohr,	Snider,
Boies,	Griffiths,	Mooney,	Sollenberger,
Bonawitz,	Gyger,	Moore, C. E.,	Sorg,
Boorse,	Haller,	Moore, H. A.,	Sproul,
Bower,	Haudenshield,	Murray,	Stank,
Breisch,	Helm,	Myers,	Stimmel,
Brice,	Henry,	Najaka,	Stuart,
Brown,	Hewitt,	Naumann,	Swope,
Brunner,	Hocker,	Needham,	Stockham,
Bucchin,	Hoopes,	Neff,	Stonier,
Cadwalader,	Horan,	Nelson,	Tahl,
Capano,	Imbt,	O'Connor,	Thomassy,
Cassidy,	Jennings,	O'Dare,	Thompson,
Chervenak,	Johnson,	O'Donnell,	Tittle,
Chudoff,	Johnston,	O'Neill,	Tompkins,
Clevenger,	Jones,	Orban,	Toomey,
Cochran,	Jump,	Patten,	Turner,
Cole,	Kean,	Petrosky,	Upshur,
Cook,	Kelley,	Pichney,	Vaughan,
Cooper,	Kemp,	Pickens,	Verona,
Cordier,	Kent,	Polaski,	Wachhaus,
Costa,	Kirley,	Powers,	Wagner,
Crowley,	Kline,	Price,	Waldron,
Dague,	Kohl,	Propert,	Wallin,
Dalrymple,	Kratz,	Ragot,	Walton,
Davison,	Krise,	Readinger,	Waterhouse,
De Long,	Kurtz,	Reagan,	Watkins,
Demech,	Laughner,	Reese, D. P.,	Watson,
Dennison,	Layer,	Reese, R. E.,	Weidner,
Depuy,	Lee,	Reilly, J. M.,	Weiss,
Dye,	Leisey,	Reilly, W. J.,	Wescott,
Efenberg,	Livingston,	Richter,	West,
Elder,	Livingstone,	Riley,	Wheeler,
Erb,	Loftus,	Robbins,	Wolf,
Evans,	Lovett,	Robertson,	Wood,
Ewing,	Lyons,	Root,	Yeakel,
Feola,	Madden,	Rose,	Yester,
Fish,	Madigan,	Rowen,	Yetzer,
Fiss,	Mazza,	Royer,	Young,
Flack,	McCormack,	Sarraf,	Lichtenwalter,
Fleming,	McCosker,	Sax,	Speaker.
Foor,	McCullough,	Scanlon,	

NAYS—6.

Dix,	Goodling,	McMillen,	Worley,
Gibson,	Guthrie,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 531, as follows:

A Supplement to the act approved the seventh day of March one thousand nine hundred and one (P. L. 20) entitled "An act for the government of cities of the second class" establishing a department of parks and recreation in said cities providing for its officers and employees and defining the powers duties and jurisdiction of said department

Section 1 Be It Enacted &c That an additional executive department in the government of cities of the second class is hereby created to be known as the department of parks and recreation

Section 2 The department of parks and recreation shall be under the charge of a director who shall be the head thereof The supervision equipping operation care and maintenance of parks zoological gardens conservatories greenhouses forestry playgrounds playfields gymnasiums public baths swimming pools and indoor recreation centers and the supervision of playleaders recreation directors supervisors superintendents and any other officers or employees deemed proper for the purpose of carrying out the provisions of this act shall be under the jurisdiction of this department

Section 3 All the powers and duties as set forth in Section two hereof which are now under the jurisdiction of any other department of said city are hereby transferred to the department of parks and recreation

Section 4 All acts or parts of acts inconsistent with the provisions of this act are hereby repealed

Section 5 This act shall become effective immediately upon its passage and approval by the governor

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201

Aaronson,	Frost,	McCullough,	Scanlon,
Andrews,	Gallagher,	McDonald,	Schuster,
Bane,	Getchey,	McKinney,	Scott,
Barrett,	Gibson,	McMillen,	Serrill,
Baumunk,	Goff,	Mihm,	Shoemaker,
Beech,	Goodling,	Mikula,	Simons,
Bender,	Gorman,	Miller,	Smith, C. C.,
Bentzel,	Graybill,	Mills,	Smith, C. M.,
Bloom,	Greenwood,	Mintess,	Snider,
Boies,	Greer,	Mohr,	Sollenberger,
Bonawitz,	Griffiths,	Mooney,	Sorg,
Boorse,	Guthrie,	Moore, C. E.,	Sproul,
Bower,	Gyger,	Moore, H. A.,	Stank,
Breisch,	Haller,	Murray,	Stimmel,
Brice,	Haudenshield,	Myers,	Stockham,
Brown,	Helm,	Najaka,	Stonier,
Brunner,	Henry,	Naumann,	Stuart,
Bucchin,	Hewitt,	Needham,	Swope,
Cadwalader,	Hocker,	Neff,	Tahl,
Capano,	Hoopes,	Nelson,	Thomassy,
Cassidy,	Horan,	O'Connor,	Thompson,
Chervenak,	Imbt,	O'Dare,	Tittle,
Chudoff,	Jennings,	O'Donnell,	Tompkins,
Clevenger,	Johnson,	O'Neill,	Toomey,
Cochran,	Johnston,	Orban,	Turner,
Cole,	Jones,	Patten,	Upshur,
Cook	Jump,	Petrosky,	Vaughan,
Cooper,	Kean,	Pichney,	Verona,
Cordier,	Kelley,	Pickens,	Wachhaus,
Costa,	Kemp,	Polaski,	Wagner,
Crowley,	Kent,	Powers,	Waldron,
Dague,	Kirley,	Price,	Wallin,
Dalrymple,	Kline,	Propert,	Walton,
Davison,	Kohl,	Ragot,	Waterhouse,
De Long,	Kratz,	Readinger,	Watkins,
Demech,	Krise,	Reagan,	Watson,
Dennison,	Kurtz,	Reese, D. P.,	Weldner,
Depuy,	Laughner,	Reese, R. E.,	Weiss
Dix,	Layer,	Reilly, J. M.,	Wescott,
Dye,	Lee,	Reilly, W. J.,	West,
Efenberg,	Leisey,	Richter,	Wheeler,
Elder,	Livingston,	Riley,	Wolf,
Erb,	Livingstone,	Robbins,	Wood,
Evans,	Loftus,	Robertson,	Worley,
Ewing,	Lovett,	Root,	Yeakel,
Feola,	Lyons,	Rose,	Yester,
Fish,	Madden,	Rowen,	Yetzer,
Fiss,	Madigan,	Royer,	Young,
Flack,	Mazza,	Sarraf,	Lichtenwalter,
Fleming,	McCormack,	Sax,	Speaker.
Foor,	McCosker,		

NAYS—0

The majority required by the Constitution having voted n the affirmative, the question was determined in the ffirmative.

Ordered, That the Clerk present the same to the Senate or concurrence.

Agreeably to order,

The House proceeded to the third reading and consid-ration of House Bill No. 538, as follows:

n Act to further amend the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the sec-ond third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws re-lating thereto" creating a County Transit and Traffic Commission in counties of the second class providing for its membership and defining its powers and duties

The General Assembly of the Commonwealth of Penn-ylvania hereby enacts as follows

Section 1 The act approved the second day of May one ousand nine hundred twenty-nine (P. L. 1278) entitled n act relating to counties of the second third fourth fth sixth seventh and eighth classes and revising amend-g and consolidating the laws relating thereto" as amended by the act approved the twenty-fifth day of June one thousand nine hundred thirty-seven (P. L. 2129) is hereby further amended by adding after Article VI thereof a new Article to read as follows

Article VI-A

County Transit and Traffic Commission

Section 510.31 Creation of County Transit and Traffic Commission In counties of the second class there is hereby created a County Transit and Traffic Commission consisting of nine (9) persons who shall be residents of the county not more than four (4) of whom shall be residents of cities in the county nor shall more than two be regular employees of any publicly financed body Members shall be persons experienced in either engineering commerce finance law transportation or traffic matters and shall be appointed by the county commissioners three (3) members shall be designated to serve until the first day of January one thousand nine hundred and forty-nine (1949) three (3) until the first day of January one thousand nine hundred and fifty-one (1951) and three (3) until the first day of January one thousand nine hundred and fifty-three (1953) Their successors shall be appointed at the expiration of their respective terms to serve six (6) years and all appointments to fill vacancies shall be only for the unexpired portion of the term Five (5) members shall constitute a quorum The Commission may make rules and regulations for their own organizations and procedure consistent with the resolutions of the county commissioners and the laws of the Commonwealth Members shall serve without compensation and may employ a technical staff and such other persons as may be necessary whose salaries and wages and other necessary expenses of the Commission shall be provided for in the discretion of the county commissioners by proper appropriation and resolution

Section 510.32 Duties of the County Transit and Traffic Commission The duty of the Transit and Traffic Commission shall be to investigate transit traffic and parking conditions in the county including the volume and characteristics of the movement of public carriers such as street railways train bus and other motor vehicles throughout the county with a view of determining advisable means for obtaining adequate rapid and safe transportation to consider fully the coordination of existing transportation services to investigate and study safety measures for persons and vehicles on highways streets and thoroughfares in said county to advise with officials of political subdivisions in the county about the transit traffic and parking problems All minutes reports and recommendations made by the commission shall be a matter of public record Periodically but not less than once a year the commission shall file with the county commissioners a report of its investigations This report shall include the results of investigations made by the commission and any recommendations the commission may have to offer The board of County Commissioners shall refer any plan proposal or resolution affecting public transportation and the safety of the public on public transportation facilities and on highways bridges and tunnels in the county to the County Transit and Traffic Commission for its consideration and recommendation The Transit and Traffic Commission shall report to the County Commissioners on the plan proposal or resolution within a reasonable period of time

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201

Aaronson,	Frost,	McCullough,	Scanlon,
Andrews,	Gallagher,	McDonald,	Schuster,
Bane,	Getchey,	McKinney,	Scott,
Barrett,	Gibson,	McMillen,	Serrill,
Baumunk,	Goff,	Mihm,	Shoemaker,
Beech,	Goodling,	Mikula,	Simons,
Bender,	Gorman,	Miller,	Smith, C. C.,
Bentzel,	Graybill,	Mills,	Smith, C. M.,
Bloom,	Greenwood,	Mintess,	Snider,
Boies,	Greer,	Mohr,	Sollenberger,
Bonawitz,	Griffiths,	Mooney,	Sorg,
Boorse,	Guthrie,	Moore, C. E.,	Sproul,
Bower,	Gyger,	Moore, H. A.,	Stank,
Breisch,	Haller,	Murray,	Stimmel,
Brice,	Haudenshield,	Myers,	Stockham,
Brown,	Helm,	Najaka,	Stonier,
Brunner,	Henry,	Naumann,	Stuart,
Bucchin,	Hewitt,	Needham,	Swope,
Cadwalader,	Hocker,	Neff,	Tahl,
Capano,	Hoopes,	Nelson,	Thomassy,
Cassidy,	Horan,	O'Connor,	Thompson,
Chervenak,	Imbt,	O'Dare,	Tittle,
Chudoff,	Jennings,	O'Donnell,	Tompkins,
Clevenger,	Johnson,	O'Neill,	Toomey,
Cochran,	Johnston,	Orban,	Turner,
Cole,	Jones,	Patten,	Upshur,
Cook,	Jump,	Petrosky,	Vaughan,
Cooper,	Kean,	Pichney,	Verona,
Cordier,	Kelley,	Pickens,	Wachhaus,
Costa,	Kemp,	Polaski,	Wagner,
Crowley,	Kent,	Powers,	Waldron,
Dague,	Kirley,	Price,	Wallin,
Dalrymple,	Kline,	Propert,	Walton,
Davison,	Kohl,	Ragot,	Waterhouse,
De Long,	Kratz,	Readinger,	Watkins,
Demech,	Krise,	Reagan,	Watson,
Dennison,	Kurtz,	Reese, D. P.,	Weidner,
Depuy,	Laughner,	Reese, R. E.,	Weiss,
Dix,	Layer,	Reilly, J. M.,	Wescott,
Dye,	Lee,	Reilly, W. J.,	West,
Efenberg,	Leisey,	Richter,	Wheeler,
Elder,	Livingston,	Riley,	Wolf,
Erb,	Livingstone,	Robbins,	Wood,
Evans,	Loftus,	Robertson,	Worley,
Feola,	Lovett,	Root,	Yeakel,
Fish,	Lyons,	Rose,	Yester,
Ewing,	Madden,	Rowen,	Yetzer,
Fiss,	Madigan,	Royer,	Young,
Flack,	Mazza,	Sarraf,	Lichtenwalter,
Fleming,	McCormack,	Sax,	Speaker.
Foor,	McCosker,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS PASSED OVER

There being no objection

House Bill No. 554, Printer's No. 206 and

House Bill No. 636, Printer's No. 210,

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 742, as follows:

An Act to amend section one hundred eighty-one of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" permitting sheriffs to succeed themselves

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one hundred eighty-one of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" is hereby amended to read as follows

Section 181 [Not] Eligible to Succeed Himself [No] The sheriff shall be eligible for the term next succeeding the one for which he was elected

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the years and nays were taken and were as follows:

YEAS—201

Aaronson,	Frost,	McCullough,	Scanlon,
Andrews,	Gallagher,	McDonald,	Schuster,
Bane,	Getchey,	McKinney,	Scott,
Barrett,	Gibson,	McMillen,	Serrill,
Baumunk,	Goff,	Mihm,	Shoemaker,
Beech,	Goodling,	Mikula,	Simons,
Bender,	Gorman,	Miller,	Smith, C. C.,
Bentzel,	Graybill,	Mills,	Smith, C. M.,
Bloom,	Greenwood,	Mintess,	Snider,
Boies,	Greer,	Mohr,	Sollenberger,
Bonawitz,	Griffiths,	Mooney,	Sorg,
Boorse,	Guthrie,	Moore, C. E.,	Sproul,
Bower,	Gyger,	Moore, H. A.,	Stank,
Breisch,	Haller,	Murray,	Stimmel,
Brice,	Haudenshield,	Myers,	Stockham,
Brown,	Helm,	Najaka,	Stonier,
Brunner,	Henry,	Naumann,	Stuart,
Bucchin,	Hewitt,	Needham,	Swope,
Cadwalader,	Hocker,	Neff,	Tahl,
Capano,	Hoopes,	Nelson,	Thomassy,
Cassidy,	Horan,	O'Connor,	Thompson,
Chervenak,	Imbt,	O'Dare,	Tittle,
Chudoff,	Jennings,	O'Donnell,	Tompkins,
Clevenger,	Johnson,	O'Neill,	Toomey,
Cochran,	Johnston,	Orban,	Turner,
Cole,	Jones,	Patten,	Upshur,
Cook,	Jump,	Petrosky,	Vaughan,
Cooper,	Kean,	Pichney,	Verona,
Cordier,	Kelley,	Pickens,	Wachhaus,
Costa,	Kemp,	Polaski,	Wagner,
Crowley,	Kent,	Powers,	Waldron,
Dague,	Kirley,	Price,	Wallin,
Dalrymple,	Kline,	Propert,	Walton,
Davison,	Kohl,	Ragot,	Waterhouse,
De Long,	Kratz,	Readinger,	Watkins,
Demech,	Krise,	Reagan,	Watson,
Dennison,	Kurtz,	Reese, D. P.,	Weidner,
Depuy,	Laughner,	Reese, R. E.,	Weiss,
Dix,	Layer,	Reilly, J. M.,	Wescott,
Dye,	Lee,	Reilly, W. J.,	West,
Efenberg,	Leisey,	Richter,	Wheeler,
Elder,	Livingston,	Riley,	Wolf,
Erb,	Livingstone,	Robbins,	Wood,
Evans,	Loftus,	Robertson,	Worley,
Ewing,	Lovett,	Root,	Yeakel,
Feola,	Lyons,	Rose,	Yester,
Fish,	Madden,	Rowen,	Yetzer,
Fiss,	Madigan,	Royer,	Young,
Flack,	Mazza,	Sarraf,	Lichtenwalter,
Fleming,	McCormack,	Sax,	Speaker.
Foor,	McCosker,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 788 as follows:

An Act to add clause XXVI to section seven hundred two of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" authorizing the establishment of districts for police protection and providing for an equal assessment on all property benefited by such protection

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section seven hundred two of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" is hereby amended by adding after clause XXV thereof a new clause to read as follows

Section 702 Supervisors to Exercise Powers The corporate powers of townships of the second class shall be exercised by the township supervisors They shall have power

* * * * *

XXVI Police Protcetion Districts Assessments To provide police protection and promote the public safety health convenience and welfare of its citizens the board of townships is hereby empowered with the approval of the township auditors on petition of a majority of the adult taxable residents of any territory within the township to designate definitely define set apart and limit any part of such territory as a district for the purpose of providing such districts adequate police protection Such police protection may be furnished jointly with one or more other townships or boroughs under an agreement with such townships and boroughs The township supervisors shall annually assess or cause to be assessed the cost and expense of the maintenance of said peole protection by an equal assessment on all property benefited by such protection in proportion to the number of feet the same fronts on the street or highway or portion thereof to be protected The supervisors may provide for an equitable reduction from the frontage of lots at intersections or where from the peculiar or pointed shape of lots an assessment of the full frontage would be inequitable No such assessment shall be made against any farm land but vacant lots between built-up section whether tilled or untilled shall not be deemed to be farm lands Provided however That the assessment per front foot against vacant lots shall be only twenty-five per centum (25%) of the assessment per foot front against property with improvements thereon All such assessments for police protection shall be filed with the township tax collector who shall give thirty days written or printed notice that the assessments are due and payable stating the due date to each party assessed either by service on the owner of the property or by mailing such notice to the owner at his last known post office address The tax collector shall be entitled to the same commission for the collection of such assessments as he is entitled to by law for the colection of the township road tax If the assessments or any of them remain unpaid at the expiration of not exceeding ninety days the exact time to be fixed by the township supervisors they shall be placed in the hands of the township solicitor for collection The solicitor shall collect the same together with five per centum (5%) as attorney's commission and interest from the date such assessments were due by a municipal claim filed against the property of the delinquent owner in like manner as municipal claims are by law filed and collected Where an owner has two or more lots against which there is an assessment for the same year all such lots shall be embrace in one claim All assessments when collected shall be paid over to the township treasurer who shall receive and shall keep the same in a separate account and pay out the same only upon orders signed by the chairman of the township supervisors attested by the secretary The tax collector and the treasurer shall make a report to the auditors of the township annually

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provsions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201.

Aaronson,	Frost,	McCullough,	Scanlon,
Andrews,	Gallagher,	McDonald,	Schuster,
Bane,	Getchey,	McKinney,	Scott,
Barrett,	Gibson,	McMillen,	Serrill,
Baumunk,	Goff,	Mihm,	Shoemaker,
Beech,	Goodling,	Mikula,	Simons,
Bender,	Gorman,	Miller,	Smith, O. C.,
Bentzel,	Graybill,	Mills,	Smith, G. M.,
Boles,	Greenwood,	Mintess,	Snider,
Bloom,	Greer,	Mohr,	Sollenberger,
Bonawitz,	Griffiths,	Mooney,	Sorg,
Boorse,	Guthrie,	Moore, C. E.,	Sproul,
Bower,	Gyger,	Moore, H. A.,	Stank,
Breisch,	Haller,	Murray,	Stimmel,
Brice,	Haudenshield,	Myers,	Stockham,
Brown,	Helm,	Najaka,	Stonier,
Brunner,	Henry,	Naumann,	Stuart,
Bucchin,	Hewitt,	Needham,	Swope,
Cadwalader,	Hocker,	Neff,	Tahl,
Capano,	Hoopes,	Nelson,	Thomassy,
Cassidy,	Horan,	O'Connor,	Thompson,
Chervenak,	Imbt,	O'Dare,	Tittle,
Chudoff,	Jennings,	O'Donnell,	Tompkins,
Cochran,	Johnson,	O'Neill,	Toomey,
Clevenger,	Johnston,	Orban,	Turner,
Cole,	Jones,	Patten,	Upshur,
Cook,	Jump,	Petrosky,	Vaughan,
Cooper,	Kean,	Pichney,	Verona,
Cordier,	Kelley,	Pickens,	Wachhaus,
Costa,	Kemp,	Polaski,	Wagner,
Crowley,	Kent,	Powers,	Waldron,
Dague,	Kirley,	Price,	Wallin,
Dalrymple,	Kline,	Propert,	Walton,
Davison,	Kohl,	Ragot,	Waterhouse,
De Long,	Kratz,	Readinger,	Watkins,
Demech,	Krise,	Reagan,	Watson,
Dennison,	Kurtz,	Reese, D. P.,	Weidner,
Depuy,	Laughner,	Reese, R. E.,	Weiss,
Dix,	Layer,	Reilly, J. M.,	Wescott,
Dye,	Lee,	Reilly, W. J.,	West,
Efenberg,	Leisey,	Richter,	Wheeler,
Elder,	Livingston,	Riley,	Wolf,
Erb,	Livingstone,	Robbins,	Wood,
Evans,	Loftus,	Robertson,	Worley,
Ewing,	Lovett,	Root,	Yeakel,
Feola,	Lyons,	Rose,	Yester,
Fish,	Madden,	Rowen,	Yetzer,
Fiss,	Madigan,	Royer,	Young,
Flack,	Mazza,	Sarraf,	Lichtenwalter,
Fleming,	McCormack,	Scott,	Speaker.
Foor,	McCosker,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Oredered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 815, as follows:

An Act to amend section two thousand eight hundred two of the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" authorizing management of borough burial grounds by a commission appointed by the borough council

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two thousand eight hundred two of

the act approved the fourth day of May one thousand nine hundred seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" is hereby amended to read as follows

Section 2802 Management by Commission Transfer from Borough to Company When the title and management of any burial ground is vested in a borough the council of such borough [upon] may in its discretion vest the care management and operation of such burial ground in a commission of three citizens to be appointed by the borough council Such care management and operation and the terms of the commissionsers shall be as provided in the ordinance of the council Upon petition of ten lot owners in such burial ground the council may in its discretion transfer such burial ground and the management thereof to an incorporated cemetery company in the manner hereinafter provided

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201.

Aaronson,	Frost,	McCullough,	Scanlon,
Andrews,	Gallagher,	McDonald,	Schuster,
Bane,	Getchey,	McKinney,	Scott,
Barrett,	Gibson,	McMillen,	Serrill,
Baumunk,	Goff,	Mihm,	Shoemaker,
Beech,	Goodling,	Mikula,	Simons,
Bender,	Gorman,	Miller,	Smith, C. C.,
Bentzel,	Graybill,	Mills,	Smith, C. M.,
Bloom,	Greenwood,	Mintess,	Snider,
Boies,	Greer,	Mohr,	Sollenberger,
Bonawitz,	Griffiths,	Mooney,	Sorg,
Boorse,	Guthrie,	Moore, C. E.,	Sproul,
Bower,	Gyger,	Moore, H. A.,	Stank,
Breisch,	Haller,	Murray,	Stimmel,
Brice,	Haudenshield,	Myers,	Stockham,
Brown,	Helm,	Najaka,	Stonier,
Brunner,	Henry,	Naumann,	Stuart,
Bucchin,	Hewitt,	Needham,	Swope,
Cadwalader,	Hocker,	Neff,	Tahl,
Capano,	Hoopes,	Nelson,	Thomassy,
Cassidy,	Horan,	O'Connor,	Thompson,
Chervenak,	Imbt,	O'Dare,	Tittle,
Chudoff,	Jennings,	O'Donnell,	Tompkins,
Clevenger,	Johnson,	O'Neill,	Toomey,
Cochran,	Johnston,	Orban,	Turner,
Cole,	Jones,	Patten,	Upshur,
Cook,	Jump,	Petrosky,	Vaughan,
Cooper,	Kean,	Pichney,	Verona,
Cordier,	Kelley,	Pickens,	Wachhaus,
Costa,	Kemp,	Polaski,	Wagner,
Crowley,	Kent,	Powers,	Waldron,
Dague,	Kirley,	Price,	Wallin,
Dalrymple,	Kline,	Propert,	Walton,
Davison,	Kohl,	Ragot,	Waterhouse,
De Long,	Krise,	Readinger,	Watkins,
Demech,	Kratz,	Reagan,	Watson,
Dennison,	Kurtz,	Reese, D. P.,	Weidner,
Depuy,	Laughner,	Reese, R. E.,	Weiss,
Dix,	Layer,	Reilly, J. M.,	Wescott,
Dye,	Lee,	Reilly, W. J.,	West,
Effenberg,	Leisey,	Richter,	Wheeler,
Elder,	Livingston,	Riley,	Wolf,
Erb,	Livingstone,	Robbins,	Wood,
Evans,	Loftus,	Robertson,	Worley,
Ewing	Lovett,	Root,	Yeakel,
Feola,	Lyons,	Rose,	Yester,
Fish,	Madden	Rowen,	Yetzer,
Fiss,	Madigan,	Royer,	Young,
Flack,	Mazza,	Sarraf,	Lichtenwalter,
Fleming,	McCormack,	Sax,	Speaker.
Foor,	McCosker,		

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 919, as follows:

An Act to amend section four hundred fifty-one of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal School or Teachers Colleges abloshing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" changing the membership of the State Planning Board

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section four hundred fifty-one of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" as added by the act approved the tenth day of May one thousand nine hundred thirty-nine (P. L. 101) is hereby amended to read as follows

Section 451 State Planning Board [The State Planning Board shall consist of nine members and the Secretary of Commerce ex officio who shall be chairman of the board Four of the nine member shall be appointed from among the heads of the chief executive officers of the administrative departments and the remaining five members shall be appointed from among the citizens of the State who during their terms shall hold no other State office to which any salary is attached

The term of office of members of the board shall be five years and until their successors are appointed and qualified Provided however That members who also are heads or chief executive officers of administrative departments shall not serve as members of the board beyond their term of office in such other State service Of the members of the

board first appointed three shall be appointed for a term of one year three for a term of three years and three for a term of five years Thereafter all appointments shall be made for a term of five years In case of a vacancy the Governor shall make an appointment for the unexpired term

Six members of the board shall constitute a quorum] The State Planning Board shall consist of the Secretary of Commerce ex officio who shall be Chairman of the board and eleven members to be appointed by the Governor from among the citizens of the State who during their terms shall hold no other State office to which any salary is attached The Governor may appoint as additional members of the board executive officers of State administrative departments or agencies for such terms as he may determine but not beyond their term of office in such other State service Except as hereinafter provided the term of office of citizen members of the board shall be five years and until their successors are appointed and have qualified In case of a vacancy the Governor shall make an appointment for the unexpired term

The members of the board who have duly qualified as such and whose terms have not expired on the effective date of these amendments shall continue as members of the board until the expiration of their respective terms and until their successors are appointed have qualified New members shall be appointed with due regard to the terms of existing members of the board so that of the board so that of the board as first constituted under these amendments the terms of two members shall be for one years the terms of two members for two years the terms of two members for three years the terms of two members for four years and the terms of three members for five years

A majority of the members of the board shall constitute a quorum

The members of the board shall serve without compensation but shall be entitled to receive traveling expenses incurred in the discharge of their dtuies

The board may with the approval of the Secretary of Commerce appoint and fix the compensation of a secretary who shall act as executive director of the board and who shall conduct the work of the board under its supervision The secretar shall hold no other position in the service of the Commonwealth or any political subdivision thereof and shall be technically qualified for the duties of his office

Section 2 The provisions of this act shall become effective on the first day of June one thousand nine hundred forty-seven

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201.

Aaronson,	Frost,	McCullough,	Scanlon,
Andrews,	Gallagher,	McDonald,	Schuster,
Bane,	Getchey,	McKinney,	Scott,
Baumunk,	Gibson,	McMillen,	Serrill,
Barrett,	Goff,	Mihm,	Shoemaker,
Beech,	Goodling,	Mikula,	Simons,
Bender,	Gorman,	Miller,	Smith, C. C.,
Bentzel,	Graybill,	Mills,	Smith, C. M.,
Bloom,	Greenwood,	Mintess,	Snider,
Boles,	Greer,	Mohr,	Sollenberger,
Bonawitz,	Griffiths,	Mooney,	Sorg,
Boorse,	Guthrie,	Moore, C. E.,	Sproul,
Bower,	Gyger,	Moore, H. A.,	Stank,
Breisch,	Haller,	Murray,	Stimmel,
Brice,	Haudenshield,	Myers,	Stockham,
Brown,	Helm,	Najaka,	Stonier,
Brunner,	Henry,	Naumann,	Stuart,
Bucchin,	Hewitt,	Needham,	Swope,
Cadwalader,	Hocker,	Nelson,	Tahl,
Capano,	Hoopes,	Neff,	Thomassy,
Cassidy,	Horan,	O'Connor,	Thompson,
Chervenak,	Imbt,	O'Dare,	Tittle,
Chudoff,	Jennings,	O'Donnell,	Tompkins,
Clevenger,	Jones,	O'Neill,	Toomey,
Cochran,	Johnson,	Orban,	Turner,
Cole,	Johnston,	Patten,	Upshur,
Cook,	Jump,	Petrosky,	Vaughan,
Cooper,	Kean,	Pickens,	Verona,
Cordier,	Kelley,	Pichney,	Wachhaus,
Costa,	Kemp,	Polaski,	Wagner,
Crowley,	Kent,	Powers,	Waldron,
Dague,	Kirley,	Price,	Wallin,
Dalrymple,	Kline,	Propert,	Watkins,
Davison,	Kohl,	Ragot,	Walton,
De Long,	Kratz,	Readinger,	Waterhouse,
Demech,	Krise,	Reagan,	Watson,
Dennison,	Kurtz,	Reese, D. P.,	Weidner,
Depuy,	Laughner,	Reese, R. E.,	Weiss,
Dix,	Layer,	Reilly, J. M.,	West,
Dye,	Lee,	Reilly, W. J.,	Wescott,
Efenberg,	Leisey,	Richter,	Wheeler,
Elder,	Livingston,	Riley,	Wolf,
Erb,	Livingstone,	Robbins,	Wood,
Evans,	Loftus,	Robertson,	Worley,
Ewing,	Lovett,	Root,	Yeakel,
Feola,	Lyons,	Rose,	Yester,
Fish,	Madden,	Rowen,	Yetzer,
Fiss,	Madigan,	Royer,	Young,
Flack,	Mazza,	Sarraf,	Lichtenwalter,
Fleming,	McCormack,	Sax,	Speaker.
Foor,	McCosker,		

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 947, as follows:

An Act to further amend section one thousand three hundred one of the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" increasing the maximum mill tax rate

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one thousand three hundred one of the act approved the fourth dav of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" as last amended by the act approved the eighteenth day of May one thousand nine hundred thirty-three (P. L. 818) is hereby further amended to read as follows

Section 1301 General Levy The council of the borough shall have power by ordinance to levy and collect annually for general borough purposes any tax not exceeding [fifteen (15)] twenty (20) mills on the dollar on the valuation assessed for county purposes as now is or may be provided by law All property offices professions and persons made taxable by the laws of this Commonwealth for county rates and levies may in the discretion of council be taxed after the same manner for general borough purposes No action on the part of the borough authorities fixing the tax rate for any year at a mill rate need include a statement expressing the rate of taxation in dollars and cents on each one hundred dollars of assessed valuation of taxable property

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—196

Aaronson,	Gallagher,	McDonald,	Scanlon,
Andrews,	Getchey,	McKinney,	Schuster,
Barrett,	Gibson,	McMillen,	Scott,
Baumunk,	Goff,	Mihm,	Serrill,
Beech,	Goodling,	Mikula,	Shoemaker,
Bender,	Gorman,	Miller,	Simons,
Bentzel,	Graybill,	Mills,	Smith, C. C.,
Bloom,	Greer,	Minter,	Smith, C. M.,
Boles,	Greenwood,	Mohr,	Snider,
Bonawitz,	Griffiths,	Moore, C. E.,	Sollenberger,
Boorse,	Guthrie,	Moore, H. A.,	Sorg,
Bower,	Gyger,	Mooney,	Sproul,
Breisch,	Haller,	Murray,	Stank,
Brice,	Haudenshield,	Myers,	Stimmel,
Brown,	Helm,	Najaka,	Stockham,
Brunner,	Henry,	Naumann,	Stonier,
Bucchin,	Hewitt,	Needham,	Stuart,
Cadwalader,	Hocker,	Neff,	Swope,
Cassidy,	Hoopes,	Nelson,	Tahl,
Chervenak,	Horan,	O'Connor,	Thomassy,
Chudoff,	Imbt,	O'Dare,	Thompson,
Clevenger,	Jennings,	O'Donnell,	Tittle,
Cochran,	Johnson,	O'Neill,	Tompkins,
Cole,	Johnston,	Orban,	Toomey,
Cook,	Jones,	Patten,	Turner,
Cooper,	Jump,	Petrosky,	Upshur,
Cordier,	Kelley,	Pichney,	Vaughan,
Costa,	Kean,	Pickens,	Verona,
Crowley,	Kemp,	Polaski,	Wachhaus,
Dague,	Kent,	Powers,	Wagner,
Dalrymple,	Kirley,	Price,	Waldron,
Davison,	Kline,	Propert,	Wallin,
De Long,	Kohl,	Rago,	Watkins,
Demech,	Kratz,	Readinger,	Walton,
Dennison,	Krise,	Reagan,	Waterhouse,
Depuy,	Kurtz,	Reese, D. P.,	Watson,
Dix,	Layer,	Reese, R. E.,	Weidner,
Dye,	Lee,	Reilly, J. M.,	Wescott,
Efenberg,	Leisey,	Reilly, W. J.,	West,
Elder,	Livingston,	Richter,	Wheeler,
Erb,	Livingstone,	Riley,	Wolf,
Evans,	Loftus,	Robbins,	Wood,
Ewing,	Lyons,	Robertson,	Worley,
Feola,	Madden,	Root,	Yeakel,
Fish,	Madigan,	Rose,	Yeater,
Fiss,	Mazza,	Rowen,	Yetzer,
Flack,	McCormack,	Royer,	Young,
Fleming,	McCosker,	Sarraf,	Lichtenwalter,
Foor,	McCullough,	Sax,	Speaker.
Frost,			

NAYS—5

Bane,	Laughner,	Lovett,	Weiss,
Capano,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1000, as follows:

An Act to further amend section eight and to amend section nine of the act approved the eleventh day of June one thousand nine hundred thirty-five (P. L. 326) entitled "An act relating to counties of the first class defining deceased service persons providing for contributions by the county to the funeral expenses for such persons and their widows providing for the erection and care of markers headstones and flags and for the compilation of war records" authorizing the director of veterans' affairs to join in the formation of a State association and the payment by such counties of certain expenses in connection therewith

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section eight of an act approved the eleventh day of June one thousand nine hundred thirty-five (P. L. 326) entitled "An act relating to counties of the first class defining deceased service persons providing for contributions by the county to the funeral expenses for such persons and their widows providing for the erection and care of markers headstones and flags and for the compilation of war records" as last amended by the act approved the sixteenth day of May one thousand nine hundred forty-five (P. L. 612) is hereby further amended to read as follows

Section 8 Compilation of War Records The county commissioners of each county of the first class in the State are hereby authorized and directed at the expense of the county to compile a record of the burial places within such county of deceased service persons Such record so far as practicable shall indicate the name of each such person the service in which he or she was engaged the number of the regiment or company or command the rank and period of service the name and location of the cemetery or other place in which his or her body is interred the location of the grave in such cemetery or other place and the character of headstone or other marker if any at such grave Such record shall be known as the "Veterans' Grave Registration Record of ..... County" and shall be a public record open to inspection during business hours

Section 9 Information for War Records The county commissioners of each county of the first class shall cause record blanks to be prepared according to forms furnished by the Department of Military Affairs whereby the information required for such record may be transmitted to them Every person firm association or corporation including a municipal corporation owning or controlling any cemetery or burial place within a county of the first class in which are interred the bodies of deceased service persons shall file with the county commissioners of such county in which such cemetery is located a certificate on the record blanks provided by said county commissioners of the facts required for such record as far as the same are within the knowledge of such person firm association corporation or the agents thereof The county commissioners shall cause record blanks to be distributed to such persons firms associations and corporations as they deem advisable with the request that such information be transmitted to them Any such persons firm association or corporation except municipal corporations upon receipt of such blanks or forms who shall refuse or neglect to fill out and transmit to the county commissioners such blanks or forms within six months after receipt of same shall be subject to a fine upon conviction in summary proceedings of one hundred dollars ($100.00)

Section 10 Voluntary Assistance by Veterans' Organizations For the purpose of locating the burial places of deceased service persons the Grand Army of the Republic the United Spanish War Veterans the Veterans of Foreign Wars of the United States the American Legion and the Disabled American Veterans through their local camps posts and branches in this State are authorized without expense to the county to collect the required data and prepare and file with the county commissioners certificates embodying the information provided for in this section

Section 11 Directors of Veterans' Affairs For the purpose of carrying into effect the provisions of this [section] act the county commissioners shall appoint a director of veterans' affairs who shall receive such compensation as the salary board may fix It shall [also] be the duty of the director of veterans' affairs to

(1) Assist the county commissioners in administering the provisions of this act relating to the burial of deceased service persons and their widows and to furnishing markers and placing headstones on their graves

(2) Assist war veterans and their families in securing

their rights as such in matters relating to their person property and care of family under any of the laws of this Commonwealth and of the United States and for such services the grave registrar shall be entitled to his expenses incurred therein and additional compensation and both expenses and compensation shall be subject to the approval of the salary board or county commissioners as the case may be

(3) Carry into effect the provisions of this act relating to the compilation of war records

(4) Perform all other duties heretofore performed by the veterans' grave registrar

The veterans' grave registrar of each county in office on the effective date of this act shall continue in the office of director of veterans' affairs and as such be subject to the provisions of existing law

Section 12 State Association of Directors' of Veterans' Affairs The director of veterans' affairs of each county of the first class is hereby authorized to join with the directors of veterans' affairs of other counties of this Commonwealth in organizing themselves into a State association with power to hold annual meetings at such time and place within the State as they may designate for the purpose of securing more uniformity and cooperation in the conduct of their offices and improving their service to veterans

Each director of veterans' affairs shall be allowed all reasonable expenses including hotel bills and traveling expenses actually incurred going to attending and returning from any annual meeting of the association but not in excess of fifty dollars ($50.00) in any one year which shall be padi by the county of which he or she is an officer by orders drawn on the treasurer thereof The time spent in attending such meetings shall not be more than three (3) days exclusiv eof the time employed in traveling thereto and therefrom The expenses of the annual meeting of the association including any necessary amount for printing committee meetings and stenographic services shall be paid by the proper counties but shall not exceed twenty-five dollars ($25.00) for each county the director of veterans' affairs of which is a member of said association

Section 2 Section nine of said act is hereby amended to read as follows

Section [9] 13 All acts and parts of act inconsistent herewith ar ehereby repealed

Section 3 The provisions of this act shall become effective immediatley upon its final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201

Aaronson,	Frost,	McCullough,	Scanlon,
Andrews,	Gallagher,	McDonald,	Schuster,
Bane,	Getchey,	McKinney,	Scott,
Barrett,	Gibson,	McMillen,	Serrill,
Baumunk,	Goff,	Mihm,	Shoemaker,
Beech,	Goodling,	Mikula,	Simons,
Bender,	Gorman,	Miller,	Smith, C. C.,
Bentzel,	Graybill,	Mills,	Smith, C. M.,
Bloom,	Greenwood,	Mintess,	Snider,
Boles,	Greer,	Mohr,	Sollenberger,
Bonawitz,	Griffiths,	Mooney,	Sorg,
Boorse,	Guthrie,	Moore, C. E.,	Sproul,
Bower,	Gyger,	Moore, H. A.,	Stank,
Breisch,	Haller,	Murray,	Stimmel,
Brice,	Haudenshield,	Myers,	Stockham,
Brown,	Helm,	Najaka,	Stonier,
Brunner,	Henry,	Naumann,	Stuart,
Bucchin,	Hewitt,	Needham,	Swope,
Cadwalader,	Hocker,	Neff,	Tahl,
Capano,	Hoopes,	Nelson,	Thomassy,
Cassidy,	Horan,	O'Connor,	Thompson,
Chervenak,	Imbt,	O'Dare,	Tittle,
Chudoff,	Jennings,	O'Donnell,	Tompkins,
Clevenger,	Johnson,	O'Neill,	Toomey,
Cochran,	Johnston,	Orban,	Turner,
Cole,	Jones,	Patten,	Upshur,
Cook,	Jump,	Petrosky,	Vaughan,
Cooper,	Kean,	Pichney,	Verona,
Cordier,	Kelley,	Pickens,	Wachhaus,
Costa,	Kemp,	Polaski,	Wagner,
Crowley,	Kent,	Powers,	Waldron,
Dague,	Kirley,	Price,	Wallin,
Dalrymple,	Kline,	Propert,	Walton,
Davison,	Kohl,	Ragot,	Waterhouse,
De Long,	Kratz,	Readinger,	Watkins,
Demech,	Krise,	Reagan,	Watson,
Dennison,	Kurtz,	Reese, D. P.,	Weidner,
Depuy,	Laughner,	Reese, R. E.,	Weiss,
Dix,	Layer,	Reilly, J. M.,	Wescott,
Dye,	Lee,	Reilly, W. J.,	West,
Efenberg,	Leisey,	Richter,	Wheeler,
Elder,	Livingston,	Riley,	Wolf,
Erb,	Livingstone,	Robbins,	Wood,
Evans,	Loftus,	Robertson,	Worley,
Ewing,	Lovett,	Root,	Yeakel,
Feola,	Lyons,	Rose,	Yester,
Fish,	Madden,	Rowen,	Yetzer,
Fiss,	Madigan,	Royer,	Young,
Flack,	Mazza,	Sarraf,	Speaker.
Fleming,	McCormack,	Sax,	Lichtenwalter,
Foor,	McCosker,		

NAYS—0

The majority required by the Constitution having voted in thte affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1008, entitled:

An Act to add article XXX-A to the act approved the twenty-fourth day of June one thousand nine hundred and thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" empowering boards of township commissioners to establish land subdivision regulating

On the question,

Will the House agree to the bill on third reading?

Mr. SPROUL. Mr. Speaker, I ask unanimous consent to offered amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend title, page 1, last line of title, by striking out the word "regulating" and inserting in lieu thereof "regulations".

Amend Sec. 1 (Sec. 3061), page 2, line 16, by striking out the word "ordinances" and inserting in lieu thereof "ordinance".

Amend Sec. 1 (Sec. 3061), page 2, line 18, by striking out the word "procedure" and inserting in lieu thereof "procedures".

Amend Sec. 1 (Sec. 3065), page 4, line 6, by underscoring the following: "ions. In".

Amend Sec. 1 (Sec. 3066), page 4, line 13, by striking out the word "Subdivision" and inserting in lieu thereof "Subdivisions".

Amend Sec. 1 (Sec. 3066), page 5, line 17, by striking out the word "the" and inserting in lieu thereof the following "fire".

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1057, entitled:

An Act to amend section twenty-two and add section twenty-two point one to the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 955) entitled "An act to promote public health safety morals and welfare by declaring the necessity of creating public bodies corporate and politic to be known as housing authorities to engage in slum clearance and to undertake projects to provide dwelling accommodations for persons of low income providing for the organization of such housing authorities defining their powers an dduties providing for the exercise of such powers including the acquisition of property by purchase gift or eminent domain the renting and sell of property and including borrowing money issuing bonds and other obligations and giving security therefor prescribing the remedies of obligees of housing authorities authorizing housing authorities to enter into agreements including agreements with the United States the Commonwealth and political subdivisions and municipalities thereof defining the application of zoning sanitary and building laws and regulations to projects built or maintained by such housing authorities exempting the property and securities of such housing authorities from taxation and imposing duties and conferring powers upon the State Board of Housing and certain other State officers and departments" regulating manner of applying for and receiving grants or funds from the Federal and State Government or any instrumentality thereof

On the question,

Will the House agree to the bill on third reading?

Mr. ANDREWS. Mr. Speaker, yesterday because the management wanted a short session, the sponsor of this bill very kindly agreed to hold it over. Now, I am tired, he is tired, I don't doubt but that the Speaker is tired, and I hate to have to make an hour's speech on this bill this afternoon. I recognize the fact that if you do hold it over, that probably you will want to hold it over until Monday because there will be a light House tomorrow. The gentleman could save the House a long and dreary speech if he would hold it over until Monday, and then I will only talk five minutes against it, but if I have to talk today I will talk an hour.

Mr. GREER. Mr. Speaker, I realize most of the Members of the House are tired. I am a little tired myself. I always did enjoy hearing Mr. Andrew's speeches, but under the circumstances I am willing to forego that pleasure and forego a vote on this until Monday.

Mr. ANDREWS. Mr. Speaker, I thank the gentleman. I will be very brief on Monday.

BILL PASSED OVER

There being no objection

House Bill No. 1057, Printer's No. 222,

was passed over at the request of Mr. GREER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1089, as follows:

An Act to amend the act approved the eighth day of July one thousand nine hundred forty-one (P. L. 298) entitled "An act authorizing the creation of and providing for and regulating the maintenance and operation of a county employes' retirement system and operation of a county employes' retirement system in counties of the fourth class imposing certain charges on counties and fixing penalties" by requiring superannuation retirement at the age of seventy providing minimum payments to certain beneficiaries and providing for thirty-year service retirement allowances

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections six and twelve of the act approved the eighth day of July one thousand nine hundred forty-one (P. L. 298) entitled "An act authorizing the creation of and providing for and regulating the maintenance and operation of a county employes' retirment system in counties of the fourt class imposing certain charges on counties and fixing penalties are hereby amended to read as follows

Section 6 County Employes' Retirement Fund Where a county retirement system has been established under the provisions of section three hereof there shall be created in each county of the fourth class a county employes' retirement fund which shall consist of all moneys arising from the appropriations made by the county and from contributions made by the members of the county employes' retirement system and all interest earned by the investments or moneys of the fund created by this act The moneys contributed by the county shall be credited to a county annuity reserve account and those contributed by the members shall be credited to a members' annuity reserve account The depository shall be slected by the treasurer of the board Upon the granting of a retirement allowance to any contributor whether as a superannuation retirement allowance a thirty-year service retirement allowance an involuntary retirement allowance or a total disability retirement allowance as hereinafter provided the amount of such contributor's accumulated deductions in the members' annuity reserve account shall lose their status as accumulated contributions and shall be transferred to a retired members' reserve account and the actuarial equivalent of the county annuity shall be similarly transferred from the county annuity reserve account to the retired members' reserve account The interest earnings shall be apportioned to the members' annuity and county annuity and retired members' reserve accounts The actuary shall determine the present value of the liability on account of all county annuities payable to original members and the percentage of such liability which shall be contributed by the county each year over a period of fifteen years from the time the system is established until the accumulated reserve equals the present value of said liability All such contributions shall be credited to the county annuity reserve account The actuary shall also determine the amount which shall be contributed by the county into the fund periodically for credit to the county annuity reserve account on account of service of all new and orignal members subsequent to the time the retirement system is established

Each member of the retirement system shall be required to contribute to the fund such per centum of his salary as shall be computed by the actuary to be sufficient with regular interest to procure for him on superannuation retirement one one-hundred-twentieth (1-120) of his average salary for each year of service after he becomes a member of the retirement system which contributions shall be paid into the fund through payroll deductions in such manner as the board may require All contributions by members shall be credited to the members' annuity reserve account

* * * * *

Section 12 Superannuation Retirement Allowance Any contributor who has reached superannuation retirement

age may retire for superannuation by filing with the board a written statement duly signed by the contributor setting forth at what time he desires to be retired Every contributor upon reaching the age of seventy years shall be required to retire for superannuation and to file with the board a written setatement duly signed by the contributor setting forth that he is seventy years of age Said application shall retire said contributor at the time so specified

On retirement for superannuation a beneficiary shall receive a retirement allowance which shall consist of (a) a member's annuity which shall be the actuarily equivalent of his accumulated deductions standing to his credit in the members' annuity reserve account and (b) a county annuity equal to one-hundred-twentieth (1-120) of his average salary multiplied by each year of total service and in addition thereto in the case of an original member one one-hundred-twentieth (1-20) of his average salary multipled by each year of prior service but the total county annuity shall never exceed fifty per centum of the average salary Provided That whenever any contributor retires for superannuation after twenty years or more of service as a county employe he shall receive a retirement allowance which in no event shall be less than fifty per centum of his average salary the total county annuity of which shall be sufficient when added to the member's annuity to produce a sum at least equal to the minimum payments herein provided for

Section 2 Said act is hereby amended by adding between sections thirteen and fourteen thereof a new section as follows

Section 13.1 Thirty-Year Service Retirement Allowance Any contributor upon completing thirty years or more of service as a county employe may retire by filing with the board a written statement duly signed by the contributor setting forth at what time he desires to be retired Said application shall retire said contributor at the time so specified

On retirement for thirty years' service a beneficiary shall receive a retirement allowance beginning at the time of retirement which in no event shall be less than fifty per centum of his average salary Such retirement allowances shall consist of the member's annuity as defined in section twelve of this act and a county annuity and in case of an original member an additional county annuity The total county annuity shall be sufficient in all cases when added to the member's annuity to produce a sum at least equal to the minimum thirty-year service retirement allowance herein provided for

The same options shall be available to beneficiaries in the case of thirty-year service retiriment as provided herein in the the case of superannuation retirement

Section 3 Section nineteen of said act is hereby amended to read as follows

Section 19 No Simultaneous Payments of Salary and Retirement Allowance Should a person receiving a superannuation retirement allowance or a thirty-year service retirement allowance or an involuntary retirement allowance or a total disability retriment allowance be re-employed by the county the retirement allowance of such person shall immediately cease Such person shall thereupon be reinstated as a contributor and there shall be restored to his credit as accumulated deductions the actuarial value of his member's annuity computed as of the date of his re-employment

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the years and nays were taken and were as follows:

YEAS—201

Aaronson,	Frost,	McCullough,	Scanlon,
Andrews,	Gallagher,	McDonald,	Schuster,
Bane,	Getchey,	McKinney,	Scott,
Barrett,	Gibson,	McMillen,	Serrill,
Baumunk,	Goff,	Mihm,	Shoemaker,
Beech,	Goodling,	Mikula,	Simons,
Bender,	Gorman,	Miller,	Smith, C. C.,
Bentzel,	Graybill,	Mills,	Smith, C. M.,
Bloom,	Greenwood,	Mintess,	Snider,
Boies,	Greer,	Mohr,	Sollenberger,
Bonawitz,	Griffiths,	Mooney,	Sorg,
Boorse,	Guthrie,	Moore, C. E.,	Sproul,
Bower,	Gyger,	Moore, H. A.,	Stank,
Breisch,	Haller,	Murray,	Stimmel,
Brice,	Haudenshield,	Myers,	Stockham,
Brown,	Helm,	Najaka,	Stonier,
Brunner,	Henry,	Naumann,	Stuart,
Bucchin,	Hewitt,	Needham,	Swope,
Cadwalader,	Hocker,	Neff,	Tahl,
Capano,	Hoopes,	Nelson,	Thomassy,
Cassidy,	Horan,	O'Connor,	Thompson,
Chervenak,	Imbt,	O'Dare,	Tittle,
Chudoff,	Jennings,	O'Donnell,	Tompkins,
Clevenger,	Johnson,	O'Neill,	Toomey,
Cochran,	Johnston,	Orban,	Turner,
Cole,	Jones,	Patten,	Upshur,
Cook,	Jump,	Petrosky,	Vaughan,
Cooper,	Kean,	Pichney,	Verona,
Cordier,	Kelley,	Pickens,	Wachhaus,
Costa,	Kemp,	Polaski,	Wagner,
Crowley,	Kent,	Powers,	Waldron,
Dague,	Kirley,	Price,	Wallin,
Dalrymple,	Kline,	Propert,	Walton,
Davison,	Kohl,	Ragot,	Waterhouse,
De Long,	Kratz,	Readinger,	Watkins,
Demech,	Krise,	Reagan,	Watson,
Dennison,	Kurtz,	Reese, D. P.,	Weidner,
Depuy,	Laughner,	Reese, R. E.,	Weiss,
Dix,	Layer,	Reilly, J. M.,	Wescott,
Dye,	Lee,	Reilly, W. J.,	West,
Efenberg,	Leisey,	Richter,	Wheeler,
Elder,	Livingston,	Riley,	Wolf,
Erb,	Livingstone,	Robbins,	Wood,
Evans,	Loftus,	Robertson,	Worley,
Ewing,	Lovett,	Root,	Yeakel,
Feola,	Lyons,	Rose,	Yester,
Fish,	Madden,	Rowen,	Yetzer,
Fiss,	Madigan,	Royer,	Young,
Flack,	Mazza,	Sarraf,	Lichtenwalter,
Fleming,	McCormack,	Sax,	Speaker.
Foor,	McCosker,		

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 174, as follows:

An Act to amend clause XLVIII of section one thousand five hundred two of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" further regulating garbage and treatment works

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause XLVIII of section one thousand five hundred two of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" as added thereto by the act approved the eleventh day of May one thousand nine hundred forty-five (P. L. 452) is hereby amended to read as follows

Section 1502 The corporate power of a township of the first class shall be vested in the board of township commissioners The board shall have power

* * * *

XLVIII Garbage and Treatment Works Separately or jointly with [two] one (1) or more municipalities to

purchase any real property within or without the township limits of any such township or municipality and to erect and maintain garbage or incinerating furnaces and all appliances necessary therefor

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201.

Aaronson,	Frost,	McCullough,	Scanlon,
Andrews,	Gallagher,	McDonald,	Schuster,
Bane,	Getchey,	McKinney,	Scott,
Barrett,	Gibson,	McMillen,	Serrill,
Baumunk,	Goff,	Mihm,	Shoemaker,
Beech,	Goodling,	Mikula,	Simons,
Bender,	Gorman,	Miller,	Smith, C. C.,
Bentzel,	Graybill,	Mills,	Smith, C. M.,
Bloom,	Greenwood,	Mintess,	Snider,
Boies,	Greer,	Mohr,	Sollenberger,
Bonawitz,	Griffiths,	Mooney,	Sorg,
Boorse,	Guthrie,	Moore, C. E.,	Sproul,
Bower,	Gyger,	Moore, H. A.,	Stank,
Breisch,	Haller,	Murray,	Stimmel,
Brice,	Haudenshield,	Myers,	Stockham,
Brown,	Helm,	Najaka,	Stonier,
Brunner,	Henry,	Naumann,	Stuart,
Bucchin,	Hewitt,	Needham,	Swope,
Cadwalader,	Hocker,	Neff,	Tahl,
Capano,	Hoopes,	Nelson,	Thomassy,
Cassidy,	Horan,	O'Connor,	Thompson,
Chervenak,	Imbt,	O'Dare,	Tittle,
Chudoff,	Jennings,	O'Donnell,	Tompkins,
Clevenger,	Johnson,	O'Neill,	Toomey,
Cochran,	Johnston,	Orban,	Turner,
Cole,	Jones,	Patten,	Upshur,
Cook,	Jump,	Petrosky,	Vaughan,
Cooper,	Kean,	Pichney,	Verona,
Cordier,	Kelley,	Pickens,	Wachhaus,
Costa,	Kemp,	Polaski,	Wagner,
Crowley,	Kent,	Powers,	Waldron,
Dague,	Kirley,	Price,	Wallin,
Dalrymple,	Kline,	Propert,	Walton,
Davison,	Kohl,	Ragot,	Waterhouse,
De Long,	Kratz,	Readinger,	Watkins,
Demech,	Krise,	Reagan,	Watson,
Dennison,	Kurtz,	Reese, D. P.,	Weidner,
Depuy,	Laughner,	Reese, R. E.,	Weiss,
Dix,	Layer,	Reilly, J. M.,	Wescott,
Dye,	Lee,	Reilly, W. J.,	West,
Efenberg,	Leisey,	Richter,	Wheeler,
Elder,	Livingston,	Riley,	Wolf,
Erb,	Livingstone,	Robbins,	Wood,
Evans,	Loftus,	Robertson,	Worley,
Ewing,	Lovett,	Root,	Yeakel,
Feola,	Lyons,	Rose,	Yester,
Fish,	Madden,	Rowen,	Yetzer,
Fiss,	Madigan,	Royer,	Young,
Flack,	Mazza,	Sarraf,	Lichtenwalter,
Fleming,	McCormack,	Sax,	Speaker.
Foor,	McCosker,		

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

HOUSE RESOLUTION No. 35

Mr. WATKINS. Mr. Speaker, I desire to call up House Resolution No. 35, Printer's No. 245.

The resolution was read as follows:

In the House of Representatives, April 2, 1947.

Whereas The several dams on the lower Susquehanna River (is) Safe Harbor Dam Holtwood Dam and the Conowingo Dam part of which latter dam is locted in the State of Maryland and all three of which dams serve to serouisly interfere with the natural migration of fish and

Whereas No feasible practical or mechanical device has been placed or installed for the natural migration of fish into said Susquehanna River and its tributaries during the spawning seasons of said migratory fish and

Whereas It is highly fitting and appropriate that legislative recognition be accorded this problem now therefore be it

Resolved That in the light of recent experience in other states the Joint State Government Commissions is hereby directed to study the problem of constructing fishways around the Safe Harbor Holtwood and Cononwingo Dams on the lower Susquehanna River to permit fish to ascend the river at spawning time and the utilization of newly developed devices for preventing the loss of fish in the hydraulic power plants on the river with the objective of restoring both the recreation and the employment creating possibilities of migratory fish which once flourished in the Susquehanna River and its tributaries That if such study reveals that such construction is practicable suitable action be instituted which will require that the owners of these dams construct these fishways as required in the original permit to construct these dams and in lieu of which the dam owners are now paying a small annual penalty

On the question,

Will the House adopt the resolution?

Mr. WATKINS. Mr. Speaker, in order to conserve the time of the House, I should like, with the consent of the sponsor, to ask unanimous consent of the House for permission to have this statement relative to the resolution as to the importance of the study by the Joint State Government Commission, extended upon the Journal of the House.

The SPEAKER. It there are no objections the statement of the gentleman regarding the resolution will be extended upon the Journal of the House. The Chair hears no objections, and consent is granted.

(Extended remarks of Mr. Watkins)

WHAT FISHWAYS AROUND THE DAMS ON THE LOWER SUSQUEHANNA RIVER COULD MEAN TO PENNSYLVANIA

(Each Spring the migration of fish into the Susquehanna River presents a sight which serves to shame the hand of civilized man)

Millions of fish heavy with spawn headed for the Upper Susquehanna spawning beds arrive at the towering breast of the Cononwingo Dam where the migration suddenly stops. Contrary to the original permits which required the owners of this dam to install suitable and ample fishways, nothing has been done and the heretofore natural Upstream spawning is prohibited. The fish often ten to fifteen feet deep fall prey to the commercial fishermen in Maryland to the extreme loss of the state of Pennsylvania.

Fishways will provide; the restoration of migrating fish into the entire Susquehanna River basin or watershed. The ascension of millions of fine bass, shad, salmon, herring, suckers, eels and other specie of fishlife.

Fishways will provide; a natural stocking of the entire river and all it's tributaries and maintain a year-round balance of fishlife therein.

Fishways will provide; the restoration of tang-

ible employment to thousand of the citizens of the Commonwealth. In the days before the construction of these dams the industry of fish-canning flourished along the banks of the river. At Williamsport the shad canning industry was recognized as one of the essential enterprises of that city. Lancaster, Marietta, Harrisburg, Millersburg, in fact nearly every community of any size boasted a fish-cannery.

Fishways will provide; outdoor recreation in the sport fishing in the river and all it's tributaries in the same enormous proportions as enjoyed by the citizens of the Commonwealth in the days now gone. Creating a literal paradise which in turn will attract millions of dollars into the commerce channels of the Commonwealth. Outdoor recreation is listed as fifth in the paramount sources of income to the Commonwealth.

Fishways will provide; an excellent contribution to help solve the so-called juvenile delinquency problem. Nothing compares with the character-building environment, the self reliance, self resourcefulness, the patience, the hope, gained and loved and enjoyed by a boy "out fish'n'."

Fishways will provide; a hand in hand companion to the mammoth stream-clearance program now getting underway in Pennsylvania. The purifying effect of healthy fish in pure streams.

On the question recurring,
Will the House adopt the resolution?
It was adopted.

PERMISSION TO ADD ADDITIONAL SPONSORS

Mr. KRATZ asked and obtained unanimous consent to add the names of Messrs. Cadwalader and Boorse to a resolution he was about to introduce.

CONGRATULATORY RESOLUTION

Messrs. KRATZ, BRUNNER, CADWALADER and BOORSE offered a resolution which was read, considered and adopted as follows:

In the House of Representatives, April 9, 1947.

Today is the 41st birthday anniversary of our fellow Member, Henry J. Propert, who represents the third Legislative District of Montgomery County.

Active in political and community affairs in Montgomery County since 1929 he was rightfully sent to Harrisburg in 1945 and again this year to represent the people of his district which he known so well and has done a splendid job of executing his assignment.

We all know Henry Propert as a swell fellow who takes his family, civic, and legislative responsibilities in stride and with a smile; therefore be it,

Resolved, That this House of Representatives wishes its own Henry J. Propert a very happy forty-first birthday and many more in addition to long life, health and continued success and happiness, and be it further

Resolved, That the Chief Clerk of this House shall deliver to Mr. Propert a copy of this resolution.

The SPEAKER. The Chair recognizes the gentleman from Montgomery, Mr. Propert.

Mr. PROPERT. I thank you, Mr. Speaker.

FORMER MEMBER WELCOMED

The SPEAKER. The Chair welcomes former member of the House, Honorable Amos. L. Gelnett from Perry County.

INTERROGATION

Mr. ANDREWS. Mr. Speaker, I desire permission to interrogate the Chairman of the Mines and Mining committee.

The SPEAKER. The gentleman from Cambria desires to interrogate the Chairman of the Mines and Mining committee, the gentleman from Indiana, Mr. Hewitt. Will the gentleman from Indiana permit himself to be interrogated?

Mr. HEWITT. I shall, Mr. Speaker.

Mr. ANDREWS. I would like to ask whether it is the Chairman's intention to take any action under the terms of the resolution which the House directed to his committee?

Mr. HEWITT. Mr. Speaker, I am sorry that the gentleman from Cambria was not too tired to get up and interrogate me, but evidently he was not. The resolution, I might say, Mr. Speaker, instructs me to make investigation of conditions in the mines.

Mr. ANDREWS. Mr. Speaker, might I call the Chairman's attention to the language of the resolution, which I presume he has not read by virtue of his reply, that he does not feel that he has any obligation at all to make the investigation.

Mr. HEWITT. Mr. Speaker, I did not understand the gentleman from Cambria, Mr. Andrews. What was his question?

Mr. ANDREWS. I said, Mr. Speaker, that judging by the gentlemen's reply, he has not read the resolution. It does not instruct him to make an investigation.

Mr. HEWITT. I was instructed by the House to do so. I do not want to avoid my responsibility.

Mr. ANDREWS. I misunderstood the gentleman, Mr. Speaker, I still insist that he was not instructed by the House to make an investigation.

Mr. HEWITT. Mr. Speaker, the resolution reads:

"Resolved that this House instruct its Mines and Mining Committee to ascertain, through public hearings and through such other methods as it may elect to employ, whether the provisions of Pennsylvania's mining code, relating to safety in the mining of coal are being enforced and whether, if being enforced, those present rules and regulations are adequate to protect those who mine coal against major disasters similar to the recent mine disaster at Centralia, Illinois."

I might state to the gentleman from Cambria, Mr. Andrews that we expect to carry out our duties. I have contacted the Secretary of Mines, and you understand he is very busy now and it is rather difficult to get him in here. You understand that the mines are all closed and that production must go ahead as soon as possible, and that's what we are interested in. Does that answer the gentleman's question?

Mr. ANDREWS. That answers my question, Mr. Speaker, and I presume that the Chairman of the Mines and Mining Committee, when he has heard the Secretary of Mines state that in his opinion the mines are safe, and when he has heard the Representatives of the miners state that the mines are safe, that he will so report to the House.

Mr. HEWITT. I will, Mr. Speaker.

SENATE MESSAGES

AMENDED HOUSE BILLS RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 175.

An Act to further amend section six hundred twenty-two of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-one (P. L. 1206), entitled "An act concerning townships of the first class: amending, revising, consolidating, and changing the law relating thereto," increasing expense allowance.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend section 1, page 2, line 8, by striking out the words and figures "ten dollars ($10)" and inserting in lieu thereof the word and figures "nine dollars ($9)".

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201.

Aaronson,	Frost,	McCullough,	Scanlon,
Andrews,	Gallagher,	McDonald,	Schuster,
Bane,	Getchey,	McKinney,	Scott,
Barrett,	Gibson,	McMillen,	Serrill,
Baumunk,	Goff,	Mihm,	Shoemaker,
Beech,	Goodling,	Mikula,	Simons,
Bender,	Gorman,	Miller,	Smith, C. C.,
Bentzel,	Graybill,	Mills,	Smith, C. M.,
Bloom,	Greenwood,	Mintess,	Snider,
Boies,	Greer,	Mohr,	Sollenberger,
Bonawitz,	Griffiths,	Mooney,	Sorg,
Boorse,	Guthrie,	Moore, C. E.,	Sproul,
Bower,	Gyger,	Moore, H. A.,	Stank,
Breisch,	Haller,	Murray,	Stimmel,
Brice,	Haudenshield,	Myers,	Stockham,
Brown,	Helm,	Najaka,	Stonier,
Brunner,	Henry,	Naumann,	Stuart,
Bucchin,	Hewitt,	Needham,	Swope,
Cadwalader,	Hocker,	Neff,	Tahl,
Capano,	Hoopes,	Nelson,	Thomassy,
Cassidy,	Horan,	O'Connor,	Thompson,
Chervenak,	Imbt,	O'Dare,	Tittle,
Chudoff,	Jennings,	O'Donnell,	Tompkins,
Clevenger,	Johnson,	O'Neill,	Toomey,
Cochran,	Johnston,	Orban,	Turner,
Cole,	Jones,	Patten,	Upshur,
Cook,	Jump,	Petrosky,	Vaughan,
Cooper,	Kean,	Pichney,	Verona,
Cordier,	Kelley,	Pickens,	Wachhaus,
Costa,	Kemp,	Polaski,	Wagner,
Crowley,	Kent,	Powers,	Waldron,
Dague,	Kirley,	Price,	Wallin,
Dalrymple,	Kline,	Propert,	Walton,
Davison,	Kohl,	Ragot,	Waterhouse,
De Long,	Kratz,	Readinger,	Watkins,
Demech,	Krise,	Reagan,	Watson,
Dennison,	Kurtz,	Reese, D. P.,	Weidner,
Depuy,	Laughner,	Reese, R. E.,	Weiss,
Dix,	Layer,	Reilly, J. M.,	Wescott,
Dye,	Lee,	Reilly, W. J.,	West,
Efenberg,	Leisey,	Richter,	Wheeler,
Elder,	Livingston,	Riley,	Wolf,
Erb,	Livingstone,	Robbins,	Wood,
Evans,	Loftus,	Robertson,	Worley,
Ewing,	Lovett,	Root,	Yeakel,
Feola,	Lyons,	Rose,	Yester,
Fish,	Madden,	Rowen,	Yetzer,
Fiss,	Madigan,	Royer,	Young,
Flack,	Mazza,	Sarraf,	Lichtenwalter,
Fleming,	McCormack,	Sax,	Speaker.
Foor,	McCosker,		

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 208.

An Act to amend section five hundred fifteen of the act approved the first day of May, one thousand nine hundred thirty-three (P. L. 103), entitled "An act concerning townships of the second class; and amending, revising, consolidating, and changing the law relating thereto," increasing compensation of supervisors for each meeting attended.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend section 1, page 2, line 9, by striking out the words and figures "ten dollars ($10)" and inserting in lieu thereof the words and figures "six dollars ($6)".

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201

Aaronson,	Frost,	McCullough,	Scanlon,
Andrews,	Gallagher,	McDonald,	Schuster,
Bane,	Getchey,	McKinney,	Scott,
Barrett,	Gibson,	McMillen,	Serrill,
Baumunk,	Goff,	Mihm,	Shoemaker,
Beech,	Goodling,	Mikula,	Simons,
Bender,	Gorman,	Miller,	Smith, C. C.,
Bentzel,	Graybill,	Mills,	Smith, C. M.,
Bloom,	Greenwood,	Mintess,	Snider,
Boies,	Greer,	Mohr,	Sollenberger,
Bonawitz,	Griffiths,	Mooney,	Sorg,
Boorse,	Guthrie,	Moore, C. E.,	Sproul,
Bower,	Gyger,	Moore, H. A.,	Stank,
Breisch,	Haller,	Murray,	Stimmel,
Brice,	Haudenshield,	Myers,	Stockham,
Brown,	Helm,	Najaka,	Stonier,
Brunner,	Henry,	Naumann,	Stuart,
Bucchin,	Hewitt,	Needham,	Swope,
Cadwalader,	Hocker,	Neff,	Tahl,
Capano,	Hoopes,	Nelson,	Thomassy,
Cassidy,	Horan,	O'Connor,	Thompson,
Chervenak,	Imbt,	O'Dare,	Tittle,
Chudoff,	Jennings,	O'Donnell,	Tompkins,
Clevenger,	Johnson,	O'Neill,	Toomey,
Cochran,	Johnston,	Orban,	Turner,
Cole,	Jones,	Patten,	Upshur,
Cook,	Jump,	Petrosky,	Vaughan,
Cooper,	Kean,	Pichney,	Verona,
Cordier,	Kelley,	Pickens,	Wachhaus,
Costa,	Kemp,	Polaski,	Wagner,
Crowley,	Kent,	Powers,	Waldron,
Dague,	Kirley,	Price,	Wallin,
Dalrymple,	Kline,	Propert,	Walton,
Davison,	Kohl,	Ragot,	Waterhouse,
De Long,	Kratz,	Readinger,	Watkins,
Demech,	Krise,	Reagan,	Watson,
Dennison,	Kurtz,	Reese, D. P.,	Weidner,

Depuy,	Laughner,	Reese, R. E.,	Weiss,
Dix,	Layer,	Reilly, J. M.,	Wescott,
Dye,	Lee,	Reilly, W. J.,	West,
Efenberg,	Leisey,	Richter,	Wheeler,
Elder,	Livingston,	Riley,	Wolf,
Erb,	Livingstone,	Robbins,	Wood,
Evans,	Loftus,	Robertson,	Worley,
Ewing,	Lovett,	Root,	Yeakel,
Feola,	Lyons,	Rose,	Yester,
Fish,	Madden,	Rowen,	Yetzer,
Fiss,	Madigan,	Royer,	Young,
Flack,	Mazza,	Sarraf,	Lichtenwalter,
Fleming,	McCormack,	Sax,	Speaker.
Foor,	McCosker,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 239.

An Act to further amend the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 457) entitled "An act relating to the business of building and loan associations providing for the organization and voluntary dissolution of such associations defining the rights powers duties liabilities and immunities of such associations and of their officers directors shareholders solicitors and other employes prohibiting the transacton of business in this Commonwealth by foreign building and loan associations conferring powers and imposing duties upon the courts recorders of deeds and certain State departments commissions and officers establishing limitations of actions imposing penalties and repealing certain acts and parts of acts" by further defining and limiting the rights powers duties liabilities and immunities of building and loan associations and their shareholders

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 4, line 12, by striking out the word "effect" and inserting in lieu thereof the word "affect".

Amend Section 3, page 6, lines 11 and 12, by striking out the word "the" and inserting in lieu thereof the word "this".

Amend Section 3, page 9, line 12, by inserting after the word "subject" the word "to".

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201

Aaronson,	Frost,	McCullough,	Scanlon,
Andrews,	Gallagher,	McDonald,	Schuster,
Bane,	Getchey,	McKinney,	Scott,
Barrett,	Gibson,	McMillen,	Serrill,
Baumunk,	Goff,	Mihm,	Shoemaker,
Beech,	Goodling,	Mikula,	Simons,
Bender,	Gorman,	Miller,	Smith, C. C.,
Bentzel,	Graybill,	Mills,	Smith, C. M.,
Bloom,	Greenwood,	[illegible]tess,	Snider,
Boles,	Greer,	Mohr,	Sollenberger,
Bonawitz,	Griffiths,	Mooney,	Sorg,
Boorse,	Guthrie,	Moore, C. E.,	Sproul,
Bower,	Gyger,	Moore, H. A.,	Stank,
Breisch,	Haller,	Murray,	Stimmel,
Brice,	Haudenshield,	Myers,	Stockham,
Brown,	Helm,	Najaka,	Stonier,
Brunner,	Henry,	Naumann,	Stuart,
Bucchin,	Hewitt,	Needham,	Swope,
Cadwalader,	Hocker,	Neff,	Tahl,
Capano,	Hoopes,	Nelson,	Thomassy,
Cassidy,	Horan,	O'Connor,	Thompson,
Chervenak,	Imbt,	O'Dare,	Tittle,
Chudoff,	Jennings,	O'Donnell,	Tompkins,
Clevenger,	Johnson,	O'Neill,	Toomey,
Cochran,	Johnston,	Orban,	Turner,
Cole,	Jones,	Patten,	Upshur,
Cook,	Jump,	Petrosky,	Vaughan,
Cooper,	Kean,	Pichney,	Verona,
Cordier,	Kelley,	Pickens,	Wachhaus,
Costa,	Kemp,	Polaski,	Wagner,
Crowley,	Kent,	Powers,	Waldron,
Dague,	Kirley,	Price,	Wallin,
Dalrymple,	Kline,	Propert,	Walton,
Davison,	Kohl,	Ragot,	Waterhouse,
De Long,	Kratz,	Readinger,	Watkins,
Demech,	Krise,	Reagan,	Watson,
Dennison,	Kurtz,	Reese, D. P.,	Weidner,
Depuy,	Laughner,	Reese, R. E.,	Weiss,
Dix,	Layer,	Reilly, J. M.,	Wescott,
Dye,	Lee,	Reilly, W. J.,	West,
Efenberg,	Leisey,	Richter,	Wheeler,
Elder,	Livingston,	Riley,	Wolf,
Erb,	Livingstone,	Robbins,	Wood,
Evans,	Loftus,	Robertson,	Worley,
Ewing,	Lovett,	Rose,	Yeakel,
Feola,	Lyons,	Root,	Yester,
Fish,	Madden,	Rowen,	Yetzer,
Fiss,	Madigan,	Royer,	Young,
Flack,	Mazza,	Sarraf,	Lichtenwalter,
Fleming,	McCormack,	Sax,	Speaker.
Foor,	McCosker,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 296.

An Act relating to the incidents of legal and equitable interests in real and personal property including the validity thereof the powers, rights, and duties of persons with respect thereto and the disposition of interests which fail and containing provisions concerning termination of trusts, releases and disclaimers of powers and interests perpetuities accumulations charitable estates rights of a surviving spouse in property as to which the decedent has retained certain powers spendthrift trusts limited estates in property rules of interpretation estates pur auter vie estates in fee tail and the Rule in Shelley's Case.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 10, page 16, line 16, by striking out the words "attorney general" and inserting in lieu thereof the words "Attorney General"; page 16, line 17, by striking out the words "attorney general" and inserting in lieu thereof the words "Attorney General".

Amend Section 14, page 19, line 3, by inserting after the word "allowance" the words "under the intestate laws".

Amend Section 20, page 24, line 1, by striking out the words "and suits against fiduciaries" and inserting in lieu

thereof the words "the survival of causes of action and suits thereupon by or against fiduciaries"; page 25, line 2, by striking out the word "interstate" and inserting in lieu thereof the word "intestate".

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201

Aaronson,	Frost,	McCullough,	Scanlon,
Andrews,	Gallagher,	McDonald,	Schuster,
Bane,	Getchey,	McKinney,	Scott,
Barrett,	Gibson,	McMillen,	Serrill,
Baumunk,	Goff,	Mihm,	Shoemaker,
Beech,	Goodling,	Mikula,	Simons,
Bender,	Gorman,	Miller,	Smith, C. C.,
Bentzel,	Graybill,	Mills,	Smith, C. M.,
Bloom,	Greenwood,	Mintess,	Snider,
Boies,	Greer,	Mohr,	Sollenberger,
Bonawitz,	Griffiths,	Mooney,	Sorg,
Boorse,	Guthrie,	Moore, C. E.,	Sproul,
Bower,	Gyger,	Moore, H. A.,	Stank,
Breisch,	Haller,	Murray,	Stimmel,
Brice,	Haudenshield,	Myers,	Stockham,
Brown,	Helm,	Najaka,	Stonier,
Brunner,	Henry,	Naumann,	Stuart,
Bucchin,	Hewitt,	Needham,	Swope,
Cadwalader,	Hocker,	Neff,	Tahl,
Capano,	Hoopes,	Nelson,	Thomassy,
Cassidy,	Horan,	O'Connor,	Thompson,
Chervenak,	Imbt,	O'Dare,	Tittle,
Chudoff,	Jennings,	O'Donnell,	Tompkins,
Clevenger,	Johnson,	O'Neill,	Toomey,
Cochran,	Johnston,	Orban,	Turner,
Cole,	Jones,	Patten,	Upshur,
Cook,	Jump,	Petrosky,	Vaughan,
Cooper,	Kean,	Pichney,	Verona,
Cordier,	Kelley,	Pickens,	Wachhaus,
Costa,	Kemp,	Polaski,	Wagner,
Crowley,	Kent,	Powers,	Waldron,
Dague,	Kirley,	Price,	Wallin,
Dalrymple,	Kline,	Propert,	Walton,
Davison,	Kohl,	Ragot,	Waterhouse,
De Long,	Kratz,	Readinger,	Watkins,
Demech,	Krise,	Reagan,	Watson,
Dennison,	Kurtz,	Reese, D. P.,	Weidner,
Depuy,	Laughner,	Reese, R. E.,	Weiss,
Dix,	Layer,	Reilly, J. M.,	Wescott,
Dye,	Lee,	Reilly, W. J.,	West,
Efenberg,	Leisey,	Richter,	Wheeler,
Elder,	Livingston,	Riley,	Wolf,
Erb,	Livingstone,	Robbins,	Wood,
Evans,	Loftus,	Robertson,	Worley,
Ewing,	Lovett,	Root,	Yeakel,
Feola,	Lyons,	Rose,	Yester,
Fish,	Madden,	Rowen,	Yetzer,
Fiss,	Madigan,	Royer,	Young,
Flack,	Mazza,	Sarraf,	Lichtenwalter,
Fleming,	McCormack,	Sax,	Speaker.
Foor,	McCosker,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 297.

An Act relating to the descent of the real and personal estates of persons dying intestate and the procedure in reference thereto.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 4, line 1, by striking out the word "Decedent" and inserting in lieu thereof the word "Descent".

Amend Section 5, page 9, line 7, by striking out the word "seized" and inserting in lieu thereof the word "seised".

Amend Section 16, page 20, line 5, by striking out the words "Orphan's Court" and inserting in lieu thereof the words "Orphans' Court".

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201

Aaronson,	Frost,	McCullough,	Scanlon,
Andrews,	Gallagher,	McDonald,	Schuster,
Bane,	Getchey,	McKinney,	Scott,
Barrett,	Gibson,	McMillen,	Serrill,
Baumunk,	Goff,	Mihm,	Shoemaker,
Beech,	Goodling,	Mikula,	Simons,
Bender,	Gorman,	Miller,	Smith, C. C.,
Bentzel,	Graybill,	Mills,	Smith, C. M.,
Bloom,	Greenwood,	Mintess,	Snider,
Boies,	Greer,	Mohr,	Sollenberger,
Bonawitz,	Griffiths,	Mooney,	Sorg,
Boorse,	Guthrie,	Moore, C. E.,	Sproul,
Bower,	Gyger,	Moore, H. A.,	Stank,
Breisch,	Haller,	Murray,	Stimmel,
Brice,	Haudenshield,	Myers,	Stockham,
Brown,	Helm,	Najaka,	Stonier,
Brunner,	Henry,	Naumann,	Stuart,
Bucchin,	Hewitt,	Needham,	Swope,
Cadwalader,	Hocker,	Neff,	Tahl,
Capano,	Hoopes,	Nelson,	Thomassy,
Cassidy,	Horan,	O'Connor,	Thompson,
Chervenak,	Imbt,	O'Dare,	Tittle,
Chudoff,	Jennings,	O'Donnell,	Tompkins,
Clevenger,	Johnson,	O'Neill,	Toomey,
Cochran,	Johnston,	Orban,	Turner,
Cole,	Jones,	Patten,	Upshur,
Cook,	Jump,	Petrosky,	Vaughan,
Cooper,	Kean,	Pichney,	Verona,
Cordier,	Kelley,	Pickens,	Wachhaus,
Costa,	Kemp,	Polaski,	Wagner,
Crowley,	Kent,	Powers,	Waldron,
Dague,	Kirley,	Price,	Wallin,
Dalrymple,	Kline,	Propert,	Walton,
Davison,	Kohl,	Ragot,	Waterhouse,
De Long,	Kratz,	Readinger,	Watkins,
Demech,	Krise,	Reagan,	Watson,
Dennison,	Kurtz,	Reese, D. P.,	Weidner,
Depuy,	Laughner,	Reese, R. E.,	Weiss,
Dix,	Layer,	Reilly, J. M.,	Wescott,
Dye,	Lee,	Reilly, W. J.,	West,
Efenberg,	Leisey,	Richter,	Wheeler,
Elder,	Livingston,	Riley,	Wolf,
Erb,	Livingstone,	Robbins,	Wood,
Evans,	Loftus,	Robertson,	Worley,
Ewing,	Lovett,	Root,	Yeakel,
Feola,	Lyons,	Rose,	Yester,
Fish,	Madden,	Rowen,	Yetzer,
Fiss,	Madigan,	Royer,	Young,
Flack,	Mazza,	Sarraf,	Lichtenwalter,
Fleming,	McCormack,	Sax,	Speaker.
Foor,	McCosker,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 298.

An Act relating to the form execution, revocation, operation and interpretation of wills to nuncupative wills to the appointment of testimony guardians to elections to take under or against wills and the procedure in reference thereto.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amnd Section 11, page 14, line 4, by striking out the word "Section" and inserting in lieu thereof the word "section".

Amend Section 12, page 14, line 8, by striking out the word "Section" and inserting in lieu thereof the word "section".

Amend Section 14, page 18, line 10, by striking out the word "devises" and inserting in lieu thereof the word "Devises".

Amend Section 21, page 24, line 1, by striking out the word "Act" and inserting in lieu thereof the word "act".

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201

Aaronson,	Frost,	McCullough,	Scanlon,
Andrews,	Gallagher,	McDonald,	Schuster,
Bane,	Getchey,	McKinney,	Scott,
Barrett,	Gibson,	McMillen,	Serrill,
Baumunk,	Goff,	Mihm,	Shoemaker,
Beech,	Goodling,	Mikula,	Simons,
Bender,	Gorman,	Miller,	Smith, C. C.,
Bentzel,	Graybill,	Mills,	Smith, C. M.,
Bloom,	Greenwood,	Mintess,	Snider,
Boies,	Greer,	Mohr,	Sollenberger,
Bonawitz,	Griffiths,	Mooney,	Sorg,
Boorse,	Guthrie,	Moore, C. E.,	Sproul,
Bower,	Gyger,	Moore, H. A.,	Stank,
Breisch,	Haller,	Murray,	Stimmel,
Brice,	Haudenshield,	Myers,	Stockham,
Brown,	Helm,	Najaka,	Stonier,
Brunner,	Henry,	Naumann,	Stuart,
Bucchin,	Hewitt,	Needham,	Swope,
Cadwalader,	Hocker,	Neff,	Tahl,
Capano,	Hoopes,	Nelson,	Thomassy,
Cassidy,	Horan,	O'Connor,	Thompson,
Chervenak,	Imbt,	O'Dare,	Tittle,
Chudoff,	Jennings,	O'Donnell,	Tompkins,
Clevenger,	Johnson,	O'Neill,	Toomey,
Cochran,	J ohnston,	Orban,	Turner,
Cole,	Jones,	Patten,	Upshur,
Cook,	Jump,	Petrosky,	Vaughan,
Cooper,	Kean,	Pichney,	Varallo,
Cordier,	Kelley,	Pickens,	Wachhaus,
Costa,	Kemp,	Polaski,	Wagner,
Crowley,	Kent,	Powers,	Waldron,
Dague,	Kirley,	Price,	Wallin,
Dalrymple,	Kline,	Propert,	Walton,
Davison,	Kohl,	Ragot,	Waterhouse,
De Long,	Kratz,	Readinger,	Watkins,
Demech,	Krise,	Reagan,	Watson,
Dennison,	Kurtz,	Reese, D. P.,	Weidner,
Depuy,	Laughner,	Reese, R. E.,	Weiss,
Dix,	Layer,	Reilly, J. M.,	Wescott,
Dye,	Lee,	Reilly, W. J.,	West,
Efenberg,	Leisey,	Richter,	Wheeler,
Elder,	Livingston,	Riley,	Wolf,
Erb,	Livingstone,	Robbins,	Wood,
Evans,	Loftus,	Robertson,	Worley,
Ewing,	Lovett,	Root,	Yeakel,
Feola,	Lyons,	Rose,	Yester,
Fish,	Madden,	Rowen,	Yetzer,
Fiss,	Madigan,	Royer,	Young,
Flack,	Mazza,	Sarraf,	Lichtenwalter,
Fleming,	McCormack,	Sax,	Speaker.
Foor,	McCosker,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

COMMITTEE MEETINGS

Motor Vehicles, Room No. 522, Thursday, April 10, at 10:15 a. m.

ADJOURNMENT

Mr. DAVISON. Mr. Speaker, I move that this House do now adjourn until Thursday, April 10, 1947, at 11:00 a. m.

The motion was agreed to, and (at 4:09 p. m.) the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1947. 137th of the General Assembly.

Vol. 30. HARRISBURG, PA., THURSDAY, APRIL 10, 1947. No. 37.

HOUSE OF REPRESENTATIVES

THURSDAY, April 10, 1947

The House met at 11:00 a. m.

The SPEAKER (Franklin H. Lichtenwalter) in the Chair.

PRAYER

The Chaplain, Rev. Lester C. Updegrove offered the following prayer:

Dear Lord hear our morning prayer as expressed in the words of the poet—

"God bless our native land,
Firm may she ever stand
Thro' storm and night:
When the wild tempests rave,
Ruler of wind and wave,
Do Thou our country save
By Thy great might.
For her our prayers arise
To God above the skies,
On Him we wait;
Thou who art ever nigh,
Guarding with watchful eye,
To Thee aloud we cry,
God save the State.
Not for this land alone,
But be God's mercies shown
From shore to shore;
And may the nations see
That men should brothers be,
And form one family
The wide world o'er." Amen.

JOURNAL APPROVED

The SPEAKER The Clerk will read the Journal of Wednesday, April 9, 1947.

The Clerk proceeded to read the Journal of Wednesday, April 9, 1947, when, on motion of Mr. Haller unanimously agreed to, the further reading was dispensed with and the Journal approved.

BILLS INTRODUCED AND REFERRED

By Mr. PICHNEY. HOUSE BILL No. 1299.

An Act to prohibit the appointment and licensing of and the doing of business by insurance agents and brokers who are not principally engaged in the insurance business or whose principal business is the countersigning of policies for foreign companies associations and exchanges and providing penalties.

Referred to the Committee on Insurance.

By Mr. PICHNEY. HOUSE BILL No. 1300.

An Act to amend section six hundred twenty-two of the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 789), entitled, as amended "An act relating to insurance; establishing an insurance department; and amending, revising, and consolidating the law relating to the licensing, qualification, regulation, examination, suspension, and dissolution of insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and certain societies and orders, the examination and regulation of fire insurance rating bureaus, and the licensing and regulation of insurance agents and brokers; the service of legal process upon foreign insurance companies, associations or exchanges; providing penalties, and repealing existing laws," by requiring applicants for broker's licenses to have two years of underwriting experience.

Referred to the Committee on Insurance.

By Messrs. HAUDENSHIELD and RICHTER. HOUSE BILL No. 1301.

An Act to amend sections three and four of the act, approved the second day of June, one thousand nine hundred thirty-seven (P. L. 1206), entitled "An act relating to memorial halls in counties of the second class, erected in memory of the soldiers, sailors and marines who served in the Civil War; and providing for the use, upkeep, and management and control of such halls," providing that vacancies on the board of managers shall be filled and persons employed with respect to such halls shall be veterans who were residents of the Commonwealth at time of enlistment or induction.

Referred to the Committee on Cities and County—Second Class.

By Mr. HAUDENSHIELD. HOUSE BILL No. 1302.

An Act proposing an amendment to article three, section eighteen, of the Constitution of the Commonwealth of Pennsylvania, requiring the Superior Court to reapportion the senatorial and representative districts upon failure of the General Assembly to do so.

Referred to the Committee on Judiciary.

By Messrs. HAUDENSHIELD and EWING. HOUSE BILL No. 1303.

An Act providing for the fixing and equalization of salaries for tipstaves in the courts of common pleas, oyer and terminer and general jail delivery, quarter sessions of the peace, County Court of Allegheny County, and orphans' courts in counties of the second class.

Referred to the Committee on Cities and County—Second Class.

By Mr. DALRYMPLE. HOUSE BILL No. 1304.

An Act to further amend section four and to amend section seventeen of the act, approved the twenty-first day of May, one thousand nine hundred thirty-one (P. L. 149), entitled "An act imposing a State tax, payable by those herein defined as distributors, on liquid fuels used or sold and delivered within the Commonwealth, which are ordinarily, practically, and commercially usable in internal combustion engines for the generation of power; providing for the collection and lien of the tax, and the distribution and use of the proceeds thereof; requiring such distributors to secure permits, to file corporate surety bonds and reports, and to retain certain records; imposing duties on retail dealers, common carriers, county commissioners, and such distributors, providing for rewards, imposing certain costs on counties, conferring powers and imposing duties on certain State officers and departments; providing for refunds; imposing penalties; and making an appropriation," by exempting from such tax liquid fuels used for the operation and propelling of motorboats and water-craft on the water of the Commonwealth or the boundaries thereof and providing for refund of taxes paid on such liquid fuel.

Referred to the Committee on Ways and Means.

By Messrs. KEAN and PICHNEY.
HOUSE BILL No. 1305.

An Act abolishing the office of deputy constable in Cities of the First Class.

Referred to the Committee on City and County—First Class.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence, bills numbered and entitled as follows:

SENATE BILL No. 47.

An Act to amend Section 8 of the act approved the first day of June one thousand nine hundred and forty-five (P. L. 1358) entitled "An act relating to chattel mortgages on any chattel or chattels of any kind or description including but not limited to livestock poultry farm machinery, farm equipment and crops grown, growing or to be grown designating the operation and effect of the lien of such mortgages providing for the filing indexing and docketing of such mortgages and related instruments in prothonotaries' offices and prescribing prothonotaries' fees providing for the filing in Pennsylvania of similar lien instruments originally filed or recorded in other states regulating the assignment, release, satisfaction and extension of the lien of such mortgages prescribing methods of foreclosure defining defaults and violations and fixing penalties" by making further provision respecting the filing of chattel mortgages in prothonotaries' offices.

Referred to the Committee on Judiciary.

SENATE BILL No. 96.

An Act to amend section nine hundred three of the act, approved the fifteenth day of May, one thousand nine hundred thirty-three (P. L. 624), entitled "An act relating to the business of banking, and to the exercise of fiduciary powers by corporations; providing for the organization of corporations with fiduciary powers, and of banking corporations, with or without fiduciary powers, including the conversion of National banks into State banks, and for the licensing of private bankers; defining the rights, powers, duties, liabilities, and immunities of such corporations, of existent corporations authorized to engage in a banking business, with or without fiduciary powers, of private bankers, and of the officers, directors, trustees, shareholders, attorneys, and other employes of all such corporations or private bankers, or of affiliated corporations, associations, or persons; restricting the exercise of banking powers by any other corporation, association, or person, and of fiduciary powers by any other corporation; conferring powers and imposing duties upon the courts, prothonotaries, recorders of deeds and certain State departments, commissions, and officers; imposing penalties; and repealing certain acts and parts of acts," changing the requirements relating to withdrawal of joint deposits.

Referred to the Committee on Banking and Building and Loan Associations.

SENATE BILL No. 133.

An Act providing that when any city county school district or other political subdivision of this Commonwealth shall in the exercise of the power of eminent domain acquire real estate by appropriation and condemnation the title thereto which shall vest in such city county school district or other political subdivision shall be a title in fee simple unless otherwise provided in the ordinance or resolution authorizing the appropriation and condemnation thereof.

Referred to the Committee on Municipal Corporations.

SENATE BILL No. 224.

An Act to amend clause (c) of section three of the act, approved the tenth day of June, one thousand nine hundred thirty-one (P. L. 485), entitled "An act to provide for the better protection of life and health of the citizens of this Commonwealth by requiring and regulating the examination, licensure, and registration of persons, and registration of corporations, engaging in the care, preparation, and disposition of the bodies of deceased persons; and providing penalties," further regulating requirements of applicants for examination as undertakers.

Referred to the Committee on Professional Licensure.

SENATE BILL No. 282.

An Act to amend article IX of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 457) entitled "An act relating to the business of building and loan associations providing for the organization and voluntary dissolution of such associations defining the rights powers duties liabilities and immunities of such associations and of their officers directors shareholders solicitors and other employes prohibiting the transaction of business in this Commonwealth by foreign building and loan associations conferring powers and imposing duties upon the courts recorders of deeds and certain State departments commissions and officers establishing limitations of actions imposing penalties and repealing certain acts and parts of acts" by authorizing building and loan associations to grant chattel mortgages in certain cases.

Referred to the Committee on Banking and Building and Loan Associations.

SENATE BILL No. 310.

An Act to amend section four of the act approved the twenty-fifth day of May one thousand nine hundred forty-five (P. L. 1050) entitled "An act relating to the collection of taxes levied by counties county institution districts cities of the third class boroughs towns townships certain school districts and vocational school districts conferring powers and imposing duties on tax collectors courts and various officers of said political subdivisions and prescribing penalties" requiring taxing districts to pay the premiums on corporate bonds of tax collectors

in boroughs towns and townships of the second class and fixing the time when such tax collectors shall file their bonds.

Referred to the Committee on Municipal Corporations.

SENATE BILL No. 313.

An Act to reenact amend and revise the act approved the first day of May one thousand nine hundred and thirty-three (P. L. 103) as amended entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto."

Referred to the Committee on Townships.

SENATE BILL No. 146.

An Act to further amend subsection (b) and to amend subsection (d) of section four hundred twelve of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections and nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" making further provision for the compensation of judges inspectors clerks and machine inspectors at primaries and elections.

Referred to the Committee on Elections and Apportionment.

SENATE BILL No. 318.

An Act validating and confirming titles to real estate conveyed by cities of the third class, unless proceedings to attack such sales are instituted within one year after the effective date of this act.

Referred to the Committee on Judiciary.

SENATE BILL No. 345.

An Act to amend section four of the act approved the fourth day of April, one thousand nine hundred twenty-five (P. L. 127), entitled "An act relating to adoption," by further providing for the nature of the decree; and validating certain adoptions.

Referred to the Committee on Judiciary.

SENATE BILL No. 356.

An Act to further amend section three hundred twelve and section three hundred twenty-four of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by excluding school districts of the first class from the requirement that school orders must be signed by the President or any other member or other officer of the Board.

Referred to the Committee on Education.

SENATE BILL No. 401.

An Act to further amend section one thousand nine hundred two of the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "An Act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto," further regulating the letting of contracts.

Referred to the Committee on Cities—Third Class.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 175.

An Act to further amend section six hundred twenty-two of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-one (P. L. 1206), entitled "An act concerning townships of the first class; amending, revising, consolidating, and changing the law relating thereto," increasing expense allowance.

HOUSE BILL No. 208.

An Act to amend section five hundred fifteen of the act, approved the first day of May, one thousand nin hundred thirty-three (P. L. 103), entitled "An act concerning townships of the second class; and amending, revising, consolidating, and changing the law relating thereto," increasing compensation of supervisors for each meeting attended.

HOUSE BILL No. 239.

An Act to further amend the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 457) entitled "An act relating to the business of building and loan associations providing for the organization and voluntary dissolution of such associations defining the rights powers duties liabilities and immunities of such associations and of their officers directors shareholders solicitors and other employes prohibiting the transaction of business in this Commonwealth by foreign building and loan associations conferring powers and imposing duties upon the courts recorders of deeds and certain State departments commissions and officers establishing limitations of actions imposing penalties and repealing certain acts and parts of acts" by further defining and limiting the rights powers duties liabilities and immunities of building and loan associations and their shareholders

HOUSE BILL No. 296.

An Act relating to the incidents of legal and equitable interests in real and personal property, including the validity thereof, the powers, rights, and duties of persons with respect thereto, and the disposition of interests which fail, and containing provisions concerning termination of trusts, releases and disclaimers of powers and interests, perpetuities, accumulations, charitable estates, rights of a surviving spouse in property as to which the decedent has retained certain powers, spendthrift trusts, limited estates in property, rules of interpretation, estates pur auter vie, estates in fee tail, and the Rule in Shelley's Case.

HOUSE BILL No. 297.

An Act relating to the descent of the real and personal estate of persons dying intestate and the procedure in reference thereto.

HOUSE BILL No. 298.

An Act relating to the form execution revocation operation and interpretation of wills to nuncupative wills to the appointment of testamentary guardians to elections to take under or against wills and the procedure in reference thereto.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. COOK asked and obtained permission for the Committee on Counties to meet during the session of the House.

The SPEAKER. The Chair requests the gentleman from Philadelphia, Mr. Costa, to preside during the first reading calendar.

Mr. COSTA IN THE CHAIR.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 6, entitled:

An Act to amend subsection four of section one thousand two hundred nine point one of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" requiring librarians with bachelor's degree of library science to be paid as teachers holding Master's Degrees.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 191, entitled:

An Act to amend the act approved the third day of May one thousand nine hundred thirty-three (P. L. 242) entitled "An act to promote the public health and safety by providing for examination and registration of those who desire to engage in the occupation of beauty culture defining beauty culture and regulating beauty culture shops schools students apprentices teachers managers and operators conferring powers and duties upon the Department of Public Instruction providing for appeals to certain courts by applicants and licensees and providing penalties" providing for the keeping and distribution of a registry roster by the department.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 234, entitled:

An Act to amend section seven of the act approved the twenty-fourth day of July one thousand nine hundred forty-one (P. L. 490) entitled "An act relating to acknowledgments of written instruments and to make uniform the law with relation thereto" regulating acknowledgments of written instruments made by corporations.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 339, entitled:

An Act to further amend section eleven of the act approved the nineteenth day of June one thousand nine hundred thirty-one (P. L. 589) entitled as amended "An act to promote the public health and safety by providing for the examination and licensure of those who desire to engage in the occupation of barbering regulating barber shops and barber schools and apprentices and students therein regulating compensation for service rendered conferring certain powers and duties on the Department of Public Instruction and providing penalties" providing for the keeping and distribution of a registry roster by the department.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 419, entitled:

An Act to repeal the act approved the twenty-eight day of July one thousand nine hundred forty-one (P. L. 535) entitled "An act providing for the redemption of real property purchased by political subdivisions at tax sales upon the payment of the amount charged against the same and costs by installments payments and prescribing the procedure therefor."

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 438, entitled:

An Act to further amend section three of and add section four to the act approved the twenty-fourth day of May one thousand eight hundred ninety-three (P. L. 129) entitled "An act to empower boroughs and cities to establish a police pension fund to take property in trust therefor and regulating and providing for the regulation of the same" deleting provisions relating to termination of right to participate in the fund and regulation thereof and providing that compensation or pension is not to be subject to attachment execution assignment or transfer and payable only to beneficiary designated in person.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 507, entitled:

An Act to amend sections eleven hundred three and eleven hundred five of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereo" by restricting the payment of bounties to residents of the Commonwealth reducing the penalty for presentation of illegal bounty claims and clarifying the law with reference thereto.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 720, entitled:

An Act defining and providing for the licensing and regulation of private business schools and classes and agents thereof conferring powers and imposing duties upon the State Board of Private Business Schools and prescribing penalties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 754, entitled:

An Act to further amend sections three hundred seventeen three hundred eighteen three hundred nineteen three hundred twenty three hundred twenty-one three hundred twenty-two three hundred twenty-three and three hundred twenty-four of the act approved the second day of May one thousand nine hundred and twenty-nine (P. L. 1278) entitled "An act relating to counties of the second class third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by changing the amount of contributions to the employe's retirement fund and the retriment board in investing the money of the retirement board in investing the money of the retirement fund describing the length of service necessary to entitle certain members to a retirement allowance upon being totally disabled refund of contributions authorizing counties of the second class and county institution district to make additional appropriatons.

And said bill having been read at length the first time, Orederd, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 767, entitled:

An Act to amend sections one thousand one hundred five one thousand one hundred twenty-one one thousand ont hundred twenty-seven one thousand one hundred thirty-four and one thousand one hundred thirty-seven of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of rollecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by further providing for the term of office and the election of county superintendents assistant county superintendents district superintendents and assistant district superintendents in all second third and fourth class school districts of the Commonwealth

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 768, entitled:

An Act to add section one thousand six hundred ten point one to the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" authorizing the teaching of safe driving of automobiles

And said bill having been read at length the first time, Oredered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 769, entitled:

An Act making an appropriation out of the Motor License Fund to the Department of Public Instruction to promote highway safety education

And said bil lhaving been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 792, entitled:

An Act to further amend sections two thousand one hundred one and two thousand one hundred seven of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by further providing for the meetings of teachers of public schools under the jurisdiction of the county superintendent authorizing instructional courses for such teachers upon approval of the county board of school directors and increasing the amount of expenses for teachers' meetings or instructional courses to be paid by the county treasurer

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 827, entitled:

An Act defining and providing for the licensing of private correspondence schools and the registration of agents of such schools providing for contractural liability conferring powers and imposing duties on the State Council of Education and prescribing penalties

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 832, entitled:

A Supplement to the act approved the twenty-fifth day of April one thousand nine hundred forty-five (P. L. 299) entitled "An act providing for the establishment in counties of the second class of the lot and block plan for the registration of land titles for the accumulation of county tax liens and for the enumeration of the parcels of real estate to be assessed for county city borough township school and institution district taxation providing for the incurring of indebtedness for the installation thereof and imposing duties upon the county controller and the deed registrar in each of such counties" providing for the use in counties of the second class of the lot and block descriptive number in the making of assessments in the preparation of tax bills and tax receipts in the filing of liens for delinquent taxes and in the sale of

real estate for taxes and imposing duties upon certain county officials in second class counties and upon treassurers tax collectors and solicitors of cities boroughs towns townships and school districts in said counties

And said bill having been read at length the first time, Oredered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 848, entitled:

An Act to amend clause (d) of subsection one of section four of the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by increasing the membership of the Public School Employes' Retirement Board

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 863, entitled:

An Act to further amend section three of the act approved the thirteenth day of May one thousand nine hundred twenty-seven (P. L. 988) entitled "An act providing for and regulating the State registration of nurses and licensed attendants the annual recording of registration certificates and regulating the profession of nursing and repealing certain existing laws" further providing for emergency registration of nurses.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 873, entitled:

An Act to repeal the act approved the twenty-eighth day of May one thousand nine hundred forty-three (P. L. 784) entitled "An act prescribing temporary emergency war provisions with respect to the administration of certain provisions of the school laws of this Commonwealth relating to days for school to be in session closing schools and suspending classes temporary assignment and reassignment of teachers extension of transportation facilities payment of tuition in lieu of transportation and granting temporary farm and conservation employment certificates for certain pupils under certain conditions providing for full state subsidies when employing teachers holding special wartime certificates authorizing boards of school directors (or boards of public education) subject to the approval of the district or county superintendent to put such provisions into operation."

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 876, entitled:

An Act empowering all corporations incorporated under the laws of the State of Pennsylvania for purposes not for profit to change alter and amend by by-law such provisions of their charters as are purely administrative and validating such changes alterations and amendments heretofore made.

And said bill having been read ae length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 881, entitled:

An Act to amend section one thousand two hundred forty-four of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" providing Commonwealth reimbursement on account of elementary school tuition for attendance in other districts.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 905, entitled:

An Act to amend and reenact section one of the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 491) entitled "An act reducing for a limited period of time the training period of internship in osteopathic hospitals in order to qualfy for examination for license by the Osteopathic Surgeons' Examining Board to practice major surgery and suspending inconsistent laws" further regulating the training period of internship in osteopathic hospitals.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 917, entitled:

An Act to repeal the act approved the nineteenth day of March one thousand nine hundred forty-three (P. L. 19) entitled "An act reducing for a limited period of time the training period of medical internship in hospitals in order to qualify for examination for license to practice medicine and surgery and suspending inconsistent laws."

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 921, entitled:

An Act to repeal the act approved the twenty-second day of April one thousand nine hundred forty-three (P. L. 71) entitled "An act authorizing the State Board of Medical Education and Licensure to issue temporary permits to doctors of medicine legally licensed in other states to practice medicine and surgery in this State under certain conditions for a limited period of time."

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 936, entitled:

An Act to further amend section one of the act approved the twenty-sixth day of May one thousand nine hundred forty-three (P. L. 607) entitled "An act authorizing administrative boards within the Department of Public Instruction for the duration of the present War to admit to examination and grant licenses or registration to certain applicants who are less than twenty-one but not less than twenty years of age" further regulating the professional examination licensure or registration of persons who are less than twenty-one but over twenty years of age.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 940, entitled:

An Act to amend subdivision (e) of article five of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" allowing counties of the second class to expend county moneys for aiding townships to construct or complete water systems.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 957, entitled:

A Joint Resolution proposing an amendment to article nine section four of the Constitution of the Commonwealth of Pennsylvania increasing the maximum amount of State debt to supply deficiencies in revenue.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1014, entitled:

An Act to further amend the fifth paragraph of section three hundred five of the act approved the twenty-ninth day of November one thousand nine hundred thirty-three (P. L. 15-1933-34) entitled as amended "An act to regulate and restrain the sale manufacture possession transportation importation traffic in and use of alcohol and alcoholic and malt or brewed beverages conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents the Department of Public Instruction other officers of the State Government courts and district attorneys authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises and the granting of licenses subject to local option to sell such beverages for consumption on and off the premises forbidding importation or bringing of such beverages into the State except as herein provided prohibiting certain sales or practices in connection with and transactions in such beverages by licensees and others providing for the forfeiture of certain property making disposition of the receipts from State stores and of fees and imposing penalties" permitting for a limited period of time wines to be sold without having affixed to the package the official seal of the board.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1041, entitled:

An Act to provide for the minimum salaries qualifications classification leaves of absence and regulations of the administrative officers heads of special service departments and faculties of state teachers colleges.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1044, entitled:

An Act to further amend the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043), entitled "An act establishing a public school employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain said funds imposing powers and duties upon boards having the employment of public school employees exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by requiring the retirement board to submit annual statements to contributions.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1046, entitled:

An Act to amend section two of the act approved the twenty-sixth day of May one thousand nine hundred twenty-one (P. L. 1172) entitled "An act to regulate the practice of pharmacy and sale of poisons and drugs and providing penalties for the violation thereof defining the words "drug" and "poison" and providing for the appointment of a board which shall have in charge the enforcemen tof said law and the power to make rules and regulations for the enforcement of said law and providing for the purchase of samples of drugs for determining their quality strength and purity "regulating the use of a corporate title in applying for a pharmacy permit and its use on labels signs and advertisements.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1088, entitled:

An Act validating the charters and the registration of the corporate name of certain nonprofit corporations.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1090, entitled:

An Act to further amend the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered

and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" providing for medical examiners in lieu of medical inspectors and prescribing their duties making mandatory the employment of a school nurse and repealing provisions relating to medical inspections and reports of medical inspectors.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1143, entitled:

An Act providing that the Soldiers' and Sailors' Home at Erie Pennsylvania shall provide ample facilities for caring for four mentally deranged veterans or civilians who may be detained there.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1173, entitled:

An Act to amend the title of the act approved the fifth day of May one thousand nine hundred twenty-seven (P. L. 817) entitled "An act authorizing and regulating the growth sale and distribution of forest tree seedlings and transplants by the Department of Forests and Waters regulating the use of such forest tree seedlings and transplants and imposing duties upon the Department of Agriculture with regard to the enforcement of this act" by extending its provisions to include shrubs and vines under certain circumstances.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1174, entitled:

An Act to further amend clause (j) of section one thoustnd eight hundred two of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by prescribing certain additional forest powers and duties.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

PERMISSION TO ADDRESS HOUSE

Mr. CHARLES C. SMITH asked and obtained unanimous consent to address the House.

Mr. Speaker, in honor of this important day, when we have had our co-chairman as honorary Speaker, the Philadelphia Delegation would like to present to you a small token of their esteem, and we hope that after the horse racing bill is passed that your name will be the same as on this little token "Man-O-War," and that your name will be synonymous with horse racing.

This is a token, Mr. Speaker, from the Philadelphia Delegation.

The SPEAKER pro tempore. Thank you, Mr. Smith. In turn, I wish I could get my horse racing bill out of committee.

PARLIAMENTARY INQUIRY

Mr. ANDREWS. Mr. Speaker, I rise to a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman from Cambria will state it.

Mr. ANDREWS. Since when, Mr. Speaker, do two members from Philadelphia constitute the Philadelphia Delegation?

The SPEAKER pro tempore. That is a Philadelphia secret. The regular Speaker will now come to the rostrum. I don't get any extra pay for this.

THE SPEAKER (Franklin H. Lichtenwalter) IN THE CHAIR

The SPEAKER. The Chair thanks the gentleman from Philadelphia for presiding.

BILLS ON SECOND READING

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 15, entitled:

An Act to further amend section one of the act approved the eleventh day of May one thousand nine hundred eleven (P. L. 275) entitled "An act to provide for the appointment of county and city inspectors of weights and measures providing for their compensation and expenses prescribing their duties prohibiting vendors from giving false or insufficient weights and fixing the penalties for the violation of the provisions hereof" requiring inspectors of weights and measures to be appointed by council in third class cities.

And said bill having been read at length the second time and agreed to,
Ordered, To be transcribed for third reading.

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 173, entitled:

An Act to further amend the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by increasing the maximum amount of funeral expenses of deceased service persons and their widows to be contributed by counties.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 206, entitled:

An Act to amend section two of the act approved the third day of May one thousand nine hundred twenty-three (P. L. 134) entitled "An act making the proceedings of the conventions of the Departments of Pennsylvania of the Grand Army of the Republic and the United Spanish War Veterans a part of the public records of the State and providing for their publication and distribution" by increasing the number of copies to be published.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 335, entitled:

An Act to further amend section one of the act approved the eighth day of April one thousand eight hundred sixty-seven (P. L. 50) entitled "An act to permit disabled soldiers to peddle by procuring a license therefor without charge" prohibiting the imposition of taxes on such licenses.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. GREER. Mr. Speaker, I move that this bill be recommitted to the Committee on Military Affairs for further study and possible amendment.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 365, entitled:

An Act to further amend the first paragraph of section two hundred twenty and to add clause (n) to section two hundred eighty-five of the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" increasing the resident fishing license fee.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 558, entitled:

An Act to amend section four hundred nineteen of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchange and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by permitting certain additional insurance companies to come within the provisions thereof.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 765, entitled:

An Act requiring persons elected or appointed as judges of any court of record to be residents of the judicial district for which they are elected or appointed two years prior to the time of such election or appointment

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 791, entitled:

An Act to amend or further amend the title and certain sections of the act approved the third day of June one thousand nine hundred thirty-three (P. L. 1449) entitled "An act establishing a court of record in the county of Allegheny for control care guidance treatment trial placement and commitment of delinquent neglected and dependent children under sixteen years of age and of persons over sixteen years of age contributing to or encouraging delinquency neglect or dependency of children defining the jurisdiction and powers of the court and regulating procedure therein providing for the transfer thereto of certain powers functions and duties from other courts providing for the election of judges thereof the appointment of probation officers other necessary staff officials and assistants providing for housing of same and providing for detention facilities making the contributing to or encouraging of the delinquency neglect or dependency of children a misdemaenor and providing penalties" establishing a separate juvenile court for Luzerne County.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 878, entitled:

An Act to further amend sections twenty-one and thirty-one of the act approved the sixth day of August one thousand nine hundred forty-one (P. L. 861) entitled "An act to create a uniform and exclusive system for the administration of parole in this Commonwealth establishing the 'Pennsylvania Board of Parole' conferring and defining its jurisdiction duties powers and functions including the supervision of persons placed upon probation in certain designated cases providing for the method of appointment of its members regulating the appointment removal and discharge of its officers clerks and employes dividing the Commonwealth into administrative districts for purposes of parole fixing the salaries of members of the board and of certain other officers and employes thereof making violations of certain provisions of this act misdeameanors providing penalties therefor and for other cognate purposes and making an appropriation" further defining the jurisdiction duties powers and functions of the Pennsylvania Board of Parole.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 983, entitled:

An Act to further amend clause (a) of section four hundred fifteen of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" changing the definition of group life insurance.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1013, entitled:

A Joint Resolution proposing an amendment to section one article nine of the Constitution of the Commonwealth of Pennsylvania.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1053, entitled:

A Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Pennsylvania by adding thereto a new section authorizing the creation of an additional debt by the Commonwealth for the payment of compensation to certain veterans.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1084, entitled:

An Act to abolish the Pennsylvania Post-War Planning Commission and to repeal the act by which it was created.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

CLASS OF CENTRAL OPPORTUNITY SCHOOL WELCOMED

The SPEAKER. The Chair is very happy to welcome to the session this morning the class on Special Education from the Central Opportunity School under the direction of Mr. Brookes. The Chair is informed that they will have to leave in about five or ten minutes to return to school. We are very happy to have the class here.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1215, entitled:

A Joint Resolution ratifying the proposed amendment to the Constitution of the United States relative to the terms of the President of the United States.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

BILLS PASSED OVER

There being no objection

Senate Bill No. 51, Printer's No. 16 and

Senate Bill No. 114, Printer's No. 21,

were passed over at the request of the SPEAKER.

Agreeably to order,

The bill having been called up from the postponed calendar, by Mr. SWOPE,

The House resumed the consideration on second reading of House Bill No. 358, entitled:

An Act to further amend the act approved the nineteenth day of July one thousand nine hundred thirty-five (P. I. 1356) entitled "An act to regulate the sale and delivery of solid fuel as herein defined providing for appointment of licensed weighmasters prescribing their powers and duties authorizing substitute licensed weighmasters imposing certain duties on the Department of Internal Affairs and providing penalties" providing for transportation of solid fuel over a public highway making exceptions to necessity of a weighmaster's certificate and designating certain acts as prima facie evidence of short weight.

The first section was read.

On the question,

Will the House agree to the section?

Mr. SWOPE offered the following amendments:

Amend Sec. 1 (Sec. 3), page 3, line 15, by inserting after the word "producer" the following: "of solid fuel."

Amend Sec. 1 (Sec. 3), page 3, line 17, by striking out the word "is" and inserting in lieu thereof: "comes from his own mine, is his own property and is being transported."

They were agreed to.

The section was agreed to as amended.

The second and third sections and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The bill having been called up from the postponed calendar, by Mr. SWOPE,

The House resumed the consideration on second reading of House Bill No. 362, entitled:

An Act to amend section two of the act approved the eighteenth day of May one thousand nine hundred forty-five (P. L. 802), entitled "An act to fix the standard weights of containers for wheat and corn flours cornmeals hominy and hominy grits and to provide penalties for the violation of this act" extending provisions of the act.

The first section was read.

On the question,

Will the House agree to the section?

Mr. SWOPE offered the following amendments:

Amend Sec. 1 (Sec. 2), page 2, line 8, by inserting a bracket before and after the word and figure "two (2)."

Amend Sec. 1 (Sec. 2), page 2, line 15, by inserting a bracket before and after the word "cartons" and inserting immediately thereafter: "containers."

Amend Sec. 1 (Sec. 2), page 2, line 16, by striking out the word and figure "two (2)" and inserting in lieu thereof: "three (3)."

They were agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

BILL ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1008, as follows:

An Act to add article XXX-A to the act approved the twenty-fourth day of June one thousand nine hundred and thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" empowering boards of township commissioners to establish land subdivision regulations

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the twenty-fourth day of June one thousand nine hundred and thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" is hereby amended by adding after article thirty a new article to read as follows

Article XXX-A

Land Subdivisions

Section 3061 Grant of Power For the purpose of assuring sites suitable for building purposes and human habitation and to provide for the harmonious development of townships for the coordination of existing streets with proposed streets parks or other features of the township's official plan of streets and alleys for adequate open spaces for traffic recreation light and air and for proper distribution of population thereby creating favorable to the health safety morals and general welfare of the citizens the boards of townships commissioners are hereby empowered to adopt by ordinance or resolution land subdivision regulations Such regulations may include definitions design standards plan requirements plan processing or procedures improvement construction requirements and conditions of acceptance of public improvements by the township

Section 3062 Public Hearing No such regulations shall be adopted until after a public hearing in relation thereto at which parties in interest and citizens shall have an opportunity to be heard At least fifteen days' notice of the time and place of such hearing shall be published in an official paper if one has been designated by the Board of Township Commissioners or if none has been so designated then in a paper of general circulation in the township

Section 3063 Subdivision Control Where subdivision regulations have been adopted under the authority of this Article no subdivision of any lot tract or parcel of land shall be effected no street alley sanitary sewer storm sewer water main or other facilities in connection therewith shall be laid out constructed opened or dedicated for public use or travel or for the common use of occupants of buildings abutting thereon except in strict accordance with the provisions of such regulations

Section 3064 Definition of Subdivision Subdivision may be defined as the division of a single lot tract or parcel of land into two or more lots tracts or parcels of land including changes in street lines or lot lines for the purpose whether immediate or future of transfer of ownership or of building development Provided however That divisions of land for agricultural purposes in parcels of more than ten acres not involving any new street or easement of access shall be exempted

Section 3065 Subdivisions Wherein Lots Abut Existing Improved Streets of Sufficient Width Such regulations may provide that plans of subdivisions wherein lots abut existing improved streets of sufficient width shall be subject to approval or rejection by the township engineer or a committee appointed by the board of township commissioners as specified in the ordinance or resolution establishing the regulations In the event such a plan is disapproved the reasons therefor shall be set forth in writing and given to the applicant Any person aggrieved by the decision of the township engineer or the committee may appeal to the board of township commissioners and such appeal shall be considered by the board at its next regular meeting The decision of the board shall be final

Section 3066 Subdivisions Wherein Lots Abut Existing Streets of Insufficient Width or Proposed Streets

(a) Plans may be Referred to Planning Commission for Recommendations Such regulations may provide that plans of subdivisions wherein lots abut existing streets of insufficient width or streets proposed to be laid out through unimproved land may if the board of township commissioners deems it advisable be referred to the planning commission of the township if any for its recommendations as to location and width of streets and similar features Such plans shall be subject to approval or rejection by the board of township commissioners In the event such a plan is disapproved the reasons therefor shall be set forth in writing and given to the applicant Any party aggrieved by the decision of the board of township commissioners may appeal to the court of quarter sessions of the county as hereinafter provided

(b) General Requirements Prerequisite to Approval of Plan The board of township commissioners shall not approve any subdivision plan unless all streets shown thereon shall be of sufficient width and proper grade and shall be so located as to accommodate the probable volume of traffic thereon afford adequate light and air facilitate fire protection provide access of fire fighting equipment to buildings and provide a coordinated system of streets conforming to the township's official plan of streets and alleys and unless the land whereon buildings are to be constructed shall be of such character that it can be used for building purposes without danger to health or peril from fire flood or other hazard

(c) Improvements or Guarantee Thereof Prerequisite to Approval of Plan Before approving any subdivision plan for recording the board of township commissioners shall either require that the necessary grading paving and other street improvements including where specified by the board curbs sidewalks street lights fire hydrants water mains sanitary sewers and storm sewers shall have been installed in strict accordance with the standards and specifications of the township or that the township be assured by means of a proper completion guarantee in the form of a bond or the deposit of funds or securities in escrow sufficient to cover the cost of the required improvements as estimated by the township engineer that the said improvements will subsequently be installed by the owner

(d) Public Hearing Before acting on any subdivision plan the board of township commissioners may arrange for a public hearing thereon after giving such notice as the board may deem desirable in each case

(e) Modifications The board of township commissioners may alter any subdivision plan and specify changes or modifications therein with it deems necessary and may make its approval subject to such alterations changes or modifications

(f) Appeals Where Commissioners Refuse Approval In any case where the board of township commissioners disapproves a subdivision plan any person aggrieved thereby may within thirty days thereafter appeal therefrom by petition to the court of quarter sessions of the county which could shall hear the matter de novo and after hearing enter a decree affirming reversing or modifying the action of the board as may appear just in the premises The court shall designate the manner in which notices of the hearing of any such appeal shall be given to all parties interested The decision of the court shall be final

(g) Recording The action of the board of township commissioners or of the court on appeal in approving any subdivision plan and an approved duplicate capy of such plan shall within thirty days of the date of approval be recorded by the owner in the office of the recorder of deeds of the county

(h) Recorded Streets Become Part of Official Plan After a subdivision plan has been duly recorded the streets parks and other public improvements shown thereon shall be considered to be a part of the official plan of the township

(i) Offer of Dedication May Be Noted on Record Plan Streets parks and other public improvements shown on a subdivision plan to be recorded may be offered for dedication to the township by formal notation thereof on the plan or the owner may note on the plan that such improvements have not been offered for dedication to the township

(j) Streets Parks and Other Improvements Private Until Dedicated or Condemned Every street park or other improvement shown on a subdivision plan that is recorded as provided herein shall be deemed to be a private street park or improvement until such time as the same has been offered for dedication to the township and accepted by ordinance or resolution or until it has been condemned for use as a public street park or other improvement

Section 3067 Sale of Lots Issuance of Building Permit or Erection of Building Where subdivision regulations have been adopted under the authority of this Article no lot in a subdivision may be sold no permit to erect alter or repair any building upon land in a subdivision may be issued and no building may be erected in a subdivision unless and until a subdivision plan has been approved and where required recorded and until the improvements required by the board of township commissioners in connection therewith have either been constructed or guaranteed as hereinabove provided Where owing to special conditions a literal enforcement of this provision would result in unnecessary hardship the board of township commissioners may make such reasonable exception thereto as will not be contrary to the public iterest and may permit the sale of a lot issuance of a permit of erection of a building subject to conditions necessary to assure adequate streets and other public improvements

Section 3068 Penalty Any person copartnership or corporation who or which shall subdivide any lot tract or parcel of land lay out construct open or dedicate any street or alley sanitary sewer storm sewer or water main for public use or travel or for the common use of occupants of buildings abutting thereon sell any lot or erect any building in a subdivision without having first complied with the provisions hereof and the subdivision regulations adopted hereunder shall be guilty of a misdemeanor and upon conviction thereof such person or the members of such copartnership or the officers of such corporation responsible for such violation shall be sentenced to suffer imprisonment not exceeding two years or pay a fine not exceeding one thousand dollars or both in the discretion of the court

Section 2 This act shall become effective immediately upon its final enactment

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—200

Aaronson,	Gallagher,	McCullough,	Scanlon,
Andrews,	Getchey,	McDonald,	Schuster,
Bane,	Gibson,	McKinney,	Scott,
Barrett,	Goff,	McMillen,	Serrill,
Baumunk,	Goodling,	Milim,	Shoemaker,
Beech,	Gorman,	Mikula,	Simons,
Bender,	Graybill,	Miller,	Smith, C. C.,
Bentzel,	Greenwood,	Mills,	Smith, C. M.,
Bloom,	Greer,	Mintess,	Snider,
Boies,	Griffiths,	Mohr,	Sollenberger,
Bonawitz,	Guthrie,	Mooney,	Sorg,
Bower,	Gyger,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenshield,	Murray,	Stimmel,
Brown,	Helm,	Myers,	Stockham,
Brunner,	Henry,	Najaka,	Stonier,
Bucchin,	Hewitt,	Naumann,	Stuart,
Cadwalader,	Hocker,	Needham,	Swope,
Capano,	Hoopes,	Neff,	Tahl,
Cassidy,	Horan,	Nelson,	Thomassy,
Chervenak,	Imbt,	O'Connor,	Thompson,
Chudoff,	Jennings,	O'Dare,	Tittle,
Clevenger,	Johnson,	O'Donnell,	Tompkins,
Cochran,	Johnston,	O'Neill,	Toomey,
Cole,	Jones,	Orban,	Turner,
Cook,	Jump,	Patten,	Upshur,
Cooper,	Kean,	Petrosky,	Vaughan,
Cordier,	Kelley,	Pichney,	Verona,
Costa,	Kemp,	Pickens,	Wachhaus,
Crowley,	Kent,	Polaski,	Wagner,
Dague,	Kirley,	Powers,	Waldron,
Dalrymple,	Kline,	Price,	Wallin,
Davison,	Kohl,	Propert,	Walton,
De Long,	Kratz,	Ragot,	Waterhouse,
Demech,	Krise,	Readinger,	Watkins,
Dennison,	Kurtz,	Reagan,	Watson,
Depuy,	Laughner,	Reese, D. P.,	Weidner,
Dix,	Layer,	Reese, R. E.,	Weiss,
Dye,	Lee,	Reilly, J. M.,	Wescott,
Efenberg,	Leisey,	Reilly, W. J.,	West,
Elder,	Livingston,	Richter,	Wheeler,
Erb,	Livingstone,	Riley,	Wolf,
Evans,	Loftus,	Robbins,	Wood,
Ewing,	Lovett,	Robertson,	Worley,
Feola,	Lyons,	Root,	Yeakel,
Fish,	Madden,	Rose,	Yester,
Fiss,	Madigan,	Rowen,	Yetzer,
Flack,	Mazza,	Royer,	Young,
Fleming,	McCormack,	Sarraf,	Lichtenwalter,
Foor	McCosker,	Sax,	Speaker.
Frost,			

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 7, entitled:

An Act to amend section one of the act, approved the twenty-eighth day of May, one thousand nine hundred forty-three (P. L. 793), entitled "An act authorizing counties of the second class to regulate the production of smoke from chimneys, smokestacks or other source, including provisions for the payment of inspection and certificates of compliance fees incident thereto: author-

izing the expenditure of money for the employment of persons, and the acquisition of property for effectuating such regulations; and providing penalties for the violation thereof," removing exemption regarding railroad locomotives and changing effective date.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. PETROSKY. Mr. Speaker, irrespective of the amendments that were placed in House Bill No. 7 yesterday I rise to oppose the measure. I feel that the enactment of such an act would place a great burden on one of the basic industries of the Commonwealth of Pennsylvania.

May I point out to the Members of the House that not only does this affect and hinder the progress of a great industry in Western Pennsylvania, but the effect of this bill upon that industry relates itself to the entire Commonwealth.

I say to you, gentlemen, as often as we have stated on the floor of this House that industry will move out of the Commonwealth of Pennsylvania due to the passage of one type of legislation or another, this puts such a burden upon that basic industry and those industries related to it that there will be no question in my mind but that you will destroy that which is good for the welfare of this Commonwealth.

I oppose this measure because I feel that even though I agree with the city fathers and the people of the city of Pittsburgh that we should all want a cleaner place to live in, yet since Pittsburgh is a part of this Commonwealth and since there will be a great burden upon that basic industry, I see no reason for passing such a piece of legislation.

Prior to 1932 I can recall that the people of the city of Pittsburgh and the people throughout the entire state of Pennsylvania went down on their knees and prayed that smoke would come out of the smoke stacks and again continue Pittsburgh as the workshop of the world. I feel that there will be such a great burden placed upon industry in general throughout the Commonwealth that the membership of this House from the rural districts as well as from the industrial districts should vote down this measure.

Mr. ANDREWS. Mr. Speaker, although the arguments against this bill that I have heard so far are principally bologna, nevertheless I would ask that this bill go over in its order.

Mr. SORG. Mr. Speaker, I should like to join in the request of the gentleman from Cambria, Mr. Andrews.

PARLIAMENTARY INQUIRY

Mr. ANDREWS. Mr. Speaker, I rise to a Parliamentary Inquiry.

The SPEAKER. The gentleman from Cambria will state it.

Mr. ANDREWS. Mr. Speaker, would it be necessary to reconsider the vote by which this bill passed third reading to pass it over?

The SPEAKER. The House has agreed to the bill on third reading.

Will the House give its unanimous consent for the Chair to rescind its ruling that the House agreed to the bill on third reading? Is there objection? The Chair hears none and consent is granted.

PARLIAMENTARY INQUIRY

Mr. PETROSKY. Mr. Speaker, I rise to a Parliamentary Inquiry.

The SPEAKER. The gentleman from Westmoreland will state it.

Mr. PETROSKY. Mr. Speaker, to rescind or to reconsider the vote by which the bill passed third reading, is it necessary to have unanimous consent?

The SPEAKER. The Chair would inform the gentleman that unanimous consent is not required to reconsider a vote. Unanimous consent to rescind having agreed to the bill on third reading is a simpler method of getting the bill back to its former position, that is, not agreeing to it on third reading, rather than placing it on the postponed calendar.

Mr. PETROSKY. Mr. Speaker, I would rather do that by a majority vote of the House where we can test the strength on the bill.

The SPEAKER. The Chair had already ruled that unanimous consent had been granted to rescind the former ruling of the Chair before the gentleman rose to be recognized. Therefore, the Chair rescinded its ruling in stating that the House had agreed to the bill on third reading.

On the question recurring,

Will the House agree to the bill on third reading?

BILL PASSED OVER

The SPEAKER. Will the House give its unanimous consent to have this bill passed over? Is there objection? The Chair hears none and the bill is passed over.

BILL PASSED OVER

There being no objection,

House Bill No. 41, Printer's No. 241,

was passed over at the request of Mr. DAVID P. REESE.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 99, as follows:

An Act to add section one thousand one hundred twenty-five point one to the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" authorizing the assignment of policemen to training schools and the payment of their expenses thereat

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" is hereby amended by adding after section one thousand one hundred twenty-five thereof a new section to read as follows

Section 1125.1 Training Payment of Expenses Borough council may assign the chief of police or any other member of the police force to undergo a course of training at any training school for policemen established and made available by the State or Federal Government and may pro-

vide for the payment by the borough of his expenses while in attendance in such training school

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—200

Aaronson,	Gallagher,	McCullough,	Scanlon,
Andrews,	Getchey,	McDonald,	Schuster,
Bane,	Gibson,	McKinney,	Scott,
Barrett,	Goff,	McMillen,	Serrill,
Baumunk,	Goodling,	Mihm,	Shoemaker,
Beech,	Gorman,	Mikula,	Simons,
Bender,	Graybill,	Miller,	Smith, C. C.,
Bentzel,	Greenwood,	Mills,	Smith, C. M.,
Bloom,	Greer,	Mintess,	Snider,
Boles,	Griffiths,	Mohr,	Sollenberger,
Bonawitz,	Guthrie,	Mooney,	Sorg,
Bower,	Gyger,	Moore, J. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenshield,	Murray,	Stimmel,
Brown,	Helm,	Myers,	Stockham,
Brunner,	Henry,	Majaka,	Stonier,
Bucchin,	Hewitt,	Naumann,	Stuart,
Cadwalader,	Hocker,	Needham,	Swope,
Capano,	Hoopes,	Neff,	Tahl,
Cassidy,	Horan,	Nelson,	Thomassy,
Chervenak,	Imbt,	O'Connor,	Thompson,
Chudoff,	Jennings,	O'Dare,	Tittle,
Clevenger,	Johnson,	O'Donnell,	Tompkins,
Cochran,	Johnston,	O'Neill,	Toomey,
Cole,	Jones,	Orban,	Turner,
Cook,	Jump,	Patten,	Upshur,
Cooper,	Kean,	Petrosky,	Vaughan,
Cordier,	Kelley,	Pichney,	Verona,
Costa,	Kemp,	Pickens,	Wachhaus,
Crowley,	Kent,	Polaski,	Wagner,
Dague,	Kirley,	Powers,	Waldron,
Dalrymple,	Kline,	Price,	Wallin,
Davison,	Kohl,	Propert,	Walton,
De Long,	Kratz,	Ragot,	Waterhouse,
Demech,	Krise,	Readinger,	Watkins,
Dennison,	Kurtz,	Reagan,	Watson,
Depuy,	Laughner,	Reese, D. P.,	Weidner,
Dix,	Layer,	Reese, R. E.,	Weiss,
Dye,	Lee,	Reilly, J. M.,	Wescott,
Efenberg,	Leisey,	Reilly, W. J.,	West,
Elder,	Livingston,	Richter,	Wheeler,
Erb,	Livingstone,	Riley,	Wolf,
Evans,	Loftus,	Robbins,	Wood,
Ewing,	Lovett,	Robertson,	Worley,
Feola,	Lyons,	Root,	Yeakel,
Fish,	Madden,	Rose,	Yester,
Fiss,	Madigan,	Rowen,	Yetzer,
Flack,	Mazza,	Royer,	Young,
Fleming,	McCormack,	Sarraf,	Lichtenwalter,
Foor,	McCosker,	Sax,	Speaker.
Frost,			

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 211, as follows:

An Act to encourage and promote the apple industry of the Commonwealth creating the Pennsylvania State Apple Board defining its powers and duties providing for campaigns of education advertising publicity sales promotion and research to promote the sale and consumption of Pennsylvania apples levying a tax on apples appropriating the proceeds of such tax conferring powers imposing duties on the Department of Revenue and prescribing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Definitions As used in this act the following words and phrases shall have the following meanings

(1) "Board" shall mean the Pennsylvania State Apple Board

(2) "Department" shall mean the Department of Revenue

(3) "Producer" shall mean and include individuals corporations copartnerships associations trusts co-operatives and all other business units devices and arrangements engaged in the buiness of growing or producing apples

Section 2 Pennsylvania State Apple Board Created There is hereby created within the Department of Agriculture as a departmental administrative board an agency to be known as the Pennsylvania State Apple Board consisting of seven (7) members representing as nearly as possible the important apple producing section of the Commonwealth The members of the board shall be appointed by the Governor The executive committee of the Pennsylvania State Horticultural Association shall nominate at least double the number of candidates required to constitute the original membership of the board and thereafter to nominate at least double the number of candidates required to fill each vacancy occurring in the membership of the board All persons so nominated shall be citizens of the Commonwealth and engaged in producing apples therein The Governor shall appoint members only from the candidates so nominated In the event of the failure of the executive committee of the Pennsylvania State Horticultural Association to nominate candidates the Governor shall make appointments of bona fide apple producers without other restriction The members of the board shall serve for a term of four (4) years except that of the persons first appointed one (1) member shall be appointed for one (1) year two (2) members for two (2) years two (2) members for three (3) years and two (2) members for four (4) years The first members shall be appointed within thirty (30) days after the effective date of this act The board shall elect one (1) of its members as chairman The members of the board shall serve without compensation but shall be reimbursed for actual expenses incurred in attending meetings of the board

Section 3 Powers and Duties of the Board The board shall have power and its duty shall be

(1) To adopt and from time to time alter rescind modify and amend proper and necessary rules regulations and orders for the execise of its power and the performance of its duties

(2) To administer this act and do and perform all acts and exercise all powers reasonably necessary to effectuate the purpose of this act

(3) To conduct scientific research to develop and discover the health food therapeutic and dietetic value of apples and products thereof

(4) To plan and conduct campaigns of education advertising publicity sales promotion and research for the purpose of increasing the demand for the consumption of Pennsylvania apples

(5) To make such advertising contracts and other agreements as may be necessary

(6) To make contracts expend moneys of the Apple Promotion Fund and do whatever else may be necessary to effectuate the purposes of this act

(7) To cooperate with other state regional and national agricultural and horticultural organizations in research advertising publicity education and other means of promoting the sale and use of apples and to expend moneys of the Apple Promotion Fund for such purposes

(8) To appoint a secretary and such other employes as may be necessary and to fix their salaries subject to the provisions of the Administrative Code of 1929.

Except as otherwise expressly provided by law the

board shall be subject to all the provisions of the Administrative Code of 1929 as amended which apply generally to departmental administrative boards and commissions

Section 4 Advertising Research and Cost In order to adequately advertise Pennsylvania grown apples in the domestic and foreign markets and to make such advertising as extensive as public interest and necessity require and to put into force and effect the policy of the State of Pennsylvania by this act intended it is the duty of the board to provide for and conduct a comprehensive and extensive research advertising and educational campaign and to keep such advertising and education as continuous as the crop sales and market conditions reasonably require The board shall investigate and ascertain the needs of the apple producers the conditions of the markets and the extent to which public convenience and necessity require advertising and research to be conducted

Section 5 List of Producers The board shall compile and maintain a list of all producers within the Commonwealth For the purpose of such list it shall be the duty of all producers to fill in and answer such questionnaires as the board may from time to time require and to return the same to the board within ten days after the receipt thereof It shall be the duty of the board not later than the first day of September of each year to submit to the Department of Revenue a list showing the names and addresses of all producers of whom the board has a record

Section 6 Excise Tax Levied There is hereby levied and imposed upon all apples grown in the year one thousand nine hundred forty-seven and in each year thereafter an excise tax of one cent (1c) per bushel whether in bulk or loose in boxes or any other container or packed in any style package All money levied and collected under this act shall be expended exclusively by the apple board to effectuate the purpose and objects of this act

Section 7 Records by Producers Every producer shall keep a complete and accurate record of all apples produced handled packaged shipped or processed by him Such records shall be kept on forms furnished by the Apple Board and contain such information as the board shall by regulation or rule prescribe Such records shall be preserved by such producer for a period of two (2) years and shall be open to inspection at any time upon written or oral request by the Apple Board or the Department of Revenue or their duly authorized agents

Section 8 Returns Payment and Collection of Tax On or before the first day of December one thousand nine hundred forty-seven and on or before the first day of December of every year thereafter every producer shall file with the Department of Revenue a return on forms to be prescribed and furnished by the department stating the number of bushels of apples produced by him during the preceding calendar year and such other information as the department may require Simultaneously with the filing of such return the person making the return shall pay into the State Treasury through the Department of Revenue the amount of tax imposed by this act appearing to be due in accordance with the return made In the event that the Department of Revenue is not satisfied with the return made or there is any error therein the department shall settle a tax and proceed to collect the same from the producer To all taxes not paid when due a penalty of one per centum (1%) per month shall be added which penalty shall be added to and collected as a part of the tax All taxes imposed by this act shall be a lien against the property of the producer until paid

Section 9 Apple Promotion Fund Created All moneys levied and collected under the provisions of this act shall be paid into a special fund in the State Treasury to be known as the Apple Promotion Fund which is hereby created All moneys credited to the Apple Promotion Fund are hereby appropriated for the purposes herein set forth and shall be used exclusively for the administration and enforcement of this act including the cost to the Department of Revenue in the collection and enforcing payment of the tax imposed The unexpended balance of the Apple Promotion Fund at the end of each biennium shall not be transferred to the General Fund of the State Treasury but shall accumulate and be used only for the purposes set forth in this act

Section 10 Penalties Any person making any false records or returns or in any other way evading or attempting to evade payment of the tax imposed hereby or violating any of the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one thousand dollars ($1000) and in the case of individuals and the responsible officers and agents of corporations co-partnerships and associations to undergo imprisonment not exceeding thirty (30) days

Section 11 Enforcement of Act It shall be the duty of the Department of Revenue to enforce the provisions of this act

The Department of Revenue through its authorized agents shall have the authority to inspect the premises books records documents and all other instruments of any producer for the purpose of enforcing this act and the collection of the excise tax imposed hereby

Section 12 Effective Date The provisions of this act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—197

Aaronson,	Gallagher,	McCullough,	Schuster,
Andrews,	Getchey,	McDonald,	Scott,
Bane,	Gibson,	McKinney,	Serrill,
Barrett,	Goff,	McMillen,	Shoemaker,
Baumunk,	Goodling,	Mihm,	Simons,
Beech,	Gorman,	Mikula,	Smith, C. C.,
Bender,	Graybill,	Miller,	Smith, C. M.,
Bentzel,	Greenwood,	Mills,	Snider,
Bloom,	Greer,	Mintess,	Sollenberger,
Boies,	Griffiths,	Mohr,	Sorg,
Bonawitz,	Guthrie,	Mooney,	Sproul,
Breisch,	Gyger,	Moore, C. E.,	Stank,
Brice,	Haller,	Moore, H. A.,	Stimmel,
Brown,	Haudenshield,	Murray,	Stockham,
Brunner,	Helm,	Myers,	Stonier,
Bucchin,	Henry,	Najaka,	Stuart,
Cadwalader,	Hewitt,	Naumann,	Swope,
Capano,	Hocker,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,
Clevenger,	Jennings,	O'Dare,	Tompkins,
Cochran,	Johnson,	O'Donnell,	Toomey,
Cole,	Johnston,	O'Neill,	Turner,
Cook,	Jones,	Orban,	Upshur,
Cooper,	Jump,	Patten,	Vaughan,
Cordier,	Kean,	Petrosky,	Verona,
Costa	Kelley,	Pichney,	Wachhaus,
Crowley,	Kemp,	Pickens,	Wagner,
Dague,	Kent,	Polaski,	Waldron,
Dalrymple,	Kirley,	Powers,	Wallin,
Davison,	Kline,	Price,	Walton,
De Long,	Kohl,	Propert,	Waterhouse,
Demech,	Kratz,	Ragot,	Watkins,
Dennison,	Krise,	Readinger,	Watson,
Depuy,	Kurtz,	Reese, R. E.,	Weidner,
Dix,	Laughner,	Reilly, J. M.,	Weiss,
Dye,	Layer,	Reilly, W. J.,	Wescott,
Efenberg,	Lee,	Richter,	West,
Elder,	Leisey,	Riley,	Wheeler,
Erb,	Livingston,	Robbins,	Wolf,
Evans,	Livingstone,	Robertson,	Wood,
Ewing,	Loftus,	Root,	Worley,
Feola,	Lovett,	Rose,	Yeakel,
Fish,	Lyons,	Rowen,	Yester,
Fiss,	Madden,	Royer,	Yetzer,
Flack,	Madigan,	Sarraf,	Young,

Fleming,	Mazza,	Sax,	Lichtenwalter,
Foor,	McCormack,	Scanlon,	Speaker.
Frost,	McCosker,		

NAYS—3

Bower,	Reagan,	Reese, D. P.,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 494, as follows:

An Act to further amend the act approved the nineteenth day of June one thousand nine hundred thirty-one (P. L. 589) entitled as amended "An act to promote the public health and safety by providing for the examination and licensure of those who desire to engage in the occupation of barbering regulating barber shops and barber schools and apprentices and students therein regulating compensation for service rendered conferring certain powers and duties on the Department of Public Instruction and providing penalties" by further regulating the practice of barbering the annual renewal of certificates and the eligibility requirements for examinations

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections three five eight and twelve of the act approved the nineteenth day of June one thousand nine hundred thirty-one (P. L. 589) entitled as amended "An act to promote the public health and safety by providing for the examination and licensure of those who desire to engage in the occupation of barbering regulating barber shops and barber schools and apprentices and students therein regulating compensation for service rendered conferring certain powers and duties on the Department of Public Instruction and providing penalties" as last amended by the act approved the twenty-fifth day of May one thousand nine hundred forty-five (P. L. 1040) are hereby amended to read as follows

Section 3 (a) Any person not holding a certificate of registration under the provisions of the preceding section and desiring to obtain a license under this act shall make application under oath or affirmation in such form as the Department shall prescribe Such application shall be accompanied by an affidavit which shall be made by a practicing physician and shall set forth that the applicant was examined that a test of his or her blood was made and that he or she is free from all contagious and infectious disease is a citizen of the United States or has filed a declaration of intention The applicant at the time of filing such application and affidavit shall pay to the department an examnation fee of five dollars or such other fee as may be fixed by the department and shall present himself or herself at the next examination of applicants as hereinafter provided The department shall thereupon proceed to examine such person after being satisfied that he or she is above the age of sixteen years free from contagious and infectious disease has a certicate showing graduation from an eighth grade school or its equivalent and has either [(a)] (1) studied the occupation for a period of two years covering a period of at least 2500 hours as a registered apprentice under a qualified and practicing harbor as hereinafter provided or [(b)] (2) studied the occupation and trained as a registered student in a registered and properly appointed and conducted barber school under the instruction of a registered teacher for a period of at least six months and served at least eighteen months covering a period of at least 1500 hours as an apprentice with a registered barber or as a student in a registered barber school Under no circumstances shall a student or apprentice receive wages directly or indirectly for service rendered If the department is satisfied as a result of the examination the applicant is possessed of requisite skill in said occupation to properly perform all the duties thereof including his or her knowledge and ability in the antiseptic preparation of tools shaving hair cutting and all the duties and services incident thereto and is possessed of sufficient knowledge concerning the common diseases of the face and skin to avoid the aggravation and spreading thereof in the practice of said occupation and the knowledge of the Barber's Licensing Laws and rules and regulations of the department adopted thereunder it shall enter his or her name in the register hereinafter provided for and shall issue a certificate of registration to him or her authorizing him or her to practice such occupation or to teach in registered barber schools as the case may be Any person holding a certificate as a teacher may practice as a berber in any registered barber shop

(b) Any person who has been honorably discharged from service with the armed forces of the United States and who takes an examination for license under the provisions of this act shall have ten per centum added to his or her examination score

(c) Any person registered as an apprentice barber prior to induction into the armed forces of the United States may be admitted to an examination for licensure under the provisions of this act upon presentation of his or her certificate of honorable discharge from such service within one year from date hereof

(d) For any person to be registered as a teacher in a barber school he must be at least twenty-three years of age a graduate from an approved high school or its equivalent and have had either [(a)] (1) at least five years' experience as a registered barber in a registered barber shop in the State of Pennsylvania or [(b)] (2) training in a registered barber school of at least fifteen hundred hours in not less than ten months and in addition thereto two years' experience as a registered barber in the State of Pennsylvania or in lieu of the aforesaid requirements he must have had fifteen years experience as a barber five years of which experience shall have been as a registered barber in a registered barber shop in this State The examination for a teacher's certificate shall differ from the examination for a barber's certificate in that it shall be of a more exacting nature and require higher standards of knowledge of the practice and theories of barbering including ability to teach properly the various practices and theories of barbering physiology hygiene elementary chemistry relating to sterilization and antiseptics massaging and manipulating the muscles of the face neck scalp hair cutting bobbing shaving and trimming the beard dyeing the hair and the barber laws of this State and the rules and regulations adopted by the department and advisory committee The registration fee for teachers shall be five dollars and the annual renewal fee shall be five dollars

Section 5 Nothing in this act shall prohibit any person from serving as an apprentice in such occupation under a registered barber of this Commonwealth or from serving as a student in any barber school for the training of students in said occupation under the training of a duly registered teacher authorized to teach such occupation in this Commonwealth Provided That such apprentice or student shall apply to the department to have his or her name registered with the department in a book which shall be kept by the department and secure a permit upon the payment of a fee of one dollar to practice as an apprentice under a duly registered barber or as a student under a duly registered teacher such permit to be displayed in front of his or her working chair Students upon graduation from a registered barber school and having served eighteen months' apprenticeship in a barber shop or in a registered barber school and apprentices upon completion of two years' apprenticeship in a barber shop as hereinbefore specified shall make application for examination at the next regular period specified in this act or she shall secure a new apprentice permit upon the pay-

In case the applicant fails to pass such examination he ment of a fee of one dollar which shall be valid until the next succeeding examination

Apprentice permits not exceeding [two] four to practice as an apprentice barber may be issued at the discretion of the department

Section 8 The certificate shall be renewed on or before the [first] thirtieth day of April in each year and the holders of said certificates of registration shall pay to the department the su mof two dollars or such other sum as may be fixed by the department for a renewal card Any holder of a certificate of registration who shall fail to apply for a renewal of his or her certificate on or before the [first] thirtieth day of April in each year and who continues the practice of barbering or any of its branches shall on conviction thereof before any magistrate alderman or justice o the peace be subject to a fine of not more than ten dollars to be collected by summary conviction as like fines are collected by law or in case of non-payment of the fine to undergo an imprisonment for a period not exceeding ten days Any such person shall have the right of appeal as in other cases of summary conviction

Section 12 (a) All barber shops shall at all times be under the immediate supervision of a registered barber In no barber shop shall there be more than one apprentice who must be at all times under the supervision o fa barber authorized under this act to practice such occupation All barbe rschools shall keep prominently displayed at every entrance to said school a sign reading "Barber School" Any copartnership corporation or person desiring to operate or conduct a barber shop or barber school shall first secure from the department a permit or registration certificate to do so and shall keep the same prominently displayed The fee for registration of each barber shop shall be two dollars for each permit and the annual renewal fee shall be one dollars and the fee for registration of each barber school shall be fifty dollars and the annual renewal fee therefor shall be twenty-five dollars The department may pass upon the qualifications appointments and course of study in said school which shall be not less than six months All barber schools shall have not less than one registered teacher for every twenty students and in no case less than one full-time teacher who shall be in attendance at all times during the hours the school is open for instruction

(b) No school of barbering shall be granted a certificate of registration unless it requires as a prerequisite to admission thereto graduation from an eighth grade school or its equivalent as determined by an examination conducted by the department and it shall attach to its staff as a part-time teacher a person licensed by the Commonwealth to practice medicine and employ and maintain a sufficient number of competent teachers registered as such and shall passess apparatus and equipment sufficient for the proper and full teaching of all subjects of its curriculum shall keep a daily record of the attendance of each student shall maintain regular class and instruction hours which shall not be less than seven nor more than eight hours per day the school is open for instruction shall establish grades and hold examination before issuance of diplomasand shall be required to maintain a course of study requiring not less than one thousand hours for completion in not less than six months and shall comprise all of the subjects pertaining to barbering the barber laws of this State and the rules and regulations adopted by the department and shall include practical demonstrations and theoretical studies and studies in sanitation sterilization and the use of antiseptics cosmetics and electrical appliances consistent with the practical and theoretical requirements as aplicable to barbering or any practice thereto

(c) No school of barbering shall permit its students to practice barbering of the public under any circumstances except by way of clinical work upon persons willing to submit themselves to such practice after first being properly informed that the operator is a student No school of barbering shall directly or indirectly charge any moneys whatsoever for treatment by its students or for materials used in such treatment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—200

Aaronson,	Gallagher,	MbCullough,	Scanlon,
Andrews,	Getchey,	McDonald,	Schuster,
Bane,	Gibson,	McKinney,	Scott,
Barrett,	Goff,	McMillen,	Serrill,
Baumunk,	Goodling,	Mihm,	Shoemaker,
Beech,	Gorman,	Mikula,	Simons,
Bender,	Graybill,	Miller,	Smith, C. C.,
Bentzel,	Greenwood,	Mills,	Smith, C. M.,
Bloom,	Greer,	Mintess,	Snider,
Boies,	Griffiths,	Mohr,	Sollenberger,
Bonawitz,	Guthrie,	Mooney,	Sorg,
Bower,	Gyger,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenshield,	Murray,	Stimmel,
Brown,	Helm,	Myers,	Stockham,
Brunner,	Henry,	Najaka,	Stonier,
Bucchin,	Hewitt,	Naumann,	Stuart,
Cadwalader,	Hocker,	Needham,	Swope,
Capano,	Hoopes,	Neff,	Tahl,
Cassidy,	Horan,	Nelson,	Thomassy,
Chervenak,	Imbt,	O'Connor,	Thompson,
Chudoff,	Jennings,	O'Dare,	Tittle,
Clevenger,	Johnson,	O'Donnell,	Tompkins,
Cochran,	Johnston,	O'Neill,	Toomey,
Cole,	Jones,	Orban,	Turner,
Cook,	Jump,	Patten,	Upshur,
Cooper,	Kean,	Petrosky,	Vaughan,
Cordier,	Kelley,	Pichney,	Verona,
Costa,	Kemp,	Pickens,	Wachhaus,
Crowley,	Kent,	Polaski,	Wagner,
Dague,	Kirley,	Powers,	Waldron,
Dalrymple,	Kline,	Price,	Wallin,
Davison,	Kohl,	Propert,	Walton,
De Long,	Kratz,	Ragot,	Waterhouse,
Demech,	Krise,	Readinger,	Watkins,
Dennison,	Kurtz,	Reagan,	Watson,
Depuy,	Laughner,	Reese, D. P.,	Weidner,
Dix,	Layer,	Reese, R. E.,	Weiss,
Dye,	Lee,	Reilly, J. M.,	Wescott,
Efenberg,	Leisey,	Reilly, W. J.,	West,
Elder,	Livingston,	Richter,	Wheeler,
Erb,	Livingstone,	Riley,	Wolf,
Evans,	Loftus,	Robbins,	Wood,
Ewing,	Lovett,	Robertson,	Worley,
Feola,	Lyons,	Root,	Yeakel,
Fish,	Madden,	Rose,	Yester,
Fiss,	Madigan,	Rowen,	Yetzer,
Flack,	Mazza,	Royer,	Young,
Fleming,	McCormack,	Sarraf,	Lichtenwalter,
Foor	McCosker,	Sax,	Speaker.
Frost,			

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS PASSED OVER

There being no objection,

House Bill No. 554, Printer's No. 206 and

House Bill No. 636, Printer's No. 210,

were passed over at the request of Mr. GRIFFITHS.

There being no objection,

House Bill No. 1057, Printer's No. 222,

was passed over at the request of Mr. GREER.

PERMISSION TO ADDRESS HOUSE

Mr. COLE asked and obtained unanimous consent to address the House.

Mr. Speaker, I rise at this time to bring something that is of vital importance to one of the major industries of Pennsylvania to the attention of the House.

I understand that last night up at Wyoming, Pennsylvania we had another mine explosion and according to the latest reports nine were killed, four injured and two missing. In the last few weeks we have had a lot of criticism throughout the press and radio about John L. Lewis and the United Mine Workers having a Memorial walk-out on account of the Centralia, Illinois mine disaster. To my mind this walk-out has long been overdue in the coal mines. This safety measure in the coal mines is a measure that the United Mine Workers have been fighting for a good many years without very much success. Our efforts were not crowned with any success at all to amount to anything until last summer when we got what we call the Lewis-Krug agreement. In that agreement safety committees were set up at every mine and we have had a semblance of safety position along with the Federal Mine Safety Law which came out about three months after the Lewis-Krug agreement was signed. Under this safety code and these safety committees set up at the mines in a lot of places we have had a much greater degree of safety in the mines. In a lot of instances the mine operators refused to go along with the Mine Safety Committee. The result was that the conditions in those mines did not get better even under this particular set-up.

Last fall much criticism was given to John L. Lewis and the United Mine Workers on account of the fact that the terms of the Lewis-Krug Agreement had not been complied with by the Department on five different matters of vital importance to the contract. The contract was broken and this safety measure was one of the greatest of those five. The result of that dispute was a case before the Supreme Court of the United States in which John L. Lewis was adjudged guilty of contempt and the United Mine Workers were fined seven hundred thousand dollars, and the Mine Workers were forced to recede from their position of breaking off contract negotiations on April 1st. The week before April 1st, the Centralia mine disaster happened, and under the provisions of the contract a Memorial Holiday was called for one week.

The officials of the United Mine Workers felt that was the only way in which their problem could be brought before the people of the country, and given serious consideration. Many people will say—we hear it on many sides and from many different walks of life, it would have been better had the mine workers stayed at their jobs and given one day's wages to the families in this disaster, which would have been a very fine gesture. The mine workers are still willing to give one day's wages to help these families out, but if the mine workers had stayed at their jobs this condition would not have been brought to the attention of the public as it has been brought by these things in the mining industry. In the bituminous coal mines we have approximately 375,000 men employed throughout the entire United States. Some people give that figure as 400,000. Out of that 375,000 there is an average of 1400 a year killed and 77,000 a year injured, which I leave to your judgment is a mighty high toll for one industry.

At a good many of these mines and mining operations, when any safety conditions are brought to their attention at the mine office by the mine safety committees, they are told "Sure we will go along, we want safety in our mines." I sincerely believe that the operators at most of these mines are sincere when they say they want safety in the mines, but when you get back to the face of the coal, the foreman at the face of that particular section will say "Boys let's get the coal out. What do we care about mining, all we want is production", and that is the way it happens. May I say that in the majority of our mines today we have mechanical operation and no piece work, everything is on a basis of day work and mechanically operated. One shift goes in and they break a record, and the next foreman says, "Here, boys, the other fellows broke a record today, how about our breaking one?" The result is that precautions are thrown to the winds to get the coal out regardless of the safety position.

I think this question of mine safety is one which this Assembly should be very much concerned about because we in Pennsylvania are the largest coal producing state in the nation. I think that this Assembly should instruct the committee on Mines and Mining and also the Mining Department to take immediate steps so that these mine disasters will be very few and far between in the future. I would like for the Assembly to take this matter under serious consideration and that it be done immediately before we have another mine disaster.

Mr. SORG. Mr. Speaker, I think the gentleman's attention should be directed to the timely resolution introduced by the gentleman from Cambria, Mr. Andrews, last week and adopted by this House, instructing the Committee on Mines and Mining on the very matters that the gentleman has referred to.

I have every assurance from the Chairman of the Committee on Mines and Mining that he has already secured the cooperation of the Department of Mines and Mining, that they assume much responsibility in the consideration of the matters referred to, and before this session is over we are hoping for a full and adequate report from them.

Mr. ANDREWS. Mr. Speaker, I had not intended to enter into this discussion today. The reason I interrogated the Chairman of the Mines and Mining Committee is because I had noticed in the press a statement which quoted him as saying, as I read the article, that no program had been outlined by the Mines and Mining Committee because that Committee had no intention of usurping the jurisdiction or functions of the State Mining Department, and because of what I saw, or at least that was the way I read the statement, I felt it necessary to bring the question to the attention of the House. The matter of checking up as to what is being done and what should be done is certainly not infringing upon the prerogatives or the jurisdiction of the State Mining Department. The business of the State Mining Department is in the field to see that laws are enforced. The business of the Mines and Mining Committee under the terms of the resolution passed in this

House is to make such inquiry as in its discretion seems proper, to ascertain, first, whether the Mines and Mining Department is doing its job, whether the mine workers are cooperating with the Mining Department and the operators in establishing safe practices in the mines, and whether in view of all that there is any need for further legislation regarding safety. That, I understand, is the function of the Committee under the terms of the resolution.

Mr. HEWITT. Mr. Speaker, I have not seen the article to which the gentleman from Cambria, Mr. Andrews, has referred. I understood there was an article of some kind in a paper, but Mr. Andrews being a newspaper man, knows that we are often misquoted accidentally.

I stated on the floor of this House yesterday the position of the Committee on Mines and Mining with reference to the resolution of the gentleman from Cambria, Mr. Andrews. I think that everybody within the hearing of my voice regrets the sad news this morning from Luzerne County. There isn't anybody in this House that feels more deeply the seriousness of the situation than I, and I wish to say to the Members of the House that my Committee will do everything possible to remedy this situation if it is in our power to do it.

CONDOLENCE RESOLUTION

Mr. BENTZEL offered a resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was read, considered and adopted as follows:

In the House of Representatives, April 10, 1947.

Harry L. Haines, manufacturer, churchman, community leader, and congressman of Red Lion, York County, Pennsylvania passed away at his home March 29, 1947. His death brought to a close a life time of distinguished achievement.

He entered the cigar business in 1912 and remained active as proprietor of factories in Spry, Jacobus and Loganville until 1936. In conjunction with his business experience, he was a member of the legislative committee of the York County Cigar Manufacturers' association.

During World War I, Mr. Haines was actively engaged in every undertaking and drive connected with the Red Cross, Liberty Loans, War Chest and similar projects.

In 1921 he was elected Burgess of Red Lion, a position he held until 1931. The highlight of his tenure in this office was the marked improvement made in the condition of the borough roads.

Since 1899 he was a member of the Red Lion Bethany Evangelical United Brethren Church and Sunday School. He organized a Men's Bible Class, which remains one of the largest in the State, and was superintendent of the Sunday School for twenty years and a church trustee.

Mr. Haines was associated with numerous civic and social clubs in his community, among them the Lions, Red Cross, Elks, Masonic Order, Boy Scouts, and the Keystone Automobile Club.

His outstanding leadership, integrity, organizational ability, and his record as an efficient public servant led to his long term as a Congressman representing York, Adams and Franklin Counties in the 72nd, 73rd, 74th, 75th and 77th congresses. He promoted legislation authorizing the carrying of air mail by the post office and was a member of the commission for the 75th anniversary observance of the Battle of Gettysburg.

During his life he received various testimonials publicly recognizing his valuable and unselfish service—honors befitting his long career as a community leader; therefore be it

Resolved, That in the passing of Harry L. Haines, his community and State have lost one whose life was devoted to serving them well; and be it further

Resolved, That the Members of this House of Representatives extend their heartfelt sympathy to his widow, Cora Ness Haines, and family, as a token of which the Chief Clerk shall transmit to them a copy of this resolution.

PERMISSION TO ADDRESS HOUSE

Mr. ANDREWS asked and obtained unanimous consent to address the House.

Mr. Speaker, I have a statement concerning the data submitted on behalf of the public school employes' retirement fund in response to House Resolution No. 14, in which I point out that the fund has not answered at least five of the interrogations carried in the resolution. If I may be permitted to submit this statement for the record, Mr. Speaker, I will not ask to read it before the House.

The SPEAKER. Will the House give its consent to print the statement referred to by the gentleman from Cambria. Is there objection? The Chair hears none and consent is granted. The gentleman will submit the statement which will be printed in the Legislative Journal.

(State submitted by Mr. Andrews).

STATEMENT CONCERNING THE DATA SUBMITTED ON BEHALF OF THE PUBLIC SCHOOL EMPLOYES RETIREMENT FUND IN RESPONSE TO HOUSE RESOLUTION NO. 14— SERIAL NO. 7—PRINTER'S NO. 47

The data submitted by the Retirement Fund in response to House Resolution No. 14 does not answer the following questions:

1. The percentage of the fund investments yielding more than 4%, 4%, less than 4%.
2. Total amount earned on the above.
3. Statement of the total amount paid for ad-administering the fund for the last five years from the administration fund.
4. Reasons for defaulted bond principal and interest.
5. The effective date of delinquency to retirement fund of contributions from school districts.
6. Statement of the fund's net operating profit or loss for the last five years.

A considerable mass of photostatic copies of statistical material was submitted. The resolution asked for summaries. However, the summaries submitted do not include the six items listed.

Furthermore, the material submitted lists an interest account deficiency of $202,000 because of administrative expenses for the last two years and interest deficiency of $3,182,000 for the total fund for the last two years. The figures submitted would indicate that the fund was in balance prior to the last two years. The Auditor General's Report does not show this.

The interest account deficiency items substantiate the charge that the management of the fund has been withdrawing administrative expenses from the interest returns which were below 4%. The statutes provide that such expenses should come from earnings above 4%. The fund is of course to go to the Legislature for administrative expenses when they could not be met from interest earnings above 4%. As to whether this was done was one of the questions in the resolution which was left unanswered.

The inference is that the fund did not go to the Legislature for the money properly due it by reason of an interest account deficiency.

PERMISSION TO ADD ADDITIONAL SPONSORS

Mr. SPROUL asked and obtained unanimous consent to add the names of Messrs. BLOOM, LAYER, and SPROUL as additional sponsors to House Bill 598.

REPORTS FROM COMMITTEES

Mr. WEST from the Committee on Counties, reported as committed, House Bill No. 387, entitled:

An Act to further amend section one of the act, approved the eighth day of April, one thousand eight hundred sixty-eight (P. L. 73), entitled "An act to authorize the recorder of deeds in the several counties of this Commonwealth to record the discharges of all honorably discharged officers and soldiers," providing for the recording of certificates of service issued commissioned officers.

Mr. WEISS from the Committee on Counties, reported as committed, House Bill No. 576, entitled:

An Act fixing the fees of the recorder of deeds in counties of the sixth, seventh and eighth class.

Mr. SPROUL from the Committee on Counties, reported as committed, House Bill No. 589, entitled:

An Act to add section four hundred fifty-one to the act approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," authorizing boards of county commissioners to make appropriations to county firemen's associations.

Mr. VAUGHAN from the Committee on Counties, reported as committed, House Bill No. 673, entitled:

An Act to further amend the act, approved the eighth day of July, one thousand nine hundred forty-one (P. L. 298), entitled "An act authorizing the creation of, and providing for, and regulating the maintenance and operation of a county employes' retirement system in counties of the fourth class, imposing certain charges on counties, and fixing penalties," permitting persons returning to county employment within five years to reinstatement upon fulfilling certain conditions.

BILLS INTRODUCED AND REFERRED

By Mr. WEISS. HOUSE BILL No. 1306.

An Act to further amend sections four and four hundred four of the act, approved the fifth day of December, one thousand nine hundred thirty-six (1937 P. L. 2897), entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis; requiring employes to keep records and make reports, and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons; providing procedure and administrative details for the determination, payment and collection of such contributions and the payment of such compensation; providing for cooperation with the Federal Government and its agencies; creating certain special funds in the custody of the State Treasurer; and prescribing penalties," by defining the term "voluntarily leaving," and by increasing the maximum weekly payments and making of uniform duration the period in which such payments are made.

Referred to the Committee on Workmen's Compensation.

By Mr. WEISS. HOUSE BILL No. 1307.

An Act establishing a system of cash sickness compensation to be administered by the Department of Labor and Industry; providing procedure and administrative details for the determination, payment and collection of contributions and the payment of compensation; creating a special fund in the custody of the State Treasurer; requiring employes to keep records, make reports and to pay contributions based on pay contributions based on payroll and prescribing penalties.

Referred to the Committee on Workmen's Compensation.

By Mr. SCOTT. HOUSE BILL No. 1308.

An Act providing for the acquisition by the Department of Forests and Waters, in the name of the Commonwealth, of certain lands in Carbon County for use as a State Park and recreation area; providing for the management of said department, and defining the uses to which the property shall be put, and making an appropriation.

Referred to the Committee on State Government.

By Messrs. ELDER and RILEY. HOUSE BILL No. 1309.

An Act concerning fish, frogs, terrapin, animals of equatic habits, amphibian and other aquatic life, in the waters of this Commonwealth; establishing ownership, jurisdiction and control over the same; enacting, amending, revising, consolidation, and changing the fish laws; fixing penalties, providing for enforcing the laws, granting powers and authority to the Board of Fish Commissioners; enlaring and conferring jurisdiction of magistrates, justices of the peace, aldermen, and courts; providing for establishment, maintenance of a fish fund, and the uses thereof; providing for the taking, transportation, protection, production, and distribution of fish, and aquatic life; providing for acquisition and improvements of lands and waters for the production of fish, establishing public fishing areas, and repealing certain laws.

Referred to the Committee on Fisheries.

RESOLUTIONS INTRODUCED AND REFERRED

By Mr. GOFF. RESOLUTION No. 39.

In the House of Representatives, April 10, 1947.

Whereas, The Colonel Joseph H. Thompson Post, Beaver Falls American Legion Basketball Team has won the State Championship of the American Legion Basketball Tournament by reason of their superior skill and able coaching, therefore be it

Resolved, That the House of Representatives extend to the Beaver Falls Post of the American Legion, its team, coaches and managers its hearty congratulations on the success already achieved by their combined efforts and its wishes for continued success in the future, and be it further

Resolved, That in token of the feelings of the Members of the House of Representatives the Chief Clerk of the House of Representatives is hereby directed to transmit a copy of this resolution to the Commander of the Beaver Falls American Legion, Beaver Falls, Pennsylvania.

Referred to the Committee on Rules.

By Mr. DAVID P. REESE. RESOLUTION No. 40.

In the House of Representatives, April 10, 1947.

Whereas, The operation of the Administrative Agency Law and the Pennsylvania Register Act, in the form in which they were adopted at the legislative session of

1945, are of questionable value to the Commonwealth and the public; and if they are to be permitted to remain on the statute books, should be carefully studied and revised therefore be it.

Resolved, That the Joint State Government Commission be hereby requested, during the interim between the present session of the General Assembly and the regular biennial session of 1949, to study the problems of making uniform the practice and procedure before administrative agencies of the State Government and of appeals therefrom, as well as the review of regulations promulgated by such agencies; and to study the problem of publishing all regulations of State agencies in one register, and making their validity contingent on such publications; and to present its recommendations together with drafts of proposed legislation for the consideration of the General Assembly at its next regular session.

Referred to the Committee on Rules.

FORMER MEMBER WELCOMED

The SPEAKER. The Chair is informed that a former member of the House who served in 1929 and 1931 from Luzerne County, Mr. Oliver Gicking is in the House. Will the gentleman please rise in his place?

HOUSE RESOLUTION No. 32

Mr. DeLONG. Mr. Speaker, I desire to call up House Resolution No. 32, Printer's No. 307.

The resolution was read, considered and adopted as follows:

In the House of Representatives, March 31, 1947.

Whereas, The basketball team of Allentown High School has won three successive State championships under the expert tutelage of Coach J. Birney Crum therefore be it

Resolved, That the Members of the House of Representatives extend Allentown High School its team and Coach Crum its hearty congratulations on the success therein achieved by their combined efforts and be it further

Resolved, That we wish them continued success in the future and be it further

Resolved, That in token of our feelings the Chief Clerk of the House of Representatives is directed to transmit a copy of this resolution to the Principal of Allentown High School Allentown Pennsylvania

ADJOURNMENT

Mr. CASSIDY. Mr. Speaker, I move that this House do now adjourn until, Monday, April 14, 1947 at 4:30 p. m.

The motion was agreed to, and (at 12:26 p. m.) the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1947. 137th of the General Assembly.

Vol. 30. HARRISBURG, PA., MONDAY, APRIL 14, 1947. No. 38.

SENATE

MONDAY, April 14, 1947

The Senate met at 4:00 o'clock, p. m., Eastern Standard Time.

The PRESIDENT (Lieutenant-Governor Daniel B. Strickler) in the Chair.

PRAYER

The Chaplain, Rev. W. MURRAY YOUNG, offered the following prayer:

Almighty God, unto whom all hearts are open, all desires known, and from whom no secrets are hidden, make us sensible of Thy power to explore the mind and search the heart of mankind, that we may be truly humble in Thy presence. We know the depth of Thy love and the expansiveness of Thy mercy toward us all. Therefore, make us worthy servants of Thine, who daily enjoy Thy benefits.

Grant, Eternal Father, that Thy sovereign power may work in us. If we be one with Thee, then in every conflict, bitter passion, and strange struggle we are saved from evil assualts which constantly threaten us. Fill us with faith, reverence, hope, and love; strengthen and harmonize our souls by the vision of the holy Good and the holy God, which Thou art!

Do Thou be with all sick and suffering ones; comfort, soothe, and quiet them in their affliction; reach down from Thy throne and help them bear the sorrows that bow them down. Bring peace, happiness and prosperity to all the homes and firesides within the state and the nation. Counsel the Chief Executive of our Nation, the Chief Executive of our beloved State, and all those associated with them, as they together seek to strengthen and further the true American way of life, which is the way of righteousness. For Thy Name's sake we pray. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. TALLMAN and Mr. LORD, further reading was dispensed with, and the Journal was approved.

LEAVES OF ABSENCE

Mr. Wade asked and obtained leave of absence for Mr. LLOYD H. WOOD.

Mr. Rosenfeld asked and obtained leave of absence for Mr. JASPAN.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows:

APPROVED AND SIGNED SENATE BILL No. 28, PRINTER'S No. 61

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 11, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 28, Printer's No. 61, entitled "An act to amend the act approved the fifth day of May one thousand nine hundred twenty-one (P. L. 420) entitled 'An act to supplement an act entitled "An act authorizing the erection and construction by counties of memorial halls in memory of the soldiers sailors and marines of such counties providing for an election to determine whether such hall shall be erected providing for the purchase and condemnation of property for such purposes regulating the use of such halls and providing for the maintenance and care of the same by a board of control at the expense of the county" approved the seventeenth day of March one thousand nine hundred and twenty-one by providing for the planting of memorial trees and prescribing penalties' by further providing for the planting of memorial trees by certain political subdivisions."

JAMES H. DUFF.

NOMINATIONS BY THE GOVERNOR

NOTARIES PUBLIC

He also presented in writing from His Excellency, the Governor of the Commonwealth, nominations for appointment as Notaries Public.

CONSIDERATION OF NOTARIES PUBLIC

Mr. KEPHART. Mr. President, I move that the Senate do now proceed to the consideration of nominations for appointment as Notaries Public, sent to the Senate, by His Excellency, the Governor of the Commonwealth, on April 14, 1947.

Mr. BLASS. Mr. President, I second the motion.

The motion was agreed to.

The nominations were read as follows:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 14, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Ellwood C. Cridge, Pittsburgh, 2100 W. Liberty Ave.
Raymond S. Ehrman, Pittsburgh, 929 Penn Ave.
H. R. Friske, Pittsburgh, 306 May Bldg., 119 Fifth Ave.
Miss Ruth A. Fulton, Pittsburgh, 5930 Broad St (6).
William P. Geisler, Pittsburgh, 904 Penn Ave. (21).
L. W. Hutchinson, Pittsburgh, Commercial Credit Co., 5870 Baum Blvd. (6).
William B. Lewis, Dormont.
Anthony Maroulis, Millvale.
Albert W. Schott, Etna.

BEAVER COUNTY

Mrs. Eleanor W. Wehr, Beaver.
Harry D. Woods, New Brighton.

CUMBERLAND COUNTY

Elmer E. Miller, North Middleton Twp., Carlisle, R. 4.

DAUPHIN COUNTY

Mrs. Jennie B. Brugnoni, Harrisburg.
William M. Groff, Williamstown.

DELAWARE COUNTY

John J. Comerford, Upper Darby Twp., McClatchy Bldg., Upper Darby.
Edward J. Johns, Media.

ERIE COUNTY

William E. Franz, Erie.
Matthew F. McCarthy, Erie.

FAYETTE COUNTY

W. P. Shaw, North Union Twp., Hopwood.

LAWRENCE COUNTY

Harold M. Leach, New Castle.

LEHIGH COUNTY

Robert B. Krause, North Whitehall Twp., R. D. 1, Schnecksville.

PHILADELPHIA COUNTY

Francis N. Bradley, Phila., 900 N. 15th St.
Miss Margaret M. Cabrey, Phila., 1632 Lincoln Liberty Bldg. (7).
George Evans, Phila., 6300 N. Broad St.
Harold Greenberg, Phila., 1017 Bankers Securities Bldg.
John P. Judge, Phila., 205 City Hall.
William J. Keul, Phila., 4609 Old York Rd. (40).
Kenneth R. Kohler, Phila., 2606 W. Dauphin St.
Mrs. Leona S. Kurtzhalz, Phila., 3116 N. 17th St.
Miss Clarice M. Pidcock, Phila., 225 S. 15th St.
Miss Evelyn Shtendel, Phila., Frankford Ave. & Benner St.
Edward H. Smyrl, Phila., 322 Witherspoon Bldg.

SCHUYLKILL COUNTY

John G. Kehlor, Blythe Twp., Cumbola.
Nicholas Sukeena, Pottsville.

VENANGO COUNTY

Miss Dorothy Carr, Franklin.

WESTMORELAND COUNTY

Mrs. E. G. Ream, Greensburg.

JAMES H. DUFF.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 14, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as Notaries Public, for terms of four years to compute from the dates set opposite their names:

LUZERNE COUNTY

Joseph Belcastro, Wilkes-Barre, April 19, 1947.

LACKAWANNA COUNTY

Harry C. Hubler, Scranton, April 21, 1947.

ALLEGHEHNY COUNTY

V. E. Griffin, Glassport, April 22, 1947.
C. C. Meyer, Pittsburgh, 613 Bakewell Bldg. (19), April 24, 1947.

BERKS COUNTY

Mrs. Pauline E. Colove, Robesonia, May 5, 1947.

LUZERNE COUNTY

Miss Kay H. Connor, Wilkes-Barre, May 5, 1947.

PHILADELPHIA COUNTY

Luke M. Fisher, Phila., 2628 Island Ave., May 5, 1947.

JAMES H. DUFF.

NOMINATIONS FOR NOTARIES PUBLIC

A motion was made by Mr. KEPHART and Mr. BLASS,

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahauser,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsher,	Ruth,	Watson,
Crowe,	Kephart,	Scarlett,	Wilson,
Dent,	Klein,	Snowden,	Wolfe,
DiSilvestro,	Lane,	Stevenson,	Wood, T. N.,
Doehla,	Leader,	Stiefel,	Woodring,
Farrell,	Letzler,	Tallman,	

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

He also presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations.

JUSTICES OF THE PEACE

Commonwaelth of Pennsylvania,
Governor's Office, Harrisburg, April 14, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following:

S. Elmore Haag, Main Street, Newfoundland, for appointment as Justice of the Peace in and for the Township of Dreher, Wayne County, until the first Monday of January, 1948, to succeed himself.

Frederick A. Holbert, 1240 Overlook Avenue, Honesdale, for appointment as Justice of the Peace in and for the Borough of Honesdale, Wayne County, until the first Monday of January, 1948, vice Robert B. Matthews, resigned.

JAMES H. DUFF.

MEMBERS OF COUNTY BOARDS OF ASSISTANCE

Commonwaelth of Pennsylvania,
Governor's Office, Harrisburg, April 14, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Members of County Boards of Assistance:

ADAMS COUNTY

William Sneeringer (Democrat), Littlestown, to serve until December 31, 1947, and until his successor is duly appointed and qualified, vice J. Hayes Beard, Gettysburg, deceased.

BLAIR COUNTY

Mrs. Virgie M. Cowan (Republican), Claysburg, to serve until December 31, 1948, and until her successor is duly appointed and qualified, vice Mrs. Lucretia Lingenfelter Black, Claysburg, deceased.

BUCKS COUNTY

Mrs. Lillian Williams (Republican), Bellevue and Fairview Avenues, Langhorne, from January 3, 1946, until December 31, 1947.

Mrs. Marion G. Hartzel (Republican), Chalfont, from January 1, 1947, until December 31, 1949.

Mrs. Adele Warden Paxson (Republican), Holicong, from January 3, 1946, until December 31, 1948.

Mrs. Esther Foellner (Democrat), Revere, from August 12, 1946, until December 31, 1948, and until her successor is duly appointed and qualified.

Raymond D. Bitzer (Republican), Doylestown, from October 28, 1946, until December 31, 1947, and until his successor is duly appointed and qualified.

Mrs. Elizabeth N. Lynch (Republican), Davisville, from January 1, 1947, until December 31, 1949, and until her successor is duly appointed and qualified.

Mrs. Violet Hunsberger (Republican), 19 South 6th Street, Quakertown, from January 1, 1947, until December 31, 1949, and until her successor is duly appointed and qualified.

BUTLER COUNTY

R. J. Ferguson (Republican), 330 East Pearl Street, Butler, from May 8, 1945, until December 31, 1947.

Mrs. Rebekah Cypher (Republican), 530 East Brady Street, Butler, from May 8, 1945, until December 31, 1947, and until her successor is duly appointed and qualified.

Finley J. Hawk (Democrat), Petrolia, from January 1, 1947, until December 31, 1949.

Gerald E. McCandless (Republican), R. D. No. 1, Butler, from October 14, 1946, until December 31, 1948, and until his successor is duly appointed and qualified.

Mrs. Madge S. McMichael Republican), 514 North Main Street, Butler, from October 14, 1946, until December 31, 1948, and until her successor is duly appointed and qualified.

Glenn D. Cramer (Republicna), R. D. 1, Sarver, from January 1, 1947, until December 31, 1949, and until his successor is duly appointed and qualified.

CARBON COUNTY

Roy Remaley (Republican), 10 South Pine Street, Summit Hill, from January 3, 1946, until December 31, 1948, and until his successor is duly appointed and qualified.

George M. D. Richards, Esq., (Republican), 107 East Patterson Street, Lansford, to serve until December 31, 1949, and until his successor is duly appointed and qualified, vice George H. Mitten, Lansford, whose term expired.

John A. Marzen (Democrat), East Mauch Chunk, to serve until December 31, 1948, and until his successor is duly appointed and qualified, vice Michael E. McGinley, East Mauch Chunk, deceased.

CENTRE COUNTY

Newton Hartswick (Republican), 523 North Allen Street, State College, from November 18, 1946, until December 31, 1947.

James H. Holmes (Republican), 805 West College Avenue, State College, from November 18, 1946, until December 31, 1947.

Rev. Charles W. Maclay (Republican), 509 Presqueisle Street, Philipsburg, from November 18, 1946, until December 31, 1948.

George Vonada (Democrat), Zion, Bellefonte, from April 15, 1946, until December 31, 1948, and until his successor is duly appointed and qualified.

J. M. Curtin (Republican), West Curtin Street, Bellefonte, from January 1, 1947, until December 31, 1949, and until his successor is duly appointed and qualified.

Rev. J. S. Shannon (Republican), Millheim, from January 1, 1947, until December 31, 1949, and until his successor is duly appointed and qualified.

CLARION COUNTY

Evans Jay Miller (Democrat), Knox, from January 7, 1946, until December 31, 1948, and until his successor is duly appointed and qualified.

William Clair Elliot (Republican), Sligo, from January 7, 1946, until December 31, 1948, and until his successor is duly appointed and qualified.

Dr. H. M. Wellman (Republican), St. Petersburg, from January 1, 1947, until December 31, 1949, and until his successor is duly appointed and qualified.

Mrs. Edna M. Seifert (Republican), New Bethlehem, from January 1, 1947, until December 31, 1949, and until her successor is duly appointed and qualified.

Mrs. Lula A. Walley (Republican), Crown, from January 1, 1947, until December 31, 1949, and until her successor is duly appointed and qualified.

CLEARFIELD COUNTY

T. R. McCracken (Democrat), Mahaffey, from January 3, 1946, until December 31, 1948.

S. T. McClure (Republican), 11 West Front Street, Clearfield, from December 27, 1945, until December 31, 1947, and until his successor is duly appointed and qualified.

M. L. Silberblatt (Republican), 105 South 2d Street, Clearfield, from December 27, 1945, until December 31, 1947, and until his successor is duly appointed and qualified.

Mrs. Letitia Good (Republican), 609 Lingle Street, Osceola Mills, from January 1, 1947, until December 31, 1949, and until her successor is duly appointed and qualified.

Raymond J. Swallow (Republican), Day Apartments, South Brady Street, DuBois, from January 3, 1946, until December 31, 1948, and until his successor is duly appointed and qualified.

Rev. Ezra Floyd Pearce (Republican), Burnside, from January 1, 1947, until December 31, 1949, and until his successor is duly appointed and qualified.

Glenn H. Flickinger (Republican), Coalport, from Jan-

uary 1, 1947, until December 31, 1949, and until his successor is duly appointed and qualified.

CLINTON COUNTY

John A. Frey (Democrat), 445 Church Street, Lock Haven, from January 8, 1946, until December 31, 1948, and until his successor is duly appointed and qualified.

Mrs. Dorothy F. Kephart (Republican), Main Street, Mill Hall, to serve until December 31, 1948, and until her successor is duly appointed and qualified, vice Ralph Welshans, Loganton, whose term expired.

DELAWARE COUNTY

Howard R. Palmer (Democrat), 303 East 19th Street, Chester, to serve until December 31, 1949, and until his successor is duly appointed and qualified, vice Harry Deakyne, Chester, deceased.

ERIE COUNTY

Miss Laura Jane Linnell (Republican), 3944 Wood Street, Erie, to serve until December 31, 1949, and until her sucessor is duly appointed and qualified, vice Mrs. Rachel Spencer, Erie, whose term expired.

FAYETTE COUNTY

John Farrell (Republican), Uniontown Hospital, Uniontown, from March 21, 1946, until December 31, 1947.

Mrs. Louise L. Whipp, (Republican), 319 Railroad Street, Point Marion, from March 21, 1946, until December 31, 1948.

J. Alfred Baer (Republican), Masontown, from March 21, 1946, until December 31, 1947, and until his successor is duly appointed and qualified.

Mrs. Elizabeth B. Hood (Republican), 173 South Beeson Avenue, Uniontown, from January 1, 1947, until December 31, 1949, and until her successor is duly appointed and qualified.

Homer Wolford (Republican), 120 Angle Street, Brownsville, from March 21, 1946, until December 31, 1948, and until his successor is duly appointed and qualified.

Stewart M. DeHuff (Republican), 1206 Race Street, Connellsville, from January 1, 1947, until December 31, 1949, and until his successor is duly appointed and qualified.

FULTON COUNTY

Roy W. Layton (Republican), Warfordsburg, from February 13, 1946, until December 31, 1947, and until his successor is duly appointed and qualified.

Wilson Nace (Republican), McConnellsburg, from February 13, 1946, until December 31, 1947, and until his successor is duly appointed and qualified.

J. Campbell Patterson (Republican), McConnellsburg, from February 13, 1946, until December 31, 1948, and until his successor is duly appointed and qualified.

Miss Martha Lodge (Democrat), McConnellsburg, from January 1, 1947, until December 31, 1949, and until her successor is duly appointed and qualified.

Rev. David Hoover (Republican), McConnellsburg, from May 6, 1946, until December 31, 1948, and until his successor is duly appointed and qualified.

S. Logue Wink (Republican), Needmore, from January 1, 1947, until December 31, 1949, and until his successor is duly appointed and qualified.

Ralph Fraker (Republican), Fort Littleton, from January 1, 1947, until December 31, 1949, and until his successor is duly appointed and qualified.

LACKAWANNA COUNTY

Dr. John M. Maloney (Democrat), 1614 Jefferson Avenue, Dunmore, from July 29, 1946, until December 31, 1948, and until his successor is duly appointed and qualified.

LANCASTER COUNTY

Mrs. Irene Weidman (Republican), 113 East Main Street, Ephrata, from January 3, 1946, until December 31, 1948.

Francis P. Sharpless (Republican), 585 School Lane, Lancaster from December 17, 1945, until December 31, 1947, and until his successor is duly appointed and qualified.

Clifford B. Wightman (Republican), 977 Pleasure Road, Lancaster, from December 17, 1945, until December 31, 1947, and until his successor is duly appointed and qualified.

Mrs. Carey Foltz (Democrat), Kinzers, from December 18, 1946, until December 31, 1948, and until her successor is duly appointed and qualified.

Douglas W. Darmstetter (Republican), 1311 Clayton Road, Lancaster, from January 1, 1947, until December 31, 1949, and until his successor is duly appointed and qualified.

Mrs. Anna G. Hicks (Republican), Maytown, from January 1, 1947, until December 31, 1949, and until her successor is duly appointed and qualified.

LEBANON COUNTY

Lloyd W. Boyer (Republican), 340 South 8th Street, Lebanon, from May 8, 1946, until December 31, 1947.

Earnest Williams (Republican), Annville, from May 8, 1946, until December 31, 1947, and until his successor is duly appointed and qualified.

Rev. David Lockart (Republican), 304 West Main Street, Myerstown, from January 1, 1947, until December 31, 1949.

Clayton R. Boltz (Democrat), Lancaster Street, Jonestown, from May 8, 1946, until December 31, 1948, and until his successor is duly appointed and qualified.

Mrs. Merle Albert (Republican), 204 High Street, Lebanon, from May 8, 1946, until December 31, 1948, and until her successor is duly appointed and qualified.

Raymond J. Coleman (Republican), 302 Park Avenue, Lebanon, from January 1, 1947, until December 31, 1949, and until his successor is duly appointed and qualified.

Mrs. Margaret M. Walter (Republican), 1800 West Cumberland Street, Lebanon, to serve until December 31, 1949, and until her successor is duly appointed and qualified, vice Mrs. Mabel G. Seltzer, Palmyra, resigned.

LUZERNE COUNTY

John A. Carroll (Democrat), 144 East State Street, Larksville, Wilkes-Barre, from November 26, 1946, until December 31, 1948, and until his successor is duly appointed and qualified.

Hyman Landau (Republican), 470 South Franklin Street, Wilkes-Barre, from November 26, 1946, until December 31, 1948, and until his successor is duly appointed and qualified.

Edward J. Evans (Republican), 59 Pierce Street, Kingston, from November 26, 1946, until December 31, 1947, and until his successor is duly appointed and qualified.

Mrs. Kate Jenkins (Republican), 66 South Meade Street, Wilkes-Barre, from January 1, 1947, until December 31, 1949, and until her successor is duly appointed and qualified.

LYCOMING COUNTY

Dr. Stuart B. Gibson (Republican), 416 Pine Street, Williamsport from January 3, 1946, until December 31, 1947.

Rev. J. Ray Houser (Democrat), 28 Huffman Avenue, Williamsport, from January 1, 1947, until December 31, 1949.

Dr. John E. Whittaker (Republican), 334 Lincoln Avenue, Williamsport, from January 3, 1946, and December 31, 1947, and until his successor is duly appointed and qualified.

Mrs. Mary Fisher Gleason (Republican), 348 Washington Avenue, Jersey Shore, from January 3, 1946, until December 31, 1948, and until her successor is duly appointed and qualified.

Berton C. Hunsinger (Republican), 607 Poplar Street, Williamsport, from January 3, 1946, until December 31,

1948, and until his successor is duly appointed and qualified.

Mrs. Grace M. Soars (Republican), 229 West Penn Street, Muncy, from January 1, 1947, until December 31, 1949, and until her successor is duly appointed and qualified.

Mrs. Clarinda P. Reighard (Republican), 409 Hawthorne Avenue, Williamsport, to serve until December 31, 1949, and until her successor is duly appointed and qualified, vice William H. Hough, Williamsport, resigned.

MIFFLIN COUNTY

John D. Tyson (Republican), Burnham, from January 8, 1946, until December 31, 1948, and until his successor is duly appointed and qualified.

Jay M. Riden (Republican), 515 Lindbergh Way, Lewistown, from January 1, 1947, until December 31, 1949, and until his successor is duly appointed and qualified.

Mrs. Catherine Saxton (Republican), 218 North Grand Street, Lewistown, to serve until December 31, 1949, and until her successor is duly appointed and qualified, vice Mrs. Gertrude Silcox, Lewistown, resigned.

NORTHAMPTON COUNTY

Hon. Henry A. Miller (Republican), 2012 Main Street, Northampton, from May 9, 1945, until December 31, 1947.

Arthur Stoddard (Republican), 60 North 3d Street, Bangor, from May 9, 1945, until December 31, 1947.

Mrs. Emilie Walls (Democrat), 50 East Market Street, Bethlehem, from January 21, 1946, until December 31, 1948, and until her successor is duly appointed and qualified.

Rabbi Joshua Trachtenberg (Independent), 110 Parker Avenue, Easton, from January 21, 1946, until December 31, 1948, and until his successor is duly appointed and qualified.

Roy D. Hassler (Republican), 1465 Main Street, Bethlehem, from January 1, 1947, until December 31, 1949, and until his successor is duly appointed and qualified.

Harry J. Seyfried (Republican), 121 Belvidere Avenue, Nazareth, from January 1, 1947, until December 31, 1949, and until his successor is duly appointed and qualified.

Francis J. Gafford (Republican), 1504 Ferry Street, Easton, from January 1, 1947, until December 31, 1949, and his successor is duly appointed and qualified.

NORTHUMBERLAND COUNTY

Mrs. Natalie Swaboski (Republican), 327 South Poplar Street, Mt. Carmel, from January 15, 1946, until December 31, 1948, and until her successor is duly appointed and qualified.

Dr. Joseph T. Wasilewski (Democrat), 856 Chestnut Street, Kulpmont, from January 15, 1946, until December 31, 1948.

POTTER COUNTY

E. P. Huntington (Republican), Coudersport, from January 1, 1947, until December 31, 1949, and until his successor is duly appointed and qualified.

John Beckman (Democrat), Coudersport, from January 1, 1947, until December 31, 1949, and until his successor is duly appointed and qualified.

SULLIVAN COUNTY

Harry Haywood (Republican), Eagles Mere, to serve until December 31, 1949, and until his successor is duly appointed and qualified, vice J. H. Dieffenbach, Colley, whose term expired.

Miss Anne Yarosh (Republican), Lopez, to serve until December 31, 1949, and until her successor is duly appointed and qualified, vice Edward M. Williams, Wheelerville, whose term expired.

Mrs. Mary L. Hertz (Democrat), Sonestown, to serve until December 31, 1948, and until her successor is duly appointed and qualified, vice Mrs. Marie Hydock, Sonestown, whose term expired.

Mrs. Susan Morgan (Republican), Wheelerville, to serve until December 31, 1949, and until her successor is duly appointed and qualified, vice Edward B. Wright, Forksville, whose term expired.

Mrs. Marie Kanally (Republican), Hillsgrove, to serve until December 31, 1947, and until her successor is duly appointed and qualified, to fill a vacancy.

Frank J. Bendinsky (Republican), Mildred, from January 8, 1946, until December 31, 1948, and until his successor is duly appointed and qualified.

SUSQUEHANNA COUNTY

A. D. Kehren (Republican), 735 North Main Street, Forest City, from December 18, 1945, until December 31, 1947.

Byron Benninger (Republican), Dimock, from December 18, 1945, until December 31, 1947, and until his successor is duly appointed and qualified.

Mrs. Elizabeth Mack (Republican), Montrose, from January 3, 1946, until December 31, 1948, and until her successor is duly appointed and qualified.

Mrs. Elizabeth Shinners (Democrat), Franklin Street, Great Bend, from January 3, 1946, until December 31, 1948, and until her successor is duly appointed and qualified.

Mark B. Lake (Republican), South Montrose, to serve until December 31, 1949, and until his successor is duly appointed and qualified. (Reappointment.)

Edmund J. Tierney (Republican), 502 Jackson Avenue, Susquehanna, from January 1, 1947, until December 31, 1949, and until his successor is duly appointed and qualified.

Mrs. Cecile H. Coleman (Democrat), Rushville, from January 1, 1947, until December 31, 1949, and until her successor is duly appointed and qualified.

UNION COUNTY

Hon. Robert Smith (Republican), R. D., Millmont, from December 18, 1945, until December 31, 1947, and until his successor is duly appointed and qualified.

Alvah D. Campbell (Republican), Box 28, Allenwood, from December 18, 1945, until December 31, 1947, and until his successor is duly appointed and qualified.

Hon. Frank L. Dersham (Democrat), 222 Market Street, Lewisburg, from January 1, 1947, until December 31, 1949.

Mrs. Laura M. Von Neida (Republican), Laurelton, from January 3, 1946, until December 31, 1948.

Mrs. Mae Gardner (Republican), R. F. D. No. 2, Mifflinburg, from January 3, 1946, until December 31, 1948, and until her successor is duly appointed and qualified.

Robert V. Glover (Republican), Mifflinburg, from January 1, 1947, until December 31, 1949, and until his successor is duly appointed and qualified.

Mrs. Esther G. Sauvain (Republican), 1413 Market Street, Lewisburg, from January 1, 1947, until December 31, 1949, and until her successor is duly appointed and qualified.

VENANGO COUNTY

H. Carl Wasson (Republican), 1528 Elk Street, Franklin, from February 25, 1946, until December 31, 1947.

E. H. Messer (Democrat), 23 Smedley Street, Oil City, from February 25, 1946, until December 31, 1947, and until his successor is duly appointed and qualified.

Mrs. Dorothy Koch Owens (Republican), 946 Elk Street, Franklin from January 1, 1947, until December 31, 1949, and until her successor is duly appointed and qualified.

Leo M. Brewster, Esq., (Republican), 103 Harriott Avenue, Oil City, from January 1, 1947, until December 31, 1949, and until his successor is duly appointed and qualified.

WARREN COUNTY

Mrs. Marjorie Finlan (Democrat), Youngsville, from November 18, 1946, until December 31, 1948, and until her successor is duly appointed and qualified.

Mrs. Anna Hertzel (Republican), 400 Fifth Avenue, Warren, from January 1, 1947, until December 31, 1949, and until her successor is duly appointed and qualified.

Henry McConnell (Republican), 606 Market Street, Warren, from January 1, 1947, until December 31, 1949, and until his successor is duly appointed and qualified.

R. Pierson Eaton, Esq., (Republican), Warren National Bank Building, Warren, from January 1, 1947, until December 31, 1949, and until his successor is duly appointed and qualified.

WAYNE COUNTY

Mrs. Gladys Herrman (Democrat), 108 Cliff Street, Honesdale, from January 1, 1947, until December 31, 1949.

Millard Transue (Republican), Orson, from November 26, 1946, until December 31, 1948, and until his successor is duly appointed and qualified.

Mrs. Catherine Hippensteel (Republican), Park Street, Honesdale from October 11, 1946, until December 31, 1948, and until her successor is duly appointed and qualified.

John E. Bigart (Republican), Lake Ariel, from January 1, 1947, until December 31, 1949, and until his successor is duly appointed and qualified.

Miles Young (Republican), Damascus Township, Wayne County. R. D., Narrowsburg, New York, from December 31, 1946, until December 31, 1947, and until his successor is duly appointed and qualified.

Mrs. Beulah Fortnam (Republican), Tyler Hill, from January 1, 1947, until December 31, 1949, and until her successor is duly appointed and qualified.

JAMES H. DUFF.

HOUSE MESSAGES

HOUSE CONCURS IN SENATE BILL No. 174

The Clerk of the House of Representatives being introduced, returned to the Senate, Senate Bill No. 174, entitled:

An Act to amend clause XLVIII of section one thousand five hundred two of the act approved the twenty-fourth day of June, one thousand nine hundred thirty-one (P. L. 1206), entitled "An act concerning townships of the first class; amending, revising, consolidating, and changing the law relating thereto," further regulating garbage and treatment works.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 175

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 175, entitled:

An Act to further amend section six hundred twenty-two of the act approved the twenty-fourth day of June, one thousand nine hundred thirty-one (P. L. 1206), entitled "First Class Township Law," increasing expense allowance.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 208

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 208, entitled:

An Act to amend section five hundred fifteen of the act, approved the first day of May, one thousand nine hundred thirty-three (P. L. 103), entitled "The Second Class Township Law," increasing compensation of supervisors for each meeting attended.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 239

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 239, entitled:

An Act to further amend the act approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 457), entitled "Building and Loan Code," by further defining and limiting the rights, powers, duties, liabilities, and immunities of building and loan associations, and their shareholders.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 296

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 296, entitled:

An Act relating to the incidents of legal and equitable interests in real and personal property including the validity thereof the powers rights and duties of persons with respect thereto and the disposition of interests which fail and containing provisions concerning termination of trusts releases and disclaimers of powers and interests perpetuities accumulations charitable estates rights of a surviving spouse in property as to which the decedent has retained certain powers spendthrift trusts limited estates in property rules of interpretation estates pur auter vie estates in fee tail and the Rule in Shelley's Case.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 297

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 297, entitled:

An Act relating to the descent of the real and personal estate of persons dying intestate and the procedure in reference thereto.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 298

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 298, entitled:

An Act relating to the form, execution, revocation, operation, and interpretation of wills; to nuncupative wills; to the appointment of testamentary guardians; to elections to take under or against wills and the procedure in reference thereto.

BILLS SIGNED

The PRESIDENT (Lieutenant-Governor Daniel B. Strickler) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

Senate Bill No. 174, entitled:

An Act to amend clause XLVIII of section one thousand five hundred two of the act approved the twenty-fourth day of June, one thousand nine hundred and thirty-one (P. L. 1206), entitled "An act concerning townships of the

first class amending, revising, consolidating and changing the law relating thereto," further regulating garbage and treatment works.

House Bill No. 175, entitled:

An Act to further amend section six hundred twenty-two of the act approved the twenty-fourth day of June, one thousand nine hundred thirty-one (P. L. 1206), entitled "First Class Township Law," increasing expense allowance.

House Bill No. 208, entitled:

An Act to amend section five hundred fifteen of the act approved the first day of May, one thousand nine hundred thirty-three (P. L. 103), entitled "The Second Class Township Law," increasing compensation of supervisors for each meeting attended.

House Bill No. 239, entitled:

An Act to further amend the act approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 457), entitled "Building and Loan Code," by further defining and limiting the rights, powers, duties liabilities, and immunities of building and loan associations, and their shareholders.

House Bill No. 296, entitled:

An Act relating to the incidents of legal and equitable interests in real and personal property including the validity thereof the powers rights, and duties of persons with respect thereto and the disposition of interests which fail and containing provisions concerning termination of trusts, releases and disclaimers of powers and interests perpetuities accumulations charitable estates rights of a surviving spouse in property as to which the decedent has retained certain powers spendthrift trusts limited estates in property rules of interpretation estates pur auter vie estates in fee tail and the Rule in Shelley's Case

House Bill No. 297, entitled:

An Act relating to the descent of the real and personal estates of persons dying intestate and the procedure in reference thereto

House Bill No. 298, entitled:

An Act relating to the form execution, revocation, operation and interpretation of wills to nuncupative wills to the appointment of testimony guardians to elections to take under or against wills and the procedure in reference thereto

House Bill No. 313, entitled:

An Act authorizing and empowering cities of the first class of this Commonwealth to acquire by purchase, lease or condemnation, any land within said cities with the buildings thereon, if any, for use as the site for parking lots or public garages; to operate subject to certain conditions or to lease such parking lots or garages for private operation, and to fix the terms and conditions of such leases.

Whereupon,

The PRESIDENT (Lieutenant-Governor Daniel B. Strickler) in the presence of the Senate signed the same.

HOUSE MESSAGES

HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives being introduced presented for concurrence bills of the House, as follows:

House Bill No. 99, entitled:

An Act to add section one thousand one hundred twenty-five point one to the act approved the fourth day of May, one thousand nine hundred twenty-seven (P. L. 519), entitled "General Borough Act," authorizing the assignment of policemen to training schools and the payment of their expenses thereat.

Which was committed to the Committee on Local Government.

House Bill No. 211, entitled:

An Act to encourage and promote the apple industry of the Commonwealth; creating the Pennsylvania State Apple Board; defining its powers and duties; providing for campaigns of education, advertising, publicity, sales promotion and research to promote the sale and consumption of Pennsylvania apples; levying a tax on apples; appropriating the proceeds of such tax; conferring powers and imposing duties on the Department of Revenue; and prescribing penalties.

Which was committed to the Committee on Agriculture.

House Bill No. 287, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor, to convey to the Borough of Towanda for use as an airport, certain real estate located in the Township of Towanda, County of Bradford, and heretofore acquired by the Commonwealth for development as an airport.

Which was committed to the Committee on State Government.

House Bill No. 361, entitled:

An Act to further amend section two hundred twenty of the act approved the second day of May, one thousand nine hundred twenty-five (P. L. 448), entitled "Fish Law of 1925," providing for free fishing licenses to certain disabled war veterans.

Which was committed to the Committee on Forests and Waters, Game and Fish.

House Bill No. 494, entitled:

An Act to further amend the act approved the nineteenth day of June, one thousand nine hundred thirty-one (P. L. 589), entitled, as amended, "Barbers License Law," by further regulating the practice of barbering, the annual renewal of certificates, and the eligibility requirements for examinations.

Which was committed to the Committee on Education.

House Bill No. 508, entitled:

An Act to amend section five hundred twenty-one of the act approved the first day of June, one thousand nine hundred forty-five (P. L. 1242), entitled "State Highway Law," permitting the department to take over and maintain structures bridges and viaducts in certain cities.

Which was committed to the Committee on Highways.

House Bill No. 531, entitled:

A Supplement to the act approved the seventh day of March, one thousand nine hundred and one (P. L. 20), entitled "Second Class City Law," establishing a department of parks and recreation in said cities; providing for its officers and employees; and defining the powers duties and jurisdiction of said department.

Which was committed to the Committee on Local Government.

House Bill No. 538, entitled:

An Act to further amend the act approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "General County Law," creating a County Transit and Traffic Commission in counties of the second class, providing for its membership and defining its powers and duties.

Which was committed to the Committee on Local Government.

House Bill No. 635, entitled:

An Act to amend sections three and eight of the act approved the sixth day of April, one thousand eight hundred thirty (1829-30 P. L. 272), entitled "An act for the levy and collection of taxes upon proceedings in courts and in the offices of register and recorder, and for other purposes," by further providing for the levy and collection of taxes in certain court proceedings.

Which was committed to the Committee on Judiciary General.

House Bill No. 742, entitled:

An Act to amend section one hundred eighty-one of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "General County Law," permitting sheriffs to succeed themselves.

Which was committed to the Committee on Local Government.

House Bill No. 788, entitled:

An Act to add clause XXVI to section seven hundred two of the act, approved the first day of May, one thousand nine hundred thirty-three (P. L. 103), entitled "The Second Class Township Law," authorizing the establishment of districts for police protection and providing for an equal assessment on all property benefited by such protection.

Which was committed to the Committee on Local Government.

House Bill No. 815, entitled:

An Act to amend section two thousand eight hundred two of the act, approved the fourth day of May, one thousand nine hundred twenty-seven (P. L. 519), entitled "General Borough Act," authorizing management of borough burial grounds by a commission appointed by borough council.

Which was committed to the Committee on Local Government.

House Bill No. 919, entitled:

An act to amend section four hundred fifty-one of the act approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "Administrative Code of 1929," changing the membership of the State Planning Board.

Which was committed to the Committee on State Government.

House Bill No. 947, entitled:

An Act to further amend section one thousand three hundred one of the act, approved the fourth day of May, one thousand nine hundred twenty-seven (P. L. 519), entitled "General Borough Act," increasing the maximum mill tax rate.

Which was committed to the Committee on Local Government.

House Bill No. 1000, entitled:

An Act to further amend section eight and to amend section nine of the act approved the eleventh day of June one thousand nine hundred thirty-five (P. L. 326) entitled "An act relating to counties of the first class defining deceased service persons providing for contributions by the county to the funeral expenses for such persons and their widows providing for the erection and care of markers headstones and flags and for the compilation of war records" authorizing the director of veterans' affairs to join in the formation of a State association and the payment by such counties of certain expenses in connection therewith

Which was committed to the Committee on Local Government.

House Bill No. 1008, entitled:

An Act to add article XXX-A to the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-one (P. L. 1206) entitled "First Class Township Law," empowering boards of township commissioners to establish land subdivision regulations.

Which was committed to the Committee on Local Government.

House Bill No. 1089, entitled:

An Act to amend the act, approved the eighth day of July, one thousand nine hundred forty-one (P. L. 298), entitled "Fourth Class County Retirement Law," by requiring superannuation retirement at the age of seventy; providing minimum payments to certain beneficiaries; and providing for thirty-year service retirment allowance.

Which was committed to the Committee on Local Government.

COMMUNICATIONS

The CHAIR cleared his table and laid before the Senate the following communication which was read by the Clerk:

WEST PUBLISHING COMPANY
LAW BOOKS
SAINT PAUL 2, MINNESOTA
April 9, 1947

Hon. Harold G. Watkins
Secretary of the Senate
State Capitol Building
Harrisburg, Pennsylvania

Dear Mr. Watkins:

Tomorrow we are sending you the initial pamphlet of the Pennsylvania Legislative Service. It will contain all of the laws of the current session, officially punctuated, down to the time that it went to press.

We are sure that the Senators will find the early publication of the laws in this form useful and are, therefore, including a copy for each Senator in the shipment.

We thank you to make it available to the Senators with our compliments.

Very truly yours,

WEST PUBLISHING COMPANY,
By Henry J. Brandt,
Assistant Managing Editor

HJB:DC

REMARKS BY SENATOR DiSILVESTRO TO BE PRINTED IN APPENDIX

Mr. DENT. Mr. President, I have here a copy of an address given by one of our colleagues, Senator Anthony J. DiSilvestro, at a dinner in Philadelphia given to the impressiario of the LaScala Opera Company. It contains some very interesting and enlightening information.

Therefore I would ask permission of the Senate to have it included in the Legislative Journal.

The PRESIDENT. The Chair hearing no objection, the request is granted.

EXTENDED REMARKS BY SENATOR DiSILVESTRO

Address of Senator Anthony J. DiSilvestro at a birthday dinner to Francesco Pelosi, General Manager of the Philadelphia La Scala Opera Company, Sunday, April 13, 1947, at Palumbo's Restaurant, Philadelphia, Pennsylvania.

The Reverend Clergy, Francesco Pelosi, Honored Guests and Friends:

This is a happy occasion and I am honored to have been given the high privilege of addressing a few brief remarks to you this evening.

We have come together on this Sunday following Easter to pay a tribute to a man who is loved by us all and to whom our felicitations certainly are due.

So we honor Francesco Pelosi for what he is and for what he has done and we extend our sincere good wishes on his birthday with the devout hope that he will live many, many years more to continue his splendid contribution to the world of music.

Through the God-given talents and abilities of this great impresario and the loyal devotion of the fine musicians he has welded together, the La Scala Opera Company is one of the outsanding musical organizations in the world.

It is more than an Opera Company It is a gifted group of people with the true love of music in their hearts.

It is not given to all of us to have this talent of music—this ability to translate cold notes and scores into inspiring renditions that stir the very souls of men.

Music and its appreciation make for better living. It is a quality that is added to our lives and which helps us in many ways that we cannot finds words to define.

Who is there among us who has not had the glorious experience of being transported into another world—a world of pure delight and extreme satisfaction—by the magical mystery of music?

The history of mankind is studded with references to the part that music has played in the development of the world. Music is one of the oldest forms of expression. It is one of the most effective ways of expressing pure beauty. It is the only way that some emotions can be expressed adequately.

The ancient writings that have been preserved for us show that good music has been a good influence in the world down through the ages. The Bible tells of ages past that expressed their highest ideals through the harp, the psaltery and the flute and the golden voices of gifted men and women.

I like to think that all of the great music that ever has been played and sung since the beginning of time must have risen to Heaven to make it the glorious place that it is pictured to be.

Many peoples back through the corridors of the centuries have made their contribution to music—and an honored place among them is held by the Italian people.

Music ripples through sunny Italy It plays a vital part in the lives of the people. It is an expression not only of what they are now, but of their heroic heritage. It is an expression of the joy that is in their hearts—of courage, of hope and of good will to all men everywhere. Occasionally, during the dark periods in the life of the nation, it has been the expression of anguished souls. But that never has lasted long. Always, the bright sunshine of lofty spirits has crept in to dispel the shadows of doubt and despair.

And so the Italian people always have emerged triumphantly from the troubles of the world that sometimes have assailed them. And they will emerge victorious again from the stifling woes that have beset them as an aftermath of the terrible war which scarred this so-beautiful land.

They are winning this fight against almost overwhelming odds because of their national character, of which music is such an integral part. They will always be basically a happy people and the melodies of hope and cheer and good will forever will ring through the land.

This heart-warming contribution to the world of music has been spread far by those of the Italian race. Many of the great artists among them have brought music and its appreciation to the shores of America, which so many of our people have adopted as their home.

This came about naturally and logically because the Italian people always have shared their good things—music and art and learning and the other forms of culture—with the rest of the world.

A fine part of this contribution has been brought to America by Francesco Pelosi and his great musical organization. Wherever and whenever La Scala appears, there you will find music lovers gathered for a season of inspiration brought to them by Francesco Pelosi's artists.

It seems to me, too, that music is one force in the world that is helping to cement understanding among the peoples of the world. The thrilling operas, the sparkling folk songs and the other works of the musical art born in Italy certainly have brought to the United States the medium through which the diversified population of this land can gain an insight into the soul of Italy.

Who is there so base that could harbor emotions of anger, or of hate, or of selfishness and greed, in his heart while a monumental musical work is being played?

Yes, Francesco Pelosi and La Scala have made—and still are making—their inspiring contribution to peace and goodwill and understanding. And they certainly are making their contribution to American democracy.

These probably are things that we don't think about too frequently in our busy, everyday lives. But they are deeply ingrained in our natures and they have an effect upon us whether we know it or not.

I know that we are all very proud of Francesco Pelosi and of La Scala. We ought to give tangible expression to this pride more often than we do. We want them to know of our appreciation and of our respect and of our gratitude.

Yes, this is truly a happy occasion. May Francesco Pelosi and all of those who make up La Scala go ever onward to new heights of success and accomplishment in the world of music that they know so well. And may they know, too, that the flame of pride kindles in our hearts because of what they are and what they have the God-given genius to do.

PERMISSION TO ADDRESS SENATE

Mr. BARR asked and obtained unanimous consent to address the Senate.

Mr. BARR. Mr. President, and members of the Senate, last week I called attention of the Senate and the Liquor Control Board to a specific case wherein the policy of the Liquor Board relative to its distribution of liquors works a hardship upon a licensee and causes a loss of revenue to the Commonwealth.

At this time I am going to call your attention to another example of the blundering, wondering and floundering policies of the Pennsylvania Liquor Control Board.

I have learned of a licensee, a large licensee who has in his stockroom hundreds of cases of gin. This gin was purchased at a time when the short-sightedness of the board, plus wartime shortages, forced him to purchase this item to keep his business operating.

There was a period rather recently when gin became scarce and certain large consumers found themselves short. They went to the board and offered to buy this surplus gin from this other licensee through the board channels. This would have helped the owner of the gin to get rid of his surplus while giving these other consumers the item they needed.

The Pennsylvania Liquor Board refused to allow this purely business deal, with the result that one licensee has a large unsaleable stock while the other legitimate businesses are deprived of a profit, their customers and patrons are deprived of a wanted commodity and finally the state is deprived of a sizable amount of revenue.

I claim this is poor management and substantiates my former charges that the Pennsylvania Liquor Control Board is inept, and inexcusably inefficient.

I can, and beileve it my duty, to give you another illustration of the poor business management of the Pennsylvania Liquor Control Board.

During the period of the shortage of good liquors, namely, Kenturky Bourbon, a certain large hotel found that it could purchase a sizeable supply of Bourbon in Kentucky. This particular hotel is one of the finest in the state and has a rather discriminating clientele. When the representatives of this licensee approached the Liquor Board with its proposal to purchase through legitimate Liquor Control Board channels, they were refused the right.

Liquor Dealers are in business to do business, and it is the duty and obligation of the Liquor Control Board to see that everything is done to help legitimate business and licensees carry on their business profitably.

It seems to me that because this particular business is carried on by the state with purely political appointments, we, the people of the Commonwealth, are kept in the dark as to the buying, selling and distribution of this privileged commodity.

At this point I would like to ask the Senate whether it is interested in the fact that thousands of cases of high-priced inferior goods are cluttering up the Liquor Board stores and warehouses, to the extent that the state has had to pay demurrage as high as $5,000 in Pittsburgh recently because new supples could not be unloaded.

I will give the Senate and the people of Pennsylvania all the information I can in the few remaining weeks of this Session, but I protest against the blind arrogance of the Liquor Control Board's mal-administration and the utter callousness of the Republican majority in this Senate for its refusal to give this monopolistic state business a public airing.

We should be able to ask for a house cleaning in this badly managed department without losing our political tempers.

There is something more at stake; there is the question as to whether some of the citizens of Pennsylvania are being cheated by business methods that, to say the least, are questionable.

I call upon the Republican majority to pass this Dent-Barr resolution calling for a complete investigation of the Pennsylvania Liquor Control Board.

If the Board is not covering up some smelly liquor deals, then it need not fear the clean air and sunshine of a senatorial investigation.

PERMISSION TO ADDRESS SENATE

Mr. DENT asked and obtained unanimous consent to address the Senate.

Mr. DENT. Mr. President and members of the Senate, this afternoon I want to again point out to you the dangerous fiscal policy we are subscribing to if we allow the passage of the new, discriminatory and punitive taxes demanded by Governor Duff.

As a personal observation I would like to state at the outset that if Governor Duff will call in an outside auditor to check his second-guessing Budget Director, Mr. Logan, I am sure he would release his dictatorial grip upon the Republican Majority of the Senate.

In all my years of serving in the Senate I have never yet witnessed such a spectacle of passive submission as we have before us in this Session.

I have talked privately to members of both branches of the General Assembly and find that, if left to their own dictates, the membership would vote overwhelmingly against these new and unprecedented taxes. However, for some reason or another they have been led to believe that the teachers' salary raise, the pure stream legislation and the mental hospital programs all depend upon the passage of these uncalled for, burdensome taxes.

I have stated before, and repeat now, this is not true, the necessary programs for the betterment of the Commonwealth can be affected if these taxes are not considered.

The moneys are available and any eighth grade student in our public schools, with a "B" average can take the Governor's budget and by simple addition and subtraction find at least $31,000,000 in excess of the budget director's estimates.

When I proposed a complete study of the budgetary needs and the revenue program early in the session, the

majority leader attempted to discredit my figures by the old trick of confusing the issue.

Today I want to repeat my charge that the Budget Director, Mr. Logan, is deliberately underestimating the revenue and overestimating the budgetary needs.

Let me read you a statement made public last Wednesday by the State Chamber of Commerce, and I quote:

"I trust that at this point you will permit me to supplement my official statement with a few brief comments on the budgetary problems confronting the Commonwealth.

"The budget document lacks sufficient explanatory and analytical data for a searching appraisal of the spending programs in effect or proposed. Such data would be developed by a continuous operational study of state administrative agencies by the budget office—a function which that office is not sufficiently staffed to undertake. What may have been an adequate budget technique in 1923-1925, when General Fund appropriation requests were less than $100,000,000 is quite inadequate today when biennial appropriations of $600,000,000 are requested.

"On the revenue side—and this I want you to pay strict attention to—there is good reason to believe that the budget document underestimates the yield of the corporate net income tax in the next biennium by $15,000,000, and the capital stock tax by $10,000,000. The excess yields may properly be balanced against the revenues to be collected under House Bill No. 665 and House Bill No. 666.

"Furthermore, the 1947-1949 General Fund budget includes capital fund expenditures of $146,000,000, to be paid out of current revenues in hand or anticipated, except for $50,000,000 available through a state bond issue. Should not serious thought be given to funding a larger proportion of the state building program and spending the cost over a period of years, commensurate with the long-term use of the structures to be erected? Probably a substantial part of the building program can not be completed or undertaken in the next biennium Yet enough new or increased taxes are demanded in 1947-1949 to assure covering the entire cost of the whole program in that biennial period. Moreover, every new or increased tax tends to become permanent; so we face the strong likelihood that taxes primarily needed to finance a capital expenditure program will be retained long after its completion and be used for driving up still further the level of our expenditures for current operation."

Gentlemen, if I was wrong in my estimates it was because I was trying to keep from making Logan's budget an utterly ridiculous document. If you will go back to may figures you will find that the State Chamber of Commerce claims $50,000,000 more than I have as the amount of additional revenue to be obtained under the corporate net income tax.

If we accept the Chamber's analysis of the budget we find ourselves with $25,000,000 more than Mr. Logan estimates, plus $6,000,000 from the six mills boost on gross utility receipts which for some strange reason Mr. Logan completely ignores in his revenue estimates, making a total of $31,000,000 available for this biennium over and above what Mr. Logan claims is available.

Gentlemen, I think the time has come for this Senate to assert itself as a function of government separate and distinct from the Executive Branch. If this Senate swallows the present program whole without due consideration of the facts as presented, not only by your colleague in the Senate but by others interested in Pennsylvania's fiscal affairs, then it will surely deserve the condemnation and criticism of a long-suffering public as well as the industrial interests of our Commonwealth.

I intend to present at the conclusion of my remarks a copy of the statements made by two representatives of the business and industrial interests of Pennsylvania for inclusion in the Legislative Journal. I believe we must have the record for the future if you, as duly elected members of the Senate are going to let political consideration make this Senate body a subservient and obedient servant to the Administrative Branch of our State Government.

When I proposed Administrative economies I was completely ignored by the majority in the Senate.

Let us look at what the City of Chester has to say in this regard, and I quote:

"First let me say that we, of the Chamber of Commerce, have a very real appreciation of the problems that remain to be solved if the Governor's program is to be effected.

"In this connection, we are not here to approve or disapprove that program, excepting in connection with two matters:

"First—We request a complete study of the proposed budget to the end that economies be effected wherever such economies may be accomplished without impairing the public service.

"Secondly—We especially request the retention of the present manufacturers' exemption, from the capital stock tax, of capital employed for manufacturing purposes in the Commonwealth."

I would like to say a word about the latter of these two propositions first.

Gentlemen, when you remove the manufacturers' exemption, you are killing one of the most potent psychological sales talks that your local Chamber of Commerce have, to aid in attracting new industries to the communities in our Commonwealth, and if your Department of Commerce is free to say so, I am sure they will agree that this is true.

In connection with the budget—we suggest that the entire matter, be re-examined—take department by department, with a pre-determined, hardboiled purpose of cutting down, and we are certain that material savings can be effected without greatly impairing the public service.

Certainly many of the additional services proposed by the various departments as desirable and necessary, even a few short weeks ago, may now, on sober second thought, either be curtailed or postponed to a more propitious date.

In the words of a well known statesman, now deceased, 'let us look at the record'."

And here is the record:

"An examination of the budget, which, incidentally, is made available to us in somewhat condensed form, reveals that total appropriations to the Executive Department functions under the Governor's supervision, excluding subsidies, have been increasing each biennium, in round figures, as follows

"1939-1941 $ 63,000,000
1941-1943 79,000,000
1943-1945 87,000,000
1945-1947 108,000,000
1947-1949 134,000,000
(as recommended by the Governor)

Subsidies appropriated to the Executive Department have been increasing as follows:

"1939-1941 109,000,000
1941-1943 118,000,000
1943-1945 156,000,000
1945-1947 188,000,000
1947-1949 227,000,000

"The budget recommended by the Governor for the fiscal biennium June 1, 1947 to May 31, 1949 includes a construction program amounting to $146,000,000, which probably will not be completed within the next two-year period. Despite the fact that the Governor stated he would issue bonds from the $50,000,000 program authorized, only as needed, he has included in his 1947-1949 budget, full interest and principal of $5,812,500.

"In connection with the construction program, it is very doubtful how much of the $5,000,000 recomended for desilting the Schuylkill River can be spent in the next two years.

"Salaries and expenses recommended for appropriation to the Department of Commerce have been increased from $280,000 in the 1945-1947 biennium to $950,000 in 1947-1949 biennium, without any explanation of what this increase covers in terms of personnel, functions or programs.

"Appropriations for school health examinations have been nearly doubled over that of the current biennium, from a figure of $4,000,000 to $7,800,000 and the employment of a large staff of nurses; there is a question as to whether such a staff could be recruited within the biennium.

"The Motor License Fund has previously supported the State Police Department to a greater extent than is contemplated in the next fiscal period. In view of the nature of the work performed by the state police, it would seem reasonable to expect that more funds could be taken from the Motor License Fund and thus obviate the necessity for raising additional taxes to support the state police out of the General Fund.

"In 1945-1947, $2,725,000 was appropriated from the General Fund for the Pennsylvania Aeronautics Commission, whereas in 1947-1949 it is expected that $2,500,00 for the same purpose will be made available from the Motor License Fund. The question arises whether or not the 1945-1947 appropriation could not now be recovered from the Motor License Fund.

"These are merely specific examples of a few instances where serious question arises. Undoubtedly, a detail breakdown of the figures presented in the budget document would lead to more questions as to the advisability of the expenditures projected."

Gentlemen, in the face of such conclusive arguments are you still intent upon ruthlessly ignoring all the voices raised against this billion dollar budget and the new and unprecedented consumer taxes being imposed upon only a segment of our peoples.

I will not at this time attempt to give you our opposition, position and arguments on these taxes, it is sufficient at the moment to prove beyond any doubt the errors in Mr. Logan's estimates and to remove by simple calculations the need for these additional revenues at this time.

If I were to take all the time required to review for you the bad guessing of Mr. Logan over the past four bienniums it would require at least a full day of steady uninterrupted testimony. However, out of consideration of my colleagues who recognize the urgency of the situation, I will add more information at the first opportunity.

Before closing, however, I suggest to the Senate that the fiscal committee named earlier in the session can now reorganize and function properly. I protested when this committee was named because I was suspicious of Mr. Logan's influence on the committee. My suspicions were confirmed by the report of the committee based entirely upon Mr. Logan's figures. I ask that same committee to analyse the figures given to the committee by Mr. Logan and then compare them with the figures furnished the Governor by the same Mr. Logan covering the same revenues, the same budget, and if the committee can make any sense out of the differences amounting to millions of dollars, I am willing to call it a day and vote for more mental hospitals and especially for more money for grade school teachers who major in simple arithmetic.

Mr. President, I present to the chair for inclusion in the Journal these comprehensive reports for the benefit of future open-minded members of the Senate.

EXTENDED STATEMENTS INCLUDED IN LEGISLATIVE JOURNAL AT REQUEST OF SENATOR DENT

Before the Finance Committee
Senate, Capitol Building
Harrisburg, Pa.

William F. Delehanty, Secretary-Manager
Chamber of Commerce City of Chester and Delaware County
20 East 5th Street
Chester, Pa.

First let me say that we, of the Chamber of Commerce, have a very real appreciation of the problems that remain to be solved if the Governor's programme is to be effected.

In this connection, we are not here to approve or disapprove that programme, excepting in connection with two matters:

First—We request a real study of the proposed budget to the end that economies be effected wherever such economies may be accomplished without impairing the public service.

Secondly—We especially request the retention of the present manufacturers' exemption, from the capital stocks tax, of capital employed for manufacturing purposes in the Commonwealth.

I would like to say a word about the latter of these two propositions first.

You are all aware, of course, that chambers of commerce all over the country are striving to attract new industries to their respective communities, and to retain those they already have.

Just prior to the war, many of the states entered into this field and sent men out, beating the bushes in every etsablished manufacturing center in our state, and, no

doubt in others, for the ostensible purpose of inducing manufacturers to establish branch plants in their states. This was bad enough, but I have reason to believe that these procurers, and I use the word without any vulgar implications, were not too particular whether they procured a branch, or the whole tree, lock, stock and barrel.

The war interruped the programme of procurement but I am certain these gentlemen will shortly descend on us again like a cloud of locusts in an endeavor to entice our industries away.

Furthermore, you should understand the danger to this Commonwealth, that results from the establishment of modern and improved facilities in branch plants situated in other states.

The mere duplication of manufacturing facilities in several different states places a whip in the hands of manufacturers that can't be ignored if we are to retain business and employment in our state, and this is especially true in periods of business recession, when the manufacturer is confronted with the necessity of deciding which of these plants can operate most profitably and which to shut down under conditions then prevailing. In this connection it often hapepns that the so-called branch plant has proven more efficient than the main stem, and the original plant is left to wither and die for want of the very nourishment we are now requesting—the retention of the manufacturers' exemption.

You may say that the amount involved is not of great importance, insofar as any single industry is concerned, just as it may be said that the savings effected by marking a garment $1.98, $2.98, $3.98 and so forth, are absurdly small—but, ask any business man if these psychological penny savings affect the volume of sales, and see what he tells you.

Gentlemen, when you remove the manufacturers' exemption, you are killing one of the most potent psychological sales talks that your local Chamber of Commerce have, to aid in attracting new industries to the communities in our Commonwealth, and if your Department of Commerce is free to say so, I am sure they will agree that this is true.

In connection with the budget—we suggest that the entire matter, be re-examined—take department by department, with a pre-determined, hard-boiled, purpose of cutting down and we are certain that material savings can be effected without greatly impairing the public service.

Certainly many of the additional services proposed by the various departments are desirable and necessary, even a few short weeks ago, may now, on sober second thought, either be curtailed or postponed to a more propitious date.

In the words of a well known statesman, now deceased, "let us look at the record."

The Bureau of Statistics of the Commonwealth indicates that in the ten years span, from 1930 to 1940, capital invested in manufacturing firms in Pennsylvania dropped fom $4,512,368,400 to $3,588,477,700, a decline of 20.5%. In the middle of this period, the Act of May 16, 1935, Pamphlet Laws 208 and Pamphlet Laws 184, depression inspired levies, bent the broad back of Pennsylvania industry. At that time, among other things, an exemption which spared manufacturers from the collection of a burdensome capital stock tax was nullified, in addition to which, for the first time in the history of the Commonwealth, all corporations, manufacturing and non-manufacturing, were subjected to a corporate net income tax.

The Department of Public Instruction, in its Statistical Abstract for 1944, indicates that enrollment in elementary schools, including kindergartens, dropped in Pennsylvania from 1,563,615 in 1930 to 1,154,465 in 1940, a decline of 26%. By 1944, these enrollments declined to 997,982 or 46% under 1930.

The statistics quoted cover prior years. Let us look into the future.

On June 5, 1944, the Wall Street Journal carried a feature story on population trends in the postwar years, as analyzed by Philip M. Hauser, Assistant Director of the United States Bureau of the Census. Dr. Hauser divides the country into four classes of metropolitan areas. Class "D" represents the areas which lost population, or grew relatively little during the war, and in each of the two preceding periods of observation, and which, therefore, cannot be expected to grow rapidly, or even to recoup their loss in the postwar period.

Of thirty-three metropolitan areas, in this least promising Class, Pennsylvania provides ten as follows:

1. Allentown-Bethlehem-Easton
2. Altoona
3. Harrisburg
4. Johnstown
5. Lancaster
6. Reading
7. Scranton
8. York
9. Pittsburgh
10. Philadelphia (including Delaware, Montgomery and Philadelphia counties).

These ten areas include seventeen counties of the state and 70.56% of its estimated civilian population, as of November 1, 1943.

This prospect of loss of population confirms the statistics relative to the decline in capital invested in manufacturing in Pennsylvania noted above.

An examination of the budget, which, incidentally, is made available to us in somewhat condensed form, reveals that total appropriations to the Executive Department for functions under the Governor's supervision, excluding subsidies, have been increasing each biennium, in round figures, as follows—

1939-1941 63 million
1941-1943 79 million
1943-1945 87 million
1945-1947 108 million
1947-1949 134 million
(as recommended by the Governor)

Subsidies appropriated to the Executive Department have been increasing as follows:

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The budget recommended by the Governor for the

fiscal biennium June 1, 1947 to May 31, 1949 includes a construction programme amounting to 146 million dollars, which probably will not be completed within the next two-year period. Despite the fact that the Governor stated he would issue bonds from the $50,000,000 programme authorized, only as needed, he has included in his 1947-1949 budget, full interest and principal of $5,812,500.

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Salaries and expenses recommended for appropriation to the Department of Commerce have been increased from $280,000 in the 1945-1947 biennium to $950,000 in 1947-1949 biennium, without any explanation of what this increase covers in terms of personnel, functions or programmes.

Appropriations for school health examinations have been nearly doubled over that of the current biennium, from a figure of $4,000,000 to $7,800,000, and the employment of a large staff of nurses, there is a question as to whether such a staff could be recruited within the biennium.

The Motor License Fund has previously supported the State Police Department to a greater extent than is contemplated in the next fiscal period. In view of the nature of the work performed by the State Police, it would seem reasonable to expect that more funds could be taken from the Motor License Fund and thus obviate the necessity for raising additional taxes to support the State Police out of the General Fund.

In 1945-1947, $2,725,000 was appropriated from the General Fund for the Pennsylvania Aeronautics Commission, whereas in 1947-49 it is expected that $2,500,000 for the same purpose will be made available from the Motor License Fund. The question arises whether or not the 1945-1947 appropriation could not be recovered from the Motor License Fund.

These are merely specific examples of a few instances where serious question arises. Undoubtedly, a detailed breakdown of the figures presented in the budget document would lead to more questions as to the advisability of the expenditures projected.

References to Pennsylvania's high state tax burden on manufacturing corporations are not mythical. Here are some facts in regard to two hypothetical cases—a large corporation, and a small corporation. Let us assume that these manufacturing corporations will be domestic corporations in the state in which they settle; that all of their business will be conducted within the boundaries of that state; that a large corporation has $100,000,000 capital stock, $150,000,000 sales, $8,000,000 net income before state taxes and $45,000,000 value of intangibles; that the small corporation has $100,000 capital stock, $150,000 sales, $8,000 net income before state taxes and $45,000 value of intangibles. If the manufacturers' exemption is postponed, state taxes in Pennsylvania, or in any of the six surrounding states, would be as follows:

	Large Corporation	Small Corporation
Pennsylvania	$977,047	$875
West Virginia	587,500	695
New York	555,641	442
Ohio	235,000	235
Maryland	193,548	154
New Jersey	80,000	80
Delaware	62,000	48

Even if the manufacturers' exemption is not postponed, Pennsylvania's state taxes would be higher than in four of the six surrounding states.

The combination of our capital stock tax and corporate net income tax places a larger state tax burden upon industry in Pennsylvania than is generally imposed by other industrial states. As a result, Pennsylvania faces a real disadvantage in competing for industry in the postwar period.

Our Legislature recognized this when in 1943 it approved the restoration of the manufacturers' exemption, to be effective January 1, of the calendar year following the declaration of the cessation of hostilities by the President.

The State Department of Commerce also recognized the disadvantage Pennsylvania faced in competing for industry so, in its 1946 advertising, the Department featured a tax chart showing Pennsylvania in a favorable tax position; but the comparison was based on restoration of the 50-year old manufacturers' exemption (1885-1935).

Now the Commonwealth proposes to nullify its advertisement of 1946 by postponing the manufacturers' exemption for two years. Industrial prospects, and industries already here, are very likely to feel that such postponement, if authorized now, will be repeated in succeeding biennial periods. New financial crises, and new needs for money, will undoubtedly be found. This will probably result in permanent abolition of the manufacturers' exemption.

Two years from now will not be the time to begin to attempt attracting industry to this state. Manufacturers will have carried out most of their postwar building plans by that time. Most of the value to be derived by this state from granting the manufacturers' exemption will occur during the next two years while industries are selecting locations that will establish the pattern of state leadership for years to come.

We have two choices. Reduce taxes on manufacturing corporations in order to encourage expansion of manufacturing facilities now located in Pennsylvania, as well as to attract large manufacturing corporations not presently located within this state's boundaries, or, keep the tax rates high on manufacturing corporations, forcing them to gradually disappear

The former policy will provide more employment, more customers for our merchants, more users of the services provided by public utilities—briefly, more business activity. The latter procedure will result in high unemployment, the necessity of even greater public assistance than is now required, a shifting of population away from Pennsylvania and less business activity.

On Monday, March 24, 1947, a newly appointed federal and state tax committee of the Chamber of Commerce, held a meeting for the purpose of discussing Pennsylvania's fiscal dilemma. After a discussion of the matters presented in this message, the following resolution was adopted:

"Resolved, that the Federal and State Tax Committee

of the Chamber of Commerce—City of Chester and Delaware County—recommends that the 13th Biennial Budget of the Commonwealth of Pennsylvania, as presented by the Governor on March 11, 1947 to the General Assembly, be reduced by an amount sufficient to eliminate the necessity of:

(1) levying any taxes not heretofore levied,

(2) removing any tax exemptions now authorized by law,

(3) increasing the rate of any taxes now in effect."

It is our belief that a satisfactory solution to the problem would be found

(1) if certain recommended appropriations were reduced,

(2) if some of the recommended appropriations were spread over more than one biennium without interfering with the completion of the programme,

(3) if certain recommended appropriations were transferred from the General Fund to the Motor License Fund and

(4) if certain estimated revenues that are apparently understated were increased.

If the Commonwealth of Pennsylvania continues to increase appropriations each biennium, and manufacturing corporations continue a gradual decline, only disaster can be the result.

Let us work together in a spirit of cooperation. Let us be constructive instead of destructive. Let us start today to plan a prosperous future for the people of our state.

Pennsylvania State Chamber of Commerce
State Chamber Building, Harrisburg

Statement Before the Finance Committee of the Senate on H.665 and H.666, April 9, 1947
By
Leonard P. Fox, General Secretary
Pennsylvania State Chamber of Commerce

We are appearing in behalf of the Pennsylvania State Chamber of Commerce composed of 3,500 individual members representing 150 different lines of business and distributed over 65 counties of the state. This state-wide membership is exclusive of 120 affiliated local chambers of commerce and boards of trade and 80 trade associations.

Our remarks are directed mainly to H.665 (corporate net income tax extension, with elimination of the carry-back and carry-forward of losses) and H.666 (suspending for another two years the exemption of manufacturing corporations from the capital stock tax on capital necessarily and exclusively employed in the manufacturing process).

By vote of its membership and the Board of Directors, the State Chamber of Commerce has consistently urged restoration of the manufacturers' exemption as a means of preserving Pennsylvania's competitive position among the industrial states. The State Chamber opposes elimination of the carry-back and carry-forward of losses, because averaging of corporate earnings is particularly vital in a heavy industry state like Pennsylvania. Especially objectionable is the proposal to make the elimination apply retroactively to 1946.

When the manufacturers' exemption was abolished and the corporate net income tax imposed in 1935, the State Chamber declared in an open letter to Governor Earle:

"The policy of abolishing the exemption of domestic and foreign manufacturing corporations from the 5-mill state tax on capital stock, in conjunction with the new corporate net income tax, removes the favorable state tax differential which Pennsylvania has enjoyed over most industrial states. Actually, Pennsylvania will have a less favorable state tax situation for manufacturing enterprise than our neighboring states of New York, New Jersey, Virginia, Maryland, Ohio, West Virginia and other states in the South and Middle West. Already commercial organizations in Ohio and Virginia are expressing their gratification over the prospective loss of Pennsylvania's tax advantages for industrial concerns."

The State Chamber supplied a supporting statistical study of this adverse state tax differential in a "Comparative Study of Corporate Taxes in Fifteen Industrial States," made early in 1938 by a competent public accountant, Mr. Clarence L. Turner of Philadelphia.

In the intervening years the report has been critically examined by tax students and official state agencies, but its basic conclusions still stand. To illustrate, the Dent Industrial Tax Survey Committee stated, after a careful analysis of the Turner report and related data:

"The conclusion the commission draws from this section of its report is that the burden of corporation state taxes, and particularly on the capital of corporations, is heavier than in most other states, that this burden adds to the difficulties of operating industry in Pennsylvania at a profit, tends to eat up the working capital of business, retards the development of industry located here, and acts as a deterrent to the location of new industry in this state."

In January 1941 the Joint State Government Commission, Ellwood J. Turner, Chairman, which reviewed the Turner Report and supplemented it with a comparison of local property tax burdens in various states, made the following observations in its report to the General Assembly:

"Pennsylvania's new and increased business taxes have resulted in business tax 'burdens' which on the whole are decidedly heavier than tax 'burdens' upon business in the states whose products compete with products manufactured in the Commonwealth.

"State differences in business tax 'burdens' vary with the type of business enterprise considered.

"The importance of manufacturing in Pennsylvania is considerably greater than the importance of the same branch of economic activity for the nation as a whole. In Pennsylvania manufacturing accounted for 38.1% of all gainful workers in 1930. In the Nation as a whole it accounted for but 28.9%. In fact, there is reason to believe that future levels of welfare in the Commonwealth depend largely upon the expansion of manufacturing activities.

"Any State fiscal policies which place Pennsylvania factories, mines, and farms at a competitive disadvantage as compared with other states seriously jeopardize the levels of living of all Pennsylvanians, including those businessmen whose prosperity depends upon high levels of productivity of the primary producers.

"Though the position of Pennsylvania manufacturing enterprise is far from encouraging, the plight of Pennsylvania mines is far more discouraging."

During 1945 Governor Edward Martin authorized the Budget Bureau and Department of Commerce to make a comparative study of state and local taxes on business

in nine industrial states—Connecticut, Delaware, Maryland, Massachusetts, New Jersey, New York, Ohio, Pennsylvania and West Virginia. Local tax burdens noted in the study reflected comparable spot locations in the various states.

The findings of this study, often referred to as the Logan Report, were thus summarized by the officials who directed it:

"The general statement can be made that as far as this study goes state corporate taxes are somewhat higher in Pennsylvania than in the other states in this study before effect is given to the manufacturers' exemption. The manufacturers' exemption improves Pennsylvania's situation but in relation to at least half of the states Pennsylvania's position is still somewhat unfavorable.

"In comparing local taxes in the various states the information in this study shows that Pennsylvania has a very favorable position. It is this large advantage which Pennsylvania has on local taxes, primarily, that gives this State whatever favorable position it has in considering total taxes, state and local.

"Since financial statements of corporations differ greatly and local tax rates and assessments vary widely among the various taxing districts in Pennsylvania and the other states, it is felt that this study cannot be used as the basis for broad generalizations. The study shows what the situation is for the corporations included in this study in the localities concerned in Pennsylvania and in the other states."

It is impossible to say whether the report was effective in modifying the widely held opinion that Pennsylvania state taxes are generally higher on industry than is the case in competing industrial states, and that the great diversity of local tax rates makes comparisons for states extremely difficult.

Early in 1946 the State Department of Commerce gave wide newspaper and magazine publicity to an advertisement entitled "Most businesses and individuals find greater tax advantages in Pennsylvania." The advertisement featured a chart based on the Logan report, showing a quite favorable tax position for Pennsylvania corporations in comparison with those of the principal northeastern industrial states. The chart was headed by the statement—"Total State, Local and Workmen's Compensation Taxes, After the pending law goes into effect, exempting manufacturing corporations from capital stock taxes on capital invested in and actually employed in manufacturing operations in Pennsylvania."

Now the Commonwealth proposes to ignore the promise made in the Act of May 27, 1943, P. L. 7762, and reiterated in the Department of Commerce advertisement, for restoration of the manufacturers' exemption after the official end of the war. Certainly there is a breach of promise involved here, or at least a lack of consistency and continuity in the Commonwealth's attitude toward industry, which does not augur well for the future.

Nobody contends that taxation is always the major or decisive factor in the location of a new industry in Pennsylvania or the expansion of a plant already here. However, taxes often play an important part in the

1. Refusal of industrial prospects to locate here
2. Halted expansion of Pennsylvania establishments
3. Shifting of production from Pennsylvania plants to existing branches of the parent company in other states, and
4. Location of branches in other states by Pennsylvania corporations—

as pointed out in my testimony before the Dent Industrial Tax Survey Committee on March 18, 1938.

If this were not true, why should the Commonwealth feature taxation in the Department of Commerce advertisement just described? Surely the Commonwealth did not exempt manufacturing corporations from the capital stock tax for fifty years, from 1885 to 1935, just as a favor to a section of business. This exemption involves the broad economic policy of encouraging industry to expand basic payrolls in our Commonwealth and thus provide the purchasing power upon which many other lines of business depend.

* * *

The taxation of manufacturing corporations is part of a generally higher level of state taxes upon business, found in Pennsylvania as compared with other leading states.

On the basis of the United States Census figures, we find the percentage distribution of the total state tax burden on business to range as follows in seven important industrial states, for the years 1944, 1945 and 1946:

	1944	1945	1946
Pennsylvania	48%	47%	39%
Massachusetts	36	35	36
New York	36	37	35
New Jersey	35	33	31
California	22	20	17
Ohio	18	18	17
Illinois	13	12	11

To visualize these percentages, we display a bar chart showing Pennsylvania in the lead for each year in the proportion of the total state tax burden placed upon business in the states covered.

A close examination of the Census figures emphasizes the great dependence of Pennsylvania upon the capital stock tax. The only state approaching Pennsylvania in such dependence is Massachusetts. New York, California, Ohio, Illinois and New Jersey do not rely heavily upon a capital stock tax.

The Pennsylvania capital stock tax is really a property tax and bears most heavily upon the corporation in lean years when the taxing authorities stress the net worth factor, rather than stock prices or earnings, in determining taxable valuation. At such times the tax becomes a drain upon capital, since earnings are not available to pay the tax. One readily understands why business prefers to pay taxes on income rather than property—on the theory that you can afford taxes when you are making money- and why young and growing concerns are particularly handicapped by the Pennsylvania capital stock tax. The Commonwealth should move in the direction of less dependence upon the capital stock tax as applied to all lines of business.

Apparent from the Census figures also is the dependence of New York and Massachusetts upon the personal income tax; of California upon the retail sales and personal income tax; of Ohio and Illinois upon the retail sales tax. Broad-based taxes enable these states to tax business less heavily than does Pennsylvania.

There is a significant correlation between state tax

burdens on business, population growth, and value added by manufacture.

Between April 1940 and January 1947, the following population changes are noted in the seven states for which business tax burdens were cited:

	1940	1947	% Change
California	6,858,000	9,565,000	+39.5
New Jersey	4,157,000	4,595,000	+10.5
Ohio	6,905,000	7,593,000	+10.0
Illinois	7,887,000	8,315,000	+ 5.4
Massachusetts ..	4,314,000	4,520,000	+ 4.8
Pennsylvania ...	9,896,000	10,111,000	+ 2.2
New York	13,463,000	13,547,000	+ 0.6

Note that Pennsylvania, Massachusetts and New York, where taxes on business are most severe, have lagged in population growth (compared with the national average of 7.3%) while New Jersey, California, Ohio and Illinois have moved ahead, with the trend less noticeable in the case of Illinois.

As for value added by manufacture, which features labor costs, the seven states made the following proportionate contributions to national output in Census years:

	1919 %	1929 %	1939 %
California	3.0	4.2	4.6
Illinois	7.7	9.2	8.9
New Jersey	5.6	5.6	6.2
Ohio	8.7	9.1	8.6
New York	15.7	15.6	13.5
Massachusetts	7.0	5.4	4.8
Pennsylvania	12.4	10.8	10.1

Pennsylvania, Massachusetts and New York—the states imposing the greatest tax burden upon business—show definite losses in their relative contribution to the value added by manufacture in the country as a whole. New Jersey, California, and Illinois—where state taxes on business are less severe—have improved their relative position as industrial states, while Ohio in the same tax group has held its own.

Two charts are submitted to the Committee to illustrate these population and manufacturing trends.

* * *

The states are resuming their sharp competition for new industrial plants, because war emergencies no longer determine plant locations and state taxes are no longer borne by the Federal government as offsets against extremely high federal levies on corporate net income. Considering the new consciousness of state taxes, and the adverse effects of industrial decentralization upon an older state like Pennsylvania, isn't it sound state policy to write WELCOME on our Pennsylvania tax map for business instead of COME IN BUT BE PREPARED TO PAY HEAVILY?

The State Chamber of Commerce reluctantly presents this critical evaluation of Pennsylvania's economic position and tax structure, and does so only with the knowledge that the facts presented are readily available to industry both within and without the Commonwealth.

Under the Governor's fiscal program, 47 per cent of total general fund taxes will be paid by business in 1947-1949, thus accentuating Pennsylvania's already great dependence upon business taxes as previously noted. We urge that this trend be halted by permitting the manufacturers' exemption from the capital stock tax to remain in effect, and retaining the carry-back and carry-forward of losses in the corporate net income tax.

* * *

I trust that at this point you will permit me to supplement my official statement with a few brief comments on the budgetary problem confronting the Commonwealth.

The budget document lacks sufficient explanatory and analytical data for a searching appraisal of the spending programs in effect or proposed. Such data would be developed by a continuous operational study of state administrative agencies by the Budget Office—a function which that office is not sufficiently staffed to undertake. What may have been an adequate budget technique in 1923-1925, when General Fund appropriation requests were less than $100 million, is quite inadequate today when biennial appropriations of $600 million are requested.

On the revenue side, there is good reason to believe that the budget document underestimates the yield of the corporate net income tax in the next biennium by $15 million, and the capital stock tax by $10 million. These excess yields may properly be balanced against the revenues to be collected under H. 665 and H. 666.

Furthermore, the 1947-1949 General Fund budget includes capital fund expenditures of $146 million, to be paid out of current revenues in hand or anticipated, except for $50 million available through a state bond issue. Should not serious thought be given to funding a larger proportion of the state building program and spreading the cost over a period of years, commensurate with the long-term use of the structures to be erected? Probably a substantial part of the building program cannot be completed or undertaken in the next biennium. Yet enough new or increased taxes are demanded in 1947-1949 to assure covering the cost of the whole program in that biennial period. Moreover, every new or increased tax tends to become permanent; so we face the strong likelihood that taxes primarily needed to finance a capital expenditure program will be retained long after its completion and be used for driving up still further the level of our expenditures for current operations.

PERMISSION TO ADDRESS SENATE

Mr. TALLMAN asked and obtained unanimous consent to address the Senate.

Mr. TALLMAN. Mr. President, I assume, following the policy which has prevailed in the Senate during the course of these discussions, that mine shall not be the last word this afternoon on this subject, and I have no intention of prolonging the discussion unnecessarily because I suspect, as I have stated before, that this subject will continue to be a matter of continued discussion as the days of this session wear on.

I would like to suggest, however, Mr. President that it is perfectly well for the gentleman from Westmoreland to suggest that he hears many people discussing their lack of desire to enact tax legislation. I suspect that that is true now, as it was back in the days of the Earle administration. I doubt very much whether the gentleman from Westmoreland or any of his then colleagues wanted to vote for the tax measures which were suggested by his administration at that time, but I would

remind him that if the people of this Commonwealth, as I have said before, are to receive the increased facilities for mental hospitals, if the ordinary governmental functions of the Commonwealth of Pennsylvania are to be carried on, then I believe the gentleman must agree that money is necessary.

The gentleman from Westmoreland takes issue with the fact that new money is necessary; he takes the position that no additional funds are necessary. When he talks about confusion in that respect, let me suggest that the confusion seems to emanate from his side of the Chamber and not from this side of the Chamber.

The Republicans on this issue have stood fast to one position.

Today marks another and third suggestion, coming from the other side, as to how to meet this problem. We will continue to disagree and we will continue to debate, in all probability as to which estimate is the appropriate one or the accurate one.

The gentleman from Westmoreland sets himself up as an expert; he says you have got to take my figures or you can not play on this team, and I want a little bit later on, if I may, to disagree too with Dr. Fox, whom he quotes in this matter, but for the moment the gentleman from Westmoreland says several things: Number 1, you have got to accept my estimate and, Number 2, you have got to accept my plan. And then he tells this side, the majority, if you do not do that, then you are remiss in your duty to the people of this Commonwealth. In his opinion we may be remiss. In our own opinion we find that we need to meet certain needs of this Commonwealth and we propose to do it.

I suggest to the gentleman from Westmoreland, and I think he agrees, that in all probability time will be the answer as to who was right and maybe he will gain some advantage out of it; on the other hand, it may entirely be, despite what he says now, that this side may gain some advantage out of the situation.

Mr. President, I am very reluctant to take issue with any figures that come from so eminent an authority as Dr. Fox, of the State Chamber of Commerce, but I propose now to say that the statement read by the gentleman from Westmoreland, which includes a reference in dollars to capital improvement in the Commonwealth, made by Dr. Fox is not accurate. The only moneys which are supposed to be used out of current revenues for capital investment, first, in the mental hospital program, and, secondly, in the flood control program, are two items, one of $16,000,000 and the other of $10,000,000.

I suggest to the gentleman from Westmoreland that no matter how he turns it, inside-out or upside-down, he will find there is no additional current revenue taken out of the proposals for these purposes and I shall, not tonight, but at some future date when this matter is to be further discussed, I want to inquire from the gentleman from Westmoreland just what amounts, out of the increases which are proposed for other governmental functions, he would urge that we cut out in order to carry out this program.

Specifically, with regard to the carelessness of the approach that the gentleman from Westmoreland has to this entire subject, I want to suggest that again today he raises, many times over and over again, the matter of the appropriation suggested for the Department of Commerce; he pointed out the tremendous increase, as he has done before, but in doing that he has failed to pay attention to the fact that in the last biennium there was appropriated to the Department of Commerce out of the Motor License fund an amount of $325,000, which came out of the Motor License fund in order to advertise for tourist trade and the other functions of that department, and that, in addition, there was a regular appropriation to that department out of the general fund of $280,000, making a total of $605,000. The increase that has been requested for the coming biennium has been requested because, under the constitutional limitation, the moneys out of the Motor Vehicle fund will no longer be made available to that department and that additional sums, as the gentleman well knows, and every person who sits in this chamber knows, because of ordinary increased costs in material, in printing and in personnel, will be needed, and it seems to me this is another reflection of the complete carelessness with which this matter has been approached by the gentleman from Westmoreland.

Mr. President, I suggest, as I did some weeks ago on this floor, that it is easy to work out a budget if you continue always to use the same figures twice, as the gentleman has persistently and consistently done in his treatment of this subject.

Mr. DENT. Mr. President, first, I want to clear up a matter for the gentleman from Lehigh. I am sure he knows full well that I never proposed that he accept my estimates or else, but I also say to the gentleman from Lehigh that you are asking the people of Pennsylvania to accept Mr. Logan's estimates or else, and whether it is Mr. Fox, of the Chamber of Commerce, or Mr. Dent, of the Democratic party, I do not believe anybody could hand you a set of figures which you would agree to other than Mr. Logan's, and yet you served on the fiscal committee of the state of Pennsylvania named by this Senate, which received a report from Mr. Logan which was $28,000,000 different in its total than the same report given to the Governor one week later.

The gentleman from Lehigh says that I used the same figures twice. Mr. Tallman, I assure you that the figures that I just read were the figures of the Chamber of Commerce, and if they used the same figures that I did, would it not sort of give you an inkling maybe we are right and Mr. Logan is wrong?

I said that there was an underestimation of $10,000,000 in the corporate net income tax. The facts bear me out. The Chamber of Commerce says that because of increased corporate activities in Pennsylvania there will be $15,000,000 in excess of the estimate of Mr. Logan, and that, coupled with $10,000,000 from capital shares, stock and loans tax, will give a surplus of $25,000,000.

Where in the Governor's budget does he allow any leaway for any surplus under the estimate of Mr. Logan, and yet he knows that two years ago, when we called to the attention of the Senate the very same budget trickery that is now imposed upon this Senate and the Republican majority ignored our pleas, and yet willingly accepted our figures in May of 1946 and used them as the number one banner-head for their campaign in this state; they accepted the figures right here in the Senate

of Pennsylvania and went out, with Mr. Logan's approval, because I have documentary evidence to show that Mr. Logan himself, the Budget Director, said that the surplus in Pennsylvania as of May, 1946, would be $200,000,000.

Neither he, Mr. President, nor any other man connected with the Republican party having anything to do with the fiscal policies of Pennsylvania has yet—and I repeat—has yet given to the people of Pennsylvania a clear-cut analysis of the disappearance of that surplus. Was that surplus mythical? If it was why do they not say so? Was it just a fake for political purposes? If it was, why do they not say so?

I would like to take you, any time you are ready to sit down and go through the entire program as advanced by the Governor of the Commonwealth, based upon the figures of Mr. Logan, and I will take the budget submitted in 1939 and follow through to the budget submitted in 1947, and I will show you a discrepancy between the estimates and the returns, an increasing percentage from that day to this.

Everybody knows that Mr. Logan made his original reputation as a budget estimator under Governor Pinchot, later disowned by the same folks that now accept Mr. Logan's figures, but in that campaign they attacked Mr. Logan's figures and now they come back and accept them and expect us to accept them as bona fide estimates of the state's revenues. If we did not have a past we could not predict the future. In the past, for four straight bienniums, this Budget Director has been wrong, he has built up political surpluses through the political expediency of underestimating revenues and overestimating budgetary needs.

I say to you, and I say it again and again and again, that you can not spend $89,000,000 on a mental hospital program in the next two years. No person on this side wants you to take one penny away from the mental institutional program that can be spent in the next biennium, but by the same token, you cannot ask the present generation of citizens in this Commonwealth to pay for the burden of creating the buildings that will be in use for a period of sixty or more years out of current income. You say that I am wrong in saying that we ought to extend payment of this construction program over the period of "use" years, and yet you yourselves admit that you are going to take $45,000,000 of a bond issue and pay part of it over the "use" years.

I say that this generation of Pennsylvanians is entitled to pay only that portion of the total bill that they benefit from. That is good business, it is good government and it is a constitutional requirement in the Commonwealth of Pennsylvania.

In speaking of the $45,000,000 that you are going to taken from the bond issue, every person in this room and every person in Pennsylvania knows that the only reason you had for passing a $50,000,000 bond issue was so that the Commonwealth of Pennsylvania would have a $50,000,000 cushion so that, in case of an emergency, an unforetold incident, a crisis, this Commonwealth would not be caught short again as it was caught in the days of Pinchot, when the depression hit this state with full force, and now you are taking that money and you are appropriating it to a commission to spend it for mental institutions, knowing full well that you or no other person can honestly predict the construction of $89,000,000 worth of buildings in the next biennium. If we are going to completely ignore the housing needs of this Commonwealth, then perhaps we could take all the construction material and pour it into mental institutions. I say to the majority of the Senate today that if they continue and intend to continue that same blind manner and method of administration in the mental hospitals in this state, they do not deserve one cent to build another jail for insane people, and I say to you that the greatest amount of money we could spend for the greatest good would be to put it into mental institutions for the best of care of mental invalids, rather than incarcerating them in stone jails where they can die in misery and degradation and despair.

Every person knows this state has been far behind in the treatment of mental patients, which we in Pennsylvania are trying to cover up now with a fake program of $89,000,000 to build more four room cells to put these poor suffering souls into. I have visited these hospitals—I have one in my own county—and I want to say to the members of the Senate that it is not fit for the lowest form of animal life to be kept in, let alone a human being in the flesh and in the image of the Maker Himself.

And so I say, gentlemen, we are not fooling about this budget message; we are in dead earnest, we are in serious thought when we come before the Senate and say to you that you are being duped, you are being fooled by the estimate given to you by a man whose whole job depends upon his ability to come out on top at the end of two years.

I say that we have no right to impose new additional, punitive taxes at this time, but if you must put new taxes on, then put them on in the same spirit as did the Democratic administration that you have so much occasion to call up every time we talk about taxes, impose them on the same basis that they did, the ability to pay.

Why do you not tell the people of the Commonwealth that in 1945 you went before the people of this state and said "we are reducing your taxes in Pennsylvania by the sum of $94,000,000?" Why do you not tell the people of the Commonwealth of Pennsylvania that of the $94,000,000 that you claimed that you lowered the taxes, only $47,000,000 ever went into effect. And where did that $47,000,000 of tax reduction come from? It was reduced from the shoulders of the corporate big businesses and banking interests in the Commonwealth of Pennsylvania. You now come before the people of the state and say you need $133,000,000, of which you are going to take $89,000,000 from the pockets of the consuming public of the state of Pennsylvania. You have shifted the tax burden, just as we predicted upon this floor time and time again, from the shoulders of those most able to pay, and put it directly upon the shoulders of the long-suffering hard-working men and women of the Commonwealth of Pennsylvania. In fact, you have gone even further this time. You are now reaching down for the pennies of the kids in school rooms.

I say to you that you have not come out with an honest effort to solve the problem. If you need more money, and if you can prove you need more money, be-

fore you prove it let us have an honest estimate of the returns to the state government.

I could stand here and talk forever and yet when I am through—you know I once had a dog at home and he learned a pretty good trick—if I would hold a piece of candy he would just go like this (indicating) any time I wanted him to, and you boys can go like that (indicating) all you want to—the dog that I had still came when I called, and if you do not leave your seats you will listen when I talk.

You know, I was going to quit and had all intentions of quitting, but you have got me now to the point where I think you ought to know something about taxes in Pennsylvania.

I think that the Finance Committee in this Senate ought to sit down and analyze the figures, instead of accepting blindly the recommendations of the Executive Department of the government.

For fifteen years the Democratic party in the national government has been condemned by the same gentlemen who sit on the other side of this Senate, because the then Democratic majorities in the House and Senate were supposed to be rubber stamps for the executive branch. In the last eight years in Pennsylvania there has never been but one bill that the Governor has demanded the passage of that has ever been defeated in the General Assembly by the majority of Republicans that were here, and that bill, gentlemen, was defeated because twenty-four Democrats voted against it and one lone Republican, who was incidentally very efficiently liquidated by the Republic oppostion at the next election when he ran for Senator.

You call the Democrats in Washington bureaucrats, you say that they listen to their department heads, and yet on today's calendar and upon every calendar that is presented to this Senate for a final vote, we find department bills that few men on this floor understand, and no one cares a darn about, but you say the Department of Agriculture wants it, the Department of Labor wants it, the Secretary of Revenue thinks it is a good bill. What is the difference between your petty bureaucracy and the majority bureaucracy at Washington? There is no difference except in the degree. You are subservient to the administrative branch, and I say to you, gentlemen of the Senate, that you are in grave danger of being called truthfully the rubber stamps of 1947.

REPORT FROM COMMITTEE

BILL RE-REFERRED

Mr. CHAPMAN, from the Committee on Appropriations reported as committed Senate Bill No. 166, entitled:

An Act to amend section one thousand two hundred nine point one of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of the Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local or any parts thereof, that are or may be inconsistent therewith," authorizing additional temporary salary increases, and the appropriation, used and temporary loans therefor; and validating such increases heretofore made.

which was re-referred to the Committee on Education, as it had been mistakenly referred to the Committee on appropriations.

BILLS INTRODUCED AND REFERRED

Mr. FARRELL. Mr. President, in presenting this bill I would like to make a few remarks.

This bill will give the power to increase the school tax rate a mill and a half. It may not be exercised if funds are made available from some other source. The present school tax rate is 11-¾ mills. This bill provides that this mill and a half shall be allocated for debt service, new buildings and other permanent improvements.

Under this bill, as the present debt service charges are reduced, it will be possible to use current funds for capital outlay to eliminate to a large extent the necessity of issuing bonds to build new schools. Also this bill will provide for some financial relief by releasing for general purposes the funds now appropriated for debt services which amount to approximately $3,600,000 annually in Philadelphia.

Mr. President, in presenting this bill I might say this increase of a mill and a half is not a serious amount of money in any city where we need money as badly as in the school system there. To a person with a $4,000 assessment it would only amount to $6 a year or fifty cents a month and a larger assessment would be in proportion. Also, Mr. President, it is sound financing to pay as you go for permanent improvement.

Mr. FARRELL read in his place and presented to the Chair Senate Bill No. 547, entitled:

An Act to amend and reenact section five hundred and twenty-four of the act aproved the eighteenth day of May one thousand nine hundred and eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as amended by limiting to thirteen and one-quarter mills the total annual school tax for any one year in school districts of the first class and prescribing the method of fixing the levy of school taxes in such districts.

Which was committed to the Committee on Education.

Mr. WAGNER read in his place and presented to the Chair Senate Bill No. 548, entitled:

An Act to further amend the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be adminsitered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," authorizing boards of school directors to enter into contracts with the Federal Government or any of its agencies for the education of veterans in the public schools and providing that such persons should not be considered in determining district teaching units as the basis for Commonwealth subsidies and excluding teachers employed to teach such veterans from the tenure provisions thereof.

Which was committed to the Committee on Education.

Mr. FRAZIER. Mr. President, I think we in Pennsylvania all realize that for very many years the Port of Philadelphia has been second in tonnage in America. The records show it was still in second place last year with 16,000,000 gross tons as against 27,00,000 for New York. Philadelphia was 1,600,000 tons ahead of Baltimore. Baltimore, Boston and New Orleans are making great strides in the realization that the commerce that is to come into America in the future will be so voluminous that there is opportunity for them to outstep Philadelphia, and therefore, with that thought in mind, I present to the Chair a bill having to do with the Philadelphia Port Authority.

Mr. FRAZIER read in his place and presented to the Chair Senate Bill No. 549, entitled:

An Act to promote the welfare of the people of the Commonwealth; constituting certain portions of the Counties of Bucks, Delaware and Philadelphia as the Port of Philadelphia; defining port facilities; creating the Port of Philadelphia Authority as a governmental instrumentality of the Commonwealth of Pennsylvania and as a body corporate and politic with power to acquire, own, lease, construct, improve, equip, develop, furnish, maintain, operate and regulate port facilities in the Port of Philadelphia; authorizing said Authority to lease port facilities owned by it and to fix and collect fees, rentals and charges for the use thereof; conferring certain additional powers and imposing certain duties on said Authority; authorizing and regulating the issuance of bonds by said Authority and providing for the payment thereof and the rights of the holders thereof; constituting such bonds legal investments in certain instances; making such bonds exempt from taxation; authorizing said Authority to enter into agreements with the Government of the United States or any Federal Agency; granting the right of eminent domain; providing that no debt of the Commonwealth or of the City of Philadelphia shall be incurred in the exercise of any of the powers granted by this act; and making an appropriation.

Which was committed to the Committee on State Government.

Mr. CROWE (by request) read in his place and presented to the Chair Senate Bill No. 550, entitled:

An Act to amend clause (c) of section three of and to add section six hundred eight to the act, approved the fifth day of August, one thousand nine hundred forty-one (P. L. 752), entitled "An act regulating and improving the civil service of certain departments and agencies of the Commonwealth; vesting in the State Civil Service Commission and a Personal Director certain powers and duties; providing for classification of positions, adoption of compensation schedules and certification of payrolls; imposing duties upon certain officers and employes of the Commonwealth; authorizing service to other State departments or agencies and political subdivisions of the Commonwealth in matters relating to civil service; defining certain crimes and misdemeanors; imposing penalties; making certain appropriations, and repealing certain acts and parts thereof," by extending the provisions of said act to the offices and positions in the Department of Assistance and Welfare, the Department of Corrections, the Department of Health, and the Department of Mental Health; and fixing the status of employes of departments and agencies to which said act is or shall hereafter be extended.

Which was committed to the Committee on State Government.

Mr. CRIDER read in his place and presented to the Chair Senate Bill No. 551, entitled:

An Act guaranteening any person accused of the commission of crime the protection of the law; providing the procedure therefor; and prescribing penalties.

Which was committed to the Committee on Judiciary General.

Mr. T. NEWELL WOOD read in his place and presented to the Chair Senate Bill No. 552, entitled:

An Act further prescribing the bonds required of foreign corporations contracting for public buildings, public works or projects.

Which was committed to the Committee on Corporations.

Mr. WATSON read in his place and presented to the Chair Senate Bill No. 553, entitled:

An Act to amend section one thousand seven hundred ten of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 343), entitled "An act relating to the finances of the State government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, anl all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department board, commission, and officer of the State government, every political subdivision of the State, and certain officers of such subdivisions, every person, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth," by further imposing penalties in certain cases.

Which was committed to the Committee on State Government.

Mr. BECKER read in his place and presented to the Chair Senate Bill No. 554, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of a certain tract or parcel of land in York County, Pennsylvania, for use in connection with the New Cumberland General Depot, and ceding jurisdiction to the United States.

Which was committed to the Committee on State Government.

He also read in his place and presented to the Chair Senate Bill No. 555, entitled:

An Act to add section one thousand two hundred sixty-four to the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by

which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," prescribing penalties for knowingly falsifying reports or certificates in connection with reimbursements.

Which was committed to the Committee on Education.

He also read in his place and presented to the Chair Senate Bill No. 556, entitled:

An Act to further amend the act, approved the fifteenth day of May, one thousand nine hundred thirty-three (P. L. 624), entitled "An act relating to the business of banking, and to the exercise of fiduciary powers by corporations; providing for the organization of corparations with fiduciary powers, and of banking corporations, with or without fiduciary powers, including the conversion of National banks into State banks, and for the licensing of private bankers; defining the rights, powers, duties, liabilities, and immunities of such corporations, of existent corporations authorized to engage in a banking business, with or without fiduciary powers, of private bankers, and of the officers, directors, trustees, shareholders, attorneys, and other employes of all such corporations or private bankers, or of affiliated corporations, associations, or persons; restricting the exercise of banking powers by any other corporation, association, or person, and of fiduciary powers by any other corporation; conferring powers and imposing duties upon the courts, prothonotaries, recorders of deeds, and certain State departments, commissions, and officers; imposing penalties; and repealing certain acts and parts of acts," further providing for authorized investments and limitations upon loans and discounts of savings banks.

Which was committed to the Committee on Banking.

He also read in his place and presented to the Chair Senate Bill No. 557, entitled:

An Act provoding for and regulating the merger and consolidation of corporations organized for the transportation and storage of oil by means of pipe lines and tanks; defining the rights and powers of the surviving or new corporation; providing for the service of process on foreign corporations; and defining the rights of dissenting stockholders.

Which was committed to the Committee on Corporations.

Mr. TAYLOR read in his place and presented to the Chair Senate Bill No. 558, entitled:

An Act to amend the act approved the first day of June, one thousand nine hundred forty-five (Appropriation Acts, page 56) entitled "An act making an appropriation to the Department of Property and Supplies for the purchase or condemnation of land, for the preparation of a comprehensive plan for the Capitol Park Extension for the construction of new buildings, including a memorial building to honor the memory of William Penn, and other necessary buildings for the State archives, libraries and museum, for the repair, demolition and improvement of existing buildings in Capitol Park and Capitol Park Extension, for the razing of buildings and relocation of water, sewerage, utility lines and other facilities, or payment to the City of Harrisburg for such relocation, and for grading, paving and otherwise developing Capitol Park and the Capitol Park Extension"; by reducing the amount appropriated by said act.

Which was committed to the Committee on Appropriations.

Mr. WADE read in his place and presented to the Chair Senate Bill No. 559, entitled:

An Act abolishing the court of common pleas number seven of Philadelphia County; and transferring books, records, documents, and papers in the possession of said court and all actions pending theren ito the court of common pleas number one of Philadelphia County.

Which was committed to the Committee on Judiciary General.

He also read in his place and presented to the Chair Senate Bill No. 560, entitled:

An Act abolishing the court of common pleas number six of Philadelphia County; and transferring books, records, documents and papers in the possession of said court and actions pending theren to the court of common pleas number one of Philadelphia County.

Which was committed to the Committee on Judiciary General.

Mr. LORD read in his place and presented to the Chair Senate Bill No. 561, entitled:

An Act to amend sections eight hundred sixty-eight and eight hundred sixty-nine of the act approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," further regulating the use and possession of certain containers.

Which was committed to the Committee on Law and Order.

Messrs. LORD and WADE read in place and presented to the Chair Senate Bill No. 562, entitled:

An Act to amend section two and the first paragraph of section thirty of the act approved the sixth day of April, ninteen hundred thirty-seven (P. L. 200) entitled "An act licensing and regulating the business of pawnbrokers; providing for the issuance of licenses by the Secretary of Banking; authorizing the Secretary of Banking to make examinations and issue regulations; limiting the interest and charges on loans; and prescribing penalties for the violation of this act," excluding storage warehousemen from the provisions thereof.

Which was committed to the Commttee on Judiciary General.

Mr. GELTZ read in his place and presented to the Chair Senate Bill No. 563, entitled:

An Act to amend clause (a) and the first paragraph of clause (b) of section three hundred twenty-four of the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 682), entitled "An act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," by further regulating the notice of meetings required to be given stockholders in certain cases.

Which was committed to the Committee on Insurance.

He also read in his place and presented to the Chair Senate Bill No. 564, entitled:

An Act to amend subsection (f) of section eighteen of the act approved the twenty-ninth day of April, one thousand nine hundred thirty-seven (P. L. 487), entitled "An act to provide for the permanent personal registration of electors in boroughs, towns, and townships as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; requiring the county commissioners of the various counties to act as a registration commission therefor; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; and imposing penalties," providing for a space wherein elector shall affix his signature or mark on registration card.

Which was committed to the Committee on Elections.

He also read in his place and presented to the Chair Senate Bill No. 565, entitled:

An Act to amend subsection (f) of section nineteen of the act approved the twenty-fifth day of May, one thousand nine hundred thirty-seven (P. L. 814 entitled "An act to provide for the permanent personal registration of electors in cities of the second class as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissoners, registrars, inspectors of registration and other appointees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; and imposing penalties," providing for a space wherein elector shall affix his signature or mark on registration card.

Which was committed to the Committee on Elections.

He also read in his place and presented to the Chair Senate Bill No. 566, entitled:

An Act to amend subsection (f) of section nineteen of the act approved the twenty-fifth day of May, one thousand nine hundred thirty-seven (P. L. 849), entitled "An act to provide for the permanent personal registration of electors in cities of the third class as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; imposing penalties; and repealing existing legistlation," providing for a space wherein elector shall affix his signature or mark on registration card.

Which was committed to the Committee on Elections.

He also read in his place and presented to the Chair Senate Bill No. 567, entitled:

An Act to amend subsection (f) of section nineteen of the act approved the first day of June, one thousand nine hundred thirty-seven (P. L. 1132), entitled "An act to provide for the permanent personal registration of electors in cities of the second class A as a condition of their right to vote at elections and primaries, and their enrollment as member of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration and other appointees, of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; and imposing penalties," providing for a space wherein elector shall affix his signature or mark on registration card.

Which was committed to the Committee on Elections.

He also read in his place and presented to the Chair Senate Bill No. 568, entitled:

An Act to amend section twenty point one of the act approved the thirtieth day of March, one thousand nine hundred thirty-seven (P. L. 115), entitled "An act to provide for the permanent personal registration of electors in cities of the first class as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens, parties, bodies of electors, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commission, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, real estate brokers, rental agents, certain public service companies, persons, firms, and corporations operating vehicles for moving furniture and household goods, and boards of school directors; and imposing penalties," providing for a space wherein elector shall affix his signature or mark on registration card.

Which was committed to the Committee on Elections.

Messrs. KEPHART and GELTZ read in place and presented to the Chair Senate Bill No. 569, entitled:

An Act to further amend section eleven of the act, approved the sixth day of August, one thousand nine hundred forty-one (P. L. 861), entitled "An act to create a uniform and exclusive system for the administration of parole in this Commonwealth establishing the 'Pennsylvania Board of Parole'; conferring and defining its jurisdiction, duties, powers and functions, including the supervision of persons placed upon probation in certain desig-

nated cases; providing for the method of appointment of its members; regulating the appointment, removal and discharge of its officers, clerks and employes; dividing the Commonwealth into administrative districts for purposes of parole; fixing the salaries of members of the board and of certain other officers and employes thereof; making violations of certain provisions of this act misdemeanors; providing penalties therefor; and for other cognate purposes, and making an appropriation," by increasing the compensation of district supervisors in counties of the first and second class.

Which was committed to the Committee on Judiciary General.

Mr. BERGER read in his place and presented to the Chair Senate Bill No. 570, entitled:

An Act to further amend sections one, four, five, and six of the act, approved the seventh day of May, one thousand nine hundred twenty-three (P. L. 151) entitled "An act defining and regulating the business of dry cleaning and dyeing; providing for the maintenance, construction, and inspection of dry cleaning and dyeing buildings and establishments; providing for enforcing the act, and penalties for violation thereof" by repealing exemptions from certain provisions of said act and providing for regulation of Class 1 and Class II dry cleaning and dyeing plants.

Which was committed to the Committee on Public Health and Welfare.

Mr. SNOWDEN read in his place and presented to the Chair Senate Bill No. 571, entitled:

An Act to further amend section four hundred twenty-seven of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," increasing the terms and the salaries of members of the State Athletic Commission.

Which was committed to the Committee on State Government.

Mr. KLEIN read in his place and presented to the Chair Senate Bill No. 572, entitled:

An Act establishing a certain section of public road in Beaver County as a State highway, and providing for its construction and maintenance at the expense of the Commonwealth.

Which was committed to the Committee on Highways.

Mr. DiSILVESTRO read in his place and presented to the Chair Senate Bill No. 573, entitled:

An Act making an appropriation to the Trustees of Pennsylvania State College for awards of four annual scholarships to students selected by said Trustees for study abroad of advanced methods in agriculture, silviculture and horiculture .

Which was committed to the Committee on Appropriations.

Mr. WALKER read in his place and presented to the Chair Senate Bill No. 574, entitled:

An Act to amend section two hundred ten of the act, approved the first day of June, one thousand nine hundred forty-five (P. L. 1242), entitled "An act relating to roads, streets, highways and bridges; amending, revising, consolidating and changing the laws administered by the Secretary of Highways and by the Department of Highways relating thereto," by requiring the Secretary of Highways to file copies of plans for highway purposes, and copies of orders by which abandoned State highways are vacated in the office of the recorder of deeds of the county wherein the same is located; and requiring recorders of deeds to maintain books and indices for such purposes.

Which was committed to the Committee on Highways.

He also read in his place and presented to the Chair Senate Bill No. 575, entitled:

An Act concerning the ascertainment of principal and income and the apportionment of receipts and expenses among tenants and remaindermen.

Which was committed to the Committee on Judiciary General.

Mr. RAHAUSER (by request) read in his place and presented to the Chair Senate Bill No. 576, entitled:

An Act to provide for the humane and scientific slaughter of animals and providing penalties.

Which was committed to the Committee on Public Heath and Welfare.

Mr. ROSENFELD read in his place and presented to the Chair Senate Bill No. 577, entitled:

An Act to amend section one thousand one hundred five of the act, approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 457), entitled "An act relating to the business of building and loan associations; providing for the organization and voluntary dissolution of such associations; defining the rights, powers, duties, liabilities, and immunities of such associations, and of their officers, directors, shareholders, solicitors, and other employes; prohibiting the transaction of business in this Commonwealth by foreign building and loan associations; conferring powers and imposing duties upon the courts, recorders of deeds, and certain State departments, commissions, and officers; establishing limitations of actions; imposing penalties; and repealing certain acts and parts of acts," providing for the transaction of business by a majority of the liquidating trustees.

Which was committed to the Committee on Banking.

Messrs. STEVENSON, MALLERY and WOODRING read in place and presented to the Chair Senate Bill No. 578, entitled:

An Act amending, revising and consolidating the laws relating to delinquent county, city, except of the first and second class, borough, town, township, school district, except of the first class, and institution district taxes; providing when, how, and upon what property, and to what extent liens shall be allowed for such taxes; the return and entering of claims therefor, the collection and ad-

judication of such claims; sales of real property, including seated and unseated lands, subject to the lien of such tax claims; the disposition of the proceeds thereof, including State taxes and municipal claims recovered, and the redemption of property; providing for the discharge and divestiture by certain tax sales of all estates in property, and of mortgages and liens on such property, and the proceedings therefor; creating a Tax Claim Bureau in each county, except a county of the first class, to act as agent for taxing districts defining its powers and duties, including sales of property, the management of property taken in sequestration, and the management, sale and disposition of property heretofore sold to the county commissioners, taxing districts and trustees at tax sales; providing a method for the service of process, and notices; imposing duties on taxing districts, and their officers, and on tax collectors, and certain expenses on counties, and for their reimbursement by taxing districts; and repealing existing laws.

Which was committed to the Committee on Local Government.

Mr. BARR read in his place and presented to the Chair Senate Bill No. 579, entitled:

An Act to amend section one of the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 922, No. 307), entitled "A supplement to the act, approved the seventh day of March, one thousand nine hundred and one (P. L. 20), entitled 'An act for the government of cities of the second class,' as amended, authorizing the mayor, city controller, and council to make emergency loans," further providing for council to make emergency loans.

Which was committed to the Committee on Local Government.

SENIOR CLASS PINE GROVE HIGH SCHOOL INTRODUCED TO SENATE

Mr. WAGNER. Mr. President, the introduction of a school bill reminds me that I would like to introduce to the members of the Senate some folks who are here this afternoon, who come from our public schools, and whom I would like to present before we proceed with the calendar.

A few weeks ago I had the pleasure of introducing a civics class from Schuylkill County and I pointed to them with pride as our hope for the future of the Commonwealth. Afterwards some Senator said maybe they were a picked crowd, because they looked so grand. I have just as good a crowd here today again.

Mr. President We have in the balcony under the leadership of their teacher, Mrs. Ruth Christ, the senior class of some sixty very fine boys and girls from Pine Grove, Pennsylvania.

The PRESIDENT. On behalf of the members of the Senate, the Chair welcomes the senior class from Pine Grove, Pennsylvania, and hopes they will enjoy the session that they are now witnessing.

SCHUYLKILL COUNTY VISITORS INTRODUCED TO SENATE

Mr. WAGNER. Mr. President, so that I need not get on my feet again this afternoon, the debate on the budget reminded me that the gentleman who debated, and the Senators on both sides of this chamber, might be interested to know that since it will be a few days probably until we adopt the budget, there are some other people here from Schuylkill County today. We have a lot of folks who are interested in state government. I do not think these folks will want to rise in their places and take a bow, but they are financial experts. Mr. President, we have with us this afternoon directors of the First National Bank of Frackville, down here to my right, and we have the directors of a building and loan association from Bald Mountain I believe, over in the left corner, and their financial wizardy and ability to solve fiscal problems can be taken advantage of if arrangements are made through their solicitor, Senator Watkins, Secretary of the Senate.

The PRESIDENT. The Chair welcomes to the Senate the financial experts from Schuylkill County, and is sure they have been greatly enlightened after listening to the two speeches.

RESOLUTION ADOPTED

Mr. DiSILVESTRO. Mr. President, last week Dr. Alexander Stoddard, Superintendent of Public Schools in Philadelphia, made a statement to the newspapers that a child had taken benzedrine and had become very ill. After a very exhaustive examination and probe by the Pennsylvania Pharmaceutical Association it was discovered that it was not benzedrine but was something else.

In order to be more cautious and provide more safeguards, I wish to present the following resolution and ask for its immediate adoption.

RESOLUTIONS

STATE BOARD OF PHARMACY TO URGE PHARMACISTS TO CHECK SALE OF BENZEDRINE TO SCHOOL CHILDREN

Mr. DiSILVESTRO offered the following resolution which was twice read, considered and agreed to:

In the Senate, April 14, 1947.

Whereas, It has recently been revealed that some school children in Philadelphia have been taking quantities of the drug benzendrine, the war-used stimulant to arrest sleep temporarily; and

Whereas, These children have been indulging in this stimulant for "thrill" purposes—and not under doctors' prescription; and

Whereas, These school children obtain their supply of this drug at drug stores by purchasing inhalers and the papers in which the active ingredients are wrapped; and

Whereas, Such unsupervised misuse of benzendrine, which is a habit-forming drug, has produced detrimental effects on several children; and can be permanently injurious to their health; therefore, be it

Resolved, That the Senate hereby directs the State Board of Pharmacy to urge pharmacists to combat this problem, to keep a close check on drug stores throughout the Commonwealth and to take whatever necessary steps will result in stopping the sale of benzedrine to school children—for their protection against misuse of the drug and from its resultant harmful effects, and be it further

Resolved, That the Secretary of the Senate is directed to send a copy of this resolution to the State Board of Pharmacy.

TIME OF NEXT MEETING

Mr. LETZLER, offered the following resolution, which was twice read, considered and agreed to:

In the Senate, April 14, 1947.

Resolved (if the House of Representatives concur)

That when the Senate adjourns this week it reconvene on Monday, April 21, 1947, at four o'clock, p. m.; and when the House of Representatives adjourns this week it reconvene on Monday, April 21, 1947, at four-thirty o'clock, p. m.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

CALENDAR

BILLS ON THIRD READING CALENDAR

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 7, as follows:

An Act making an appropriation to the National Farm School at Doylestown Pennsylvania

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of Forty-eight thousand dollars ($48,000) or so much thereof as may be necessary is hereby specifically appropriated to the National Farm School at Doylestown Pennsylvania for the two fiscal years beginning June first one thousand nine hundred forty-seven for the purpose of maintenance to be paid according to law

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47.

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz	Mahany,	Taylor,
Berger,	Haluska	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn	Rahauser,	Wagner,
Chapman,	Holland	Rosenfeld,	Walker,
Crider,	Homsher	Ruth,	Watson,
Crowe,	Kephart,	Scarlett,	Wilson,
Dent,	Klein,	Snowden,	Wolfe,
DiSilvestro,	Lane,	Stevenson,	Wood, T. N.,
Doehla,	Leader,	Stiefel,	Woodring,
Farrell,	Letzler,	Tallman,	

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 66, as follows:

An Act making a deficiency appropriation to the Pennsylvania Institution for the Deaf at Mount Airy Philadelphia Pennsylvania

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of one hundred thousand dollars ($100,000) or so much thereof as may be necessary is hereby specifically appropriated to the Pennsylvania Institution for the Deaf at Mount Airy Philadelphia Pennsylvania to cover a deficiency for the payment of maintenance and education of State pupils for the two fiscal years ending May thirty-first one thousand nine hundred forty-seven

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47.

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz	Mahany,	Taylor,
Berger,	Haluska	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn	Rahauser,	Wagner,
Chapman,	Holland	Rosenfeld,	Walker,
Crider,	Homsher	Ruth,	Watson,
Crowe,	Kephart,	Scarlett,	Wilson,
Dent,	Klein,	Snowden,	Wolfe,
DiSilvestro,	Lane,	Stevenson,	Wood, T. N.,
Donlan,	Leader,	Stiefel,	Woodring,
Farrell,	Letzler,	Tallman,	

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 118, as follows:

An Act to further amend the third paragraph of section five of the act approved the eleventh day of June one thousand nine hundred thirty-five (P. L. 326) entitled "An act relating to counties of the first class defining deceased service persons providing for contributions by the county to the funeral expenses for such persons and their widows providing for the erection and care of markers headstones and flags and for the compilation of war records" authorizing the erection of headstones for deceased service persons whose bodies will not or cannot be returned to the United States and increasing amount of costs in certain cases

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The third paragraph of section five of the act approved the eleventh day of June one thousand nine hundred thirty-five (P. L. 326) entitled "An act relating to counties of the first class defining deceased service persons providing for contributions by the county to the funeral expenses for such persons and their widows providing for the erection and care of markers headstones and flags and for the compilation of war records" as last amended by the act approved the eighteenth day of May one thousand nine hundred forty-five (P. L. 697) is hereby further amended to read as follows

Section 5 Markers for Graves Headstones

* * * * *

It shall also be the duty of the county commissioners of such county upon or at any time subsequent to the death of any deceased service person who at the time of his or her death had his or her legal residence in the county on application as hereinafter provided to cause a headstone or bronze memorial tablet to be placed at the head of or on the grave of each such deceased service person [containing] Such headstone shall contain his or her name and the rank and organization to which he or she belonged or in which he or she served in letters raised or cut in at least three-sixteenths of an inch deep [on such] Such headstone [to] shall be of either marble or granite and to be placed or set in a concrete base at least three feet deep or if a headstone has been provided for

such grave by the United States Government the county commissioners shall provide such concrete base therefor or if lettering only on an existing memorial is desired by the family the county commissioners shall provide such lettering In the event the body of any deceased service person either cannot be or will not be returned to the United States of America it shall be the duty of the county commissioners to cause a headstone to be placed in the family plot of such deceased service person Said headstone shall have inscribed thereon (a) the name rank and organization of such deceased service person (b) the name of the country location or manner in which such person lost his or her life and (c) the cemetery or location in which the body if buried was finally laid to rest Application therefor shall in each case be made on forms prescribed by the Department of Military Affairs and may be made by any relative of the deceased service person or by a friend provided in the latter case there is no objection by the nearest relative and the application is approved by an organization of veterans of any war in which the United States has been is now or shall hereafter be engaged The expense in each case shall be borne by the county in which the deceased service person had his or her legal residence at the time of his or her death whether or not he or she died in the county and whether or not he or she was buried in the county Provided however That the expense shall not exceed the sum of [fifty dollars ($50)] seventy-five dollars ($75) for each headstone or concrete base or lettering or bronze memorial tablet and the county commissioners of each such county acting under this section shall draw a warrant on the treasurer of their county for the payment of said expense in favor of the party or parties furnishing such headstone or concrete base or lettering or bronze memorial tablet Provided however That in cases of dispute concerning the legal residence of a deceased service person the county in which a deceased service person is buried shall perform the duties hereinbefore set forth No such payment or payments shall be made unless the application therefor shall be approved before the commencement of the project by the county commissioners

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47.

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz	Mahany,	Taylor,
Berger,	Haluska	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn	Rahauser,	Wagner,
Chapman,	Holland	Rosenfeld,	Walker,
Crider,	Homsher	Ruth,	Watson,
Crowe,	Kephart,	Scarlett,	Wilson,
Dent,	Klein,	Snowden,	Wolfe,
DiSilvestro,	Lane,	Stevenson,	Wood, T. N.,
Doehla,	Leader,	Stiefel,	Woodring,
Farrell,	Letzler,	Tallman,	

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 120, as follows:

An Act to further amend the third paragraph of section four hundred twenty-six of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" authorizing the erection of headstones for deceased service persons whose bodies will not or cannot be returned to the United States and increasing amount of costs in certain cases

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The third paragraph of section four hundred twenty-six of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" as last amended by the act approved the eighteenth day of May one thousand nine hundred forty-five (P. L. 699) is hereby further amended to read as follows

Section 426 Markers for Graves Headstones

* * * * *

It shall also be the duty of the county commissioners of each county in this State upon or at any time subsequent to the death of any deceased service person who at the time of his or her death had his or her legal residence in the county on application as hereinafter provided to cause a headstone or bronze memorial tablet to be placed at the head of or on the grave of each such deceased service person [containing] Such head stone shall contain his or her name and the rank and organization to which he or she belonged or in which he or she served in letters raised or cut in at least three-sixteenths of an inch deep [or such] Such headstone [to] shall be of either marble or granite and to be placed or set in a concrete base at least three feet deep or if a headstone has been provided for such grave by the United States Government the county commissioners shall provide such concrete base therefor or if lettering only on an existing memorial is desired by the family the county commissioners shall provide such lettering In the event the body of any deceased service person either cannot be or will not be returned to the United States of America it shall be the duty of the county commissioners to cause a headstone to be placed in the family plot of such deceased service person Said head stone shall have inscribed thereon (a) the name rank and organization of such deceased service person (b) the name of the country location or manner in which such person lost his or her life and (c) the cemetery or location in which the body if buried was finally laid to rest Application therefor shall in each case be made on forms prescribed by the Department of Military Affairs and may be made by any relative of the deceased service person or by a friend provided in the latter case there is no objection by the nearest relative and the application is approved by an organization of veterans of any war in which the United States has been is now or shall hereafter be engaged The expense in each case shall be borne by the county in which the deceased service person had his or her legal residence at the time of his or her death whether or not he or she died in the county and whether or not he or she was buried in the county Provided however That the expense shall not exceed the sum of [fifty dollars ($50.00)] seventy-five dollars ($75) for each headstone or concrete base or lettering or bronze memorial tablet and the county commissioners of each county acting under this section shall draw a warrant on the treasurer of their county for the payment of said expense in favor of the party or parties furnishing such headstone or concrete base or lettering or bronze memorial tablet Provided however That in cases of dispute concerning the legal residence of a deceased service person the county in which a deceased service person is buried shall perform the duties hereinbefore set forth No such payment or payments shall be made unless the application therefor shall be approved before the commencement of the project by the county commissioners

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47.

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz	Mahany,	Taylor,
Berger,	Haluska	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn	Rahauser,	Wagner,
Chapman,	Holland	Rosenfeld,	Walker,
Crider,	Homsher	Ruth,	Watson,
Crowe,	Kephart,	Scarlett,	Wilson,
Dent,	Klein,	Snowden,	Wolfe,
DiSilvestro,	Lane,	Stevenson,	Wood, T. N.,
Doehla,	Leader,	Stiefel,	Woodring,
Farrell,	Letzler,	Tallman,	

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL POSTPONED

Mr. TALLMAN, Mr. President, I move that further consideration of Senate Bill No. 121, on third reading, entitled:

An Act to add section three hundred three point one to the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," increasing the fees for hunting licenses and providing for the use of moneys derived therefrom for the stocking of small game.

be placed on the Postponed Calendar.

Mr. HEYBURN, Mr. President, I second the motion.

The motion was agreed to.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 136, as follows:

An Act making an appropriation to the Pennsylvania Museum and School of Industrial Art Philadelphia

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of two hundred six thousand dollars ($206,000) is hereby specifically appropriated to the Pennsylvania Museum and School of Industrial Art Philadelphia for the two fiscal years beginning June first one thousand nine hundred forty-seven for maintenance and the purchase of apparatus supplies and equipment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47.

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahauser,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsher	Ruth,	Watson,
Crowe,	Kephart,	Scarlett,	Wilson,
Dent,	Klein,	Snowden,	Wolfe,
DiSilvestro,	Lane,	Stevenson,	Wood, T. N.,
Doehla,	Leader,	Stiefel,	Woodring,
Farrell,	Letzler,	Tallman,	

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 237, entitled:

An Act to amend sections one thousand seventeen and one thousand two hundred seven of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" removing the maximum and minimum limits on salaries of councilmen and mayors.

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. TALLMAN. Mr. President, I ask unanimous consent to offer an amendment at this time.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendment as follows:

Amend Title, page 1, line 6, by striking out the words "and minimum".

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Wil the Senate agree to the bill on third reading, as amended?

It was agreed to.

And said bill having been read at length the third time, and agreed to, as amended,

Ordered, That the bill as amended, lie over for printing on final passage.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 315, as follows:

An Act making an appropriation to the Department of Forests and Waters for the acquisition by purchase or condemnation of forest land and the development and use thereof for reforestation for the work of the department with respect to forests and forest land and for the acquisition by purchase condemnation or gift of lands buildings or other properties for State parks and for the development thereof for the operation maintenance development and improvement of exist-

ing parks for recreation facilities for any flood control purposes including purchase and maintenance of flood forecasting equipment and services and the payment of the employes and expenses of the flood control commission and for stream channel improvement for construction of dams to create lakes and other stream clearance of any type for flood control and for encouragement of proper forest practices by private land owners

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of ten million dollars ($10,000,000) or so much thereof as may be necessary is hereby appropriated to the Department of Forests and Waters for the acquisition by purchase or condemnation of forest land and for the development and use thereof for reforestation forest protection silvicultural operations forest recreation and other forest work for acquisition by purchase condemnation or gift of lands buildings or other properties for State parks and for the development thereof for the operation maintenance development and improvement of existing parks for recreation facilities for any flood control purposes including purchase and maintenance of flood forecasting equipment and services and the payment of the employes and expenses of the flood control commission for stream channel improvement for construction of dams to create lakes and other stream clearance of any type for flood control for the encouragement by demonstration or otherwise of proper forest practices by private land owners

Section 2 The amount of this appropriation to be expended for any of the purposes enumerated in section one shall be determined by the Secretary of Forests and Waters with the approval of the Governor.

Section 3 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the pro-

YEAS—47.

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahauser,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsher	Ruth,	Watson,
Crowe,	Kephart,	Scarlett,	Wilson,
Dent,	Klein,	Snowden,	Wolfe,
DiSilvestro,	Lane,	Stevenson,	Wood, T. N.,
Doehla,	Leader,	Stiefel,	Woodring,
Farrell,	Letzler,	Tallman,	

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 332, as follows:

An Act to amend the title and section one of the act approved the twenty-eighth day of July one thousand nine hundred forty-one (P. L. 560) entitled "An act authorizing and empowering school districts of the first and second class to furnish food including milk to undernourished and poor school children in their districts and providing that the acceptance and distribution of surplus commodities furnished by the Federal Government to such school districts shall not affect or limit the provisions hereof" extending the provisions thereof to all classes of school districts

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title and section one of the act approved the twenty-eighth day of July one thousand nine hundred forty-one (P. L. 560) entitled "An act authorizing and empowering school districts of the first and second class to furnish food including milk to undernourished and poor school children in their districts and providing that the acceptance and distribution of surplus commodities furnished by the Federal Government to such school districts shall not affect or limit the provisions hereof" are hereby amended to read as follows

An Act authorizing and empowering school districts [of the first and second class] to furnish food including milk to undernourished and poor school children in their districts and providing that the acceptance and distribution of surplus commodities furnished by the Federal Government to such school districts shall not affect or limit the provisions hereof

Section 1 That the directors [of] in all school districts [of the first and second class be and they] are hereby authorized and empowered to furnish food including milk to the undernourished and poor school children attending the schools within their districts at the expense of the school district The provisions of this act shall not be limited or affected by the acceptance and distribution by school directors of surplus commodities made available by the Federal Government

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

Mr. DENT. Mr. President, House Bill 332 and House Bill 333 are two bills that affect the school lunch program. The minority wishes to say that it, of course, is going to vote for this legislation. We only want to call your attention to the fact that if the present so-called soft drink tax goes through it will create an imposition upon the school lunch program because it taxes the chocolate milk that is consumed to the tune of about eight million bottles per year in the school lunch program and I do not believe that the Senate wishes to do that.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47.

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahauser,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsher	Ruth,	Watson,
Crowe,	Kephart,	Scarlett,	Wilson,
Dent,	Klein,	Snowden,	Wolfe,
DiSilvestro,	Lane,	Stevenson,	Wood, T. N.,
Doehla,	Leader,	Stiefel,	Woodring,
Farrell,	Letzler,	Tallman,	

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 333, as follows:

An Act to provide for the establishment maintenance operation and expansion of nonprofit school lunch programs in schools in the Commonwealth of Pennsylvania

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Definitions For the purposes of this act

(1) "Board of School Directors" includes the board of public education in school districts of the first class and the board of directors of vocational schools of vocational school districts as well as the boards of school directors of school districts of the second third and fourth class

(2) "School lunch program" means a program under which lunches are served by any school in this Commonwealth on a nonprofit basis to children in attendance including any such program under which a school receives assistance out of funds appropriated by the Congress of the United States

Section 2 Expenditure of Federal Funds The Department of Public Instruction is hereby authorized to accept and direct the disbursement of funds appropriated by any act of Congress and apportioned to the State for use in connection with school lunch programs The Department of Public Instruction shall deposit all such funds received from the Federal Government in a special account with the Treasurer of the State who shall make disbursements therefrom upon the direction of the Department of Public Instruction

Section 3 Administration of Program The Department of Public Instruction may enter into such agreements with any agency of the Federal Government with any board of school directors or with any other agency or person prescribe such regulations employ such personnel and take such other action as it may deem necessary to provide for the establishment maintenance operation and expansion of any school lunch program and to direct the disbursement of Federal and State funds in accordance with any applicable provisions of Federal or State law The Department of Public Instruction may give technical advice and assistance to any board of school directors in connection with the establishment and operation of any school lunch program and may assist in training personnel engaged in the operation of such program The Department of Public Instruction and any board of school directors may accept any gift for use in connection with any school lunch program

Section 4 Boards of School Directors Pursuant to any power of boards of school directors to operate or provide for the operation of school lunch programs in schools under their jurisdiction boards of school directors may use therefor funds disbursed to them under the provisions of this act gifts and other funds received from sale of school lunches under such programs

Section 5 Accounts Records Reports and Operations The Department of Public Instruction shall prescribe regulations for the keeping of accounts and records and the making of reports by or under the supervision of boards of school directors Such accounts and records shall at all times be available for inspection and audit by authorized officials and shall be preserved for such period of time not in excess of five years as the Department of Public Instruction may lawfully prescribe The Department of Public Instruction shall conduct or cause to be conducted such audits inspections and administrative reviews of accounts records and operations with respect to school lunch programs as may be necessary to determine whether its agreements with boards of school directors and regulations made pursuant to this act are being complied with and to insure that school lunch programs are effectively administered

Section 6 Studies Appraisals and Reports to Governor The Department of Public Instruction is hereby authorized to the extent that funds are available for that purpose and in cooperation with other appropriate agencies and organizations to conduct studies of methods of improving and expanding school lunch programs and promoting nutritional education in the schools to conduct appraisals of the nutritive benefits of school lunch programs and to report its findings and recommendations from time to time to the Governor

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47.

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahauser,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsher	Ruth,	Watson,
Crowe,	Kephart,	Scarlett,	Wilson,
Dent,	Klein,	Snowden,	Wolfe,
DiSilvestro,	Lane,	Stevenson,	Wood, T. N.,
Doehla,	Leader,	Stiefel,	Woodring,
Farrell,	Letzler,	Tallman,	

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 334, as follows:

An Act to amend the act approved the second day of May one thousand nine hundred forty-five (P. L. 382) entitled "An act providing for the incorporation as bodies corporate and politic of "Authorities" for municipalities counties and townships prescribing the rights powers and duties of such Authorities heretofore or hereafter incorporated authorizing such Authorities to acquire construct improve maintain and operate projects and to borrow money and issue bonds therefor providing for the payment of such bonds and prescribing the rights of the holders thereof conferring the right of eminent domain on such Authorities authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof and conferring exclusive jurisdiction on certain courts over rates" by further providing for the incorporation of such Authorities and further prescribing the rights power and duties of such Authorities

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause (c) of subsection B of section three subsections A and B of section four clause (a) of subsection A and subsection C of section seven and subsection A of section nine of the act approved the second day of May one thousand nine hundred forty-five (P. L. 382) entitled "An act providing for the incorporation as bodies corporate and politic of "Authorities" for municipalities counties and townships prescribing the rights powers and duties of such Authorities heretofore or hereafter incorporated authorizing such Authorities to acquire construct improve maintain and operate projects and to borrow money and issue bonds therefor providing for the payment of such bonds and prescribing the rights of the holders thereof conferring the right of eminent domain on such Authorities authorizing such Authorities to enter into contracts with and to accept grants from the Federal

Government or any agency thereof and conferring exclusive jurisdiction on certain courts over rates" are hereby amended to read as follows

Section 3 Method of Incorporation

* * * * *

B On or before the day specified in said notice the municipal authorities shall file with the Secretary of the Commonwealth articles of incorporation together with proof of publication of the notice as aforesaid Said articles of incorporation shall set forth

* * * * *

(c) A statement [that no other Authority] whether any other Authority has been organized under this act or under the act approved the twenty-eighth day of June one thousand nine hundred thirty-five (P. L. 463) and is in existence in or for the incorporating municapility or municipalities except that where any one or more of the municipalities have already joined with other municipalities not composing the same group in organizing a joint Authority the application shall set forth the name of the Authority theretofore created together with the names of the municipalities joining therein

Section 4 Purposes and Powers General A Every Authority incorporated under this act shall be a body corporate and politic and shall be for the purpose of acquiring holding constructing improving maintaining and operating owning leasing either in the capacity of lessor or lessee projects of the following kind and character buildings to be devoted wholly or partially for public uses and for revenue-producing purposes transportation marketing shopping terminals bridges tunnels [streets] flood control projects highways parkways traffic distribution center [traffic circles] parking spaces airports and all facilities necessary or incident thereto parks recreation grounds and facilities sewers sewer systems or parts thereof sewage treatment works steam heating plants and distribution systems incinerator plants waterworks water supply works water distribution systems swimming pools playgrounds low head dams hospitals motor buses for public use [when such motor buses are to be used within any municipality] and subways The purpose and intent of this act being to benefit the people of the Commonwealth by among other things increasing their commerce and prosperity and not to unnecessarily burden or interfere with existing business by the establishment of competitive enterprises none of the powers granted by this act shall be exercised in the construction improvement maintenance extension or operation of any proqect or projects which in whole or in part shall duplicate or compete with existing enterprises serving substantially the same purposes The municipality or municipalities organizing such an Authority may in the resolution or ordinance signifying their intention so to do or from time to time by subsequent resolution or ordinance specify the project or projects to be undertaken by the said Authority and no other projects shall be undertaken by the said Authority than those so specified If the municipal authorities organizing an Authority fail to specify the project or projects to be undertaken then the Authority shall be deemed to have all the powers granted by this act

B Every Authority is hereby granted and shall have and may exercise all powers necessary or convenient for the carrying out of the aforesaid purposes including but without limiting the generality of the foregoing the following rights and powers

(a) To have existence for a term of fifty years as a corporation

(b) To sue and be sued implead and be impleaded complain and defend in all courts

(c) To adopt use and alter at will a corporate seal

(d) To acquire purchase hold lease as lessee and use any franchise property real personal or mixed tangible or intangible or any interest therein necessary or desirable for carrying out the purposes of the Authority and to sell lease as lessor transfer and dispose of any property or interest therein at any time acquired by it

(e) To acquire by purchase lease or otherwise and to construct improve maintain repair and operate projects

(f) To make by-laws for the management and regulation of its affairs

(g) To appoint officers agents employes and servants to prescribe their duties and to fix their compensation

(h) To fix alter charge and collect rates and other charges in the area served by its facilities at reasonable and uniform rates to be determined exclusively by it for the purpose of providing for the payment of the expenses of the Authority the construction improvement repair maintenance and operation of its facilities and properties the payment of the principal of and interest on its obligations and to fulfill the terms and provisions of any agreements made with the purchasers or holders of any such obligations or with the municipality incorporating or municipalities which are members of said Authority to determine the services and improvements in the areas serviced Provided That if the service area includes more than one municipality the revenues from any project shall not be expended directly or indirectly on any other project unless such expenditures are made for the benefit of the entire service area Any person questioning the reasonableness or uniformity of any rate fixed by any Authority may bring suit against the Authority in the court of common pleas of the county wherein the project is located or if the project is located in more than one county then in the court of common pleas of the county wherein the principal office of the project is located The court of common pleas shall have exclusive jurisdiction to determine the reasonableness and uniformity of rates and other charges fixed altered charged or collected by an Authority Appeals may be taken to the Superior Court within thirty days after the court of common pleas has rendered a final decision

(i) To borrow money make and issue negotiable notes bonds refunding bonds and other evidences of indebtedness or obligations (herein called "bonds") of the Authority said bonds to have a maturity date not longer than forty years from the date of issue except that no refunding bonds shall have a maturity date later than the life of the Authority and to secure the payment of such bonds or any part thereof by pledge or deed of trust of all or any of its revenues and receipts and to make such agreements with the purchasers or holders of such bonds or with others in connection with any such bonds whether issued or to be issued as the Authority shall deem advisable and in general to provide for the security for said bonds and the rights of the holders thereof and in respect to any project constructed and operated under agreement with any Authority or any public Authority of any adjoining state to borrow money and issue such notes bonds and others evidences of indebtedness and obligations jointly with any such Authority

(j) To make contracts of every name and nature and to execute all instruments necessary or convenient for the carrying on of its business

(k) Without limitation of the foregoing to borrow money and accept grants from and to enter into contracts leases or other transactions with any Federal agency Commonwealth of Pennsylvania municipality corporation or Authority

(l) To have the power of eminent domain

(m) To pledge hypothecate or otherwise encumber all or any of the revenues or receipts of the Authority as security for all or any of the obligations of the Authority

(n) To do all acts and things necessary or convenient for the promotion of its business and the general welfare of the Authority to carry out the powers granted to it by this act or any other acts

(o) To contract with any municipality corporation or any public Authority of this or any adjoining state on such terms as the said Authority shall deem proper for the construction and operation of any project which is partly in this Commonwealth and partly in such adjoining state

(p) To enter into contracts [with] to supply water and other services to and for municipalities that are not members of the Authority or [with] to and for the Commonwealth of Pennsylvania municipalities [corporations or

authorities for the use of any project of the Authority and fixing] persons or authorities and fix the amount to be paid therefor

(q) To enter into contracts of group insurance for the benefit of its employes and to set up a retirement or pension fund for such employes [similar to that existing in the municipality where the principal office of the project is located]

(r) To charge the cost of construction of any lateral sewer constructed by the Authority against the properties accommodated or benefited thereby to the extent of such benefits Such benefiits shall be assessed in the manner provided by section eleven of this act for the exercise of the right of eminent domain

(s) To charge the cost of construction of any lateral sewer constructed by the Authority against the properties benefited or improved thereby Such charges shall be based upon the foot frontage of the properties so benefited and shall be a lien against such properties Such charges may be assessed and collected and such liens may be enforced in the manner provided by law for the assessment and collection of charges and the enforcement of liens of the municipality in which such Authority is located Provided That no such charge shall have the force and effect of a lien unless prior to construction of such sewer system the Authority shall have submitted the plan of construction and estimated cost to the municipality in which such project is to be undertaken and the municipal authority shall have approved such plan and estimated cost And provided further That the cost of the construction shall not have exceeded the estimated cost as approved by the municipal authority

(t) To charge a tapping fee whenever the owner of any property connects such property with a sewer system constructed by the Authority which fee shall be in addition to any charges assessed and collected against such property in the construction of such sewer by the Authority or any rental charges assessed by the Authority

Section 7 Governing Body A The powers of each Authority shall be exercised by a governing body (herein called the "Board") composed as follows

(a) If the Authority is incorporated by one municipality the board shall consist of five members each of whom shall be a citizen of such municipality The governing body of such municipality shall appoint the members of the board whose terms of office shall commence on the date of appointment and one of whom shall serve for one year one for two years one for three years one for four years and one for five years from the January first next succeeding the date of incorporation Thereafter the said governing body shall at a meeting held not later than one month prior to January first in each year in which a vacancy occurs appoint as a member of the board a citizen of themunicipality for which the Authority is created for a term of five years to succeed the members whose term expires on the January first next succeeding

* * * * *

C A majority of the members shall constitute a quorum of the board for the purpose of organizing the Authority and conducting the business thereof and for all other purposes and all action may be taken by vote of a majority of the members present unless in any case the by-laws shall require a larger number The board shall have full authority to manage the properties and business of the Authority and to prescribe amend and repeal by-laws rules and regulations governing the manner in which the business of the Authority may be conducted and the powers granted to it may be exercised and embodied The board shall fix and determine the number of officers agents and employes of the Authority and their respective [compensation and duties and may delegate to one or more of their number or to one or more of said officers agents or employes such powers and duties as it may deem proper] powers duties and compensation and may appoint to such office or offices any member of the board with such powers duties and compensation as the board may deem proper

Section 9 Transfer of Existing Facilities to Authority A Any municipality or owner may and they are hereby authorized to sell lease lend grant or convey to any Authority any project or any part or parts thereof or any interest in real or personal property which may be used by the Authority in the construction improvement maintenance or operation of any project Any municipality is also authorized to transfer assign and set over to any Authority any contracts which may have been awarded by said municipality for the construction of projects not begun or if begun not completed The territory being served by any project or the territory within which such project is authorized to render service at the time of the acquisition of such project by an Authority shall [constitute the area in which such Authority shall be authorized to render service] include the area served by the project and the area in which the project is authorized to serve at the time of acquisition and any other area into which the service may be extended subject to the limitations of subsection A of section four of this act

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—33.

Barr,	Geltz,	Lord,	Stiefel,
Becker,	Haluska,	Mahany,	Tarr,
Carr,	Homsher	Mallery,	Wade,
Crider,	Kephart,	Margie,	Wagner,
Dent,	Klein,	Rahauser,	Watson,
DiSilvestro,	Lane,	Rosenfeld,	Wolfe,
Doehla,	Leader,	Ruth,	Wood, T. N.,
Farrell,	Letzler,	Scarlett,	Woodring,
Frazier,			

NAYS—10.

Berger,	Crowe,	Taylor,	Walker,
Blass,	Heyburn,	Tyler,	Wilson,
Chapman,	Tallman,		

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 336, as follows:

An Act to amend the title to further amend section two and to amend section seven of the act approved the fourth day of June one thousand nine hundred forty-three (P. L. 886) entitled "An act creating a Municipal Employes' Retirement System for the payment of retirement allowances to officers and employes of political subdivisions and institutions supported and maintained by them and providing for the administration of the same by a board composed of certain state officers and others appointed by the Governor imposing certain duties on the State Employes' Retirement Board and the actuary thereof providing the procedure whereby political subdivisions may join such system and imposing certain liabilities and obligations on such politcal subdivisions in connection therewith and as to certain existing retirement and pension systems and upon officers and employes of such political subdivisions and institutions supported and maintained by them providing certain exemptions from taxation execution attachment levy and sale and making an appropriation" including employes of municipal authorities within the provisions of the act and prescribing the procedure by which municipal authorities may join the retirement system

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title of the act approved the fourth day of June one thousand nine hundred forty-three (P. L. 886) entitled "An act creating a Municipal Employes' Retirement System for the payment of retirement allowances to officers and employes of political subdivisions and institutions supported and maintained by them and providing for the administration of the same by a board composed of certain state officers and others appointed by the Governors imposing certain duties on the State Employes' Retirement Board and the actuary thereof providing the procedure whereby political subdivisions may join such system and imposing certain liabilities and obligations on such political subdivisions in connection therewith and as to certain existing retirement and pension system and upon officers and employes of such political subdivisions and institutions supported and maintained by them providing certain exemptions from taxation execution attachment levy and sale and making an appropriation" is hereby amended to read as follows

An Act creating a Municipal Employes' Retirement System for the payment of retirement allowances to officers and employes of political subdivisions and municipal authorities and of institutions supported and maintained by [them] political subdivisions and providing for the administration of the same by a board composed of certain state officers and others appointed by the Governor imposing certain duties on the State Employes' Retirement Board and the actuary thereof providing the procedure whereby political subdivisions and municipal authorities may join such system and imposing certain liabilities and obligations on such political subdivisions and municipal authorities in connection therewith and as to certain existing retirement and pensions systems and upon officers and employes of such political subdivisions [and] institutions supported and maintained by [them] political subdivisions and upon municipal authorities providing certain exemptions from taxation execution attachment levy and sale and making an appropriation

Section 2 Section two of said act as amended by the act approved the nineteenth day of April one thousand nine hundred forty-five (P. L. 265) is hereby further amended to read as follows

Section 2 Definitions The following words and phrases unless a different meaning is plainly required by the context shall have the following meanings

"Board" the Municipal Employes' Retirement Board

"Municipality" a city borough town township county [and] institution district or municipal authority

"Municipal Employe" a person holding an office or position under a municipality [or] an institution supported and maintained by [it] a municipality or under a municipal authority in any capacity whatever employed and paid on a yearly or monthly or per diem basis or employed and paid by the municipality or municipal authority with its funds or through any separate institution supported and maintained through trustees or otherwise by [it] the municipality The term shall not include officers and employes paid wholly on a fee basis

"Member" a municipal employe who has become a member of the Municipal Employes' Retirement System established by this act

"Original Member" a municipal employe who was a municipal employe at the date the municipality by which he is employed joined the retirement system established by this act

"New Member" a municipal employe who first becomes a municipal employe after the date the municipality by which he is employed joined the retirement system established by this act

"Contributor" a municipal employe who has accumulated deductions standing to his credit in the member's account of the fund created by this act

"Beneficiary" a person who was a municipal employe but has retired and is receiving a retirement allowances as provided in this act

"Prior Service" all service as a municipal employe completed at the time the municipality by which he is or was employed elected to join the retirement system established by this act or the same municipality under a prior name or classification

"Superannuation Retirement Age" sixty years of age or upwards

"Final Salary" the average annual salary or compensation earned by a municipal employe and paid by the municipality during the last five years immediately preceding retirement or if not so long employed then the average annual salary or compensation paid during the whole period of such employment In computing final salary if the amount thereof shall exceed four thousand dollars ($4000) it shall for the purpose of this act be limited to four thousand dollars ($4000)

"Accumulated Deductions" the total amount deducted from the salary or compensation of the contributor and paid over by the municipality or paid by the municipal employe or from any existing pension or retirement system directly into the retirement fund and credited to the members' account together with regular interest thereon

"Regular Interest" interest at two and one-half per cent per annum compounded annually and in case of interest earnings in excess of two and one-half per cent shall mean the interest actually earned on investments in any year

"Municipal Annuity" that portion of the retirement allowance derived from contributions made by the municipality

"Member's Annuity" that portion of the retirement allowance derived from the accumulated deductions of the municipal employe

"Retirement Allowance" the municipal annuity plus the member's annuity

"Fund" the Municipal Employe's Retirement Fund created by this act

Section 3 Section seven of said act is hereby amended to read as follows

Section 7 Election by Municipalities to Join Retirement System Any municipality may elect by ordinance or resolution adopted by the tax levying body or in the case of municipal authorities by the board of such municipal authority to join the retirement system established by this act In the case of townships of the second class no such resolution shall be adopted execpt by unanimous vote of all three supervisors

Any municipality by action of its tax levying body may and upon petition of electors equal to at least ten per centum of the registered electors of the municipality shall submit the question of joining such retirement system to the voters of the municipality at any municipal or general election in the same manner as other questions are submitted to the electors under the Election Code of the Commonwealth If the majority of the electors voting on the question vote in favor thereof the tax levying body shall adopt an ordinance or resolution electing to join such system If the electors vote against joining the system then no further action shall be taken in the municipality for a period of two years

A duly certified copy of any such ordinance or resolution electing to join the retirement system shall be filed with the State Employes' Retirement Board until the board created by this act has been established and thereafter with the board created by this act

Section 4 The provisions of this act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47.

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz	Mahany,	Taylor,
Berger,	Haluska	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn	Rahauser,	Wagner,
Chapman,	Holland	Rosenfeld,	Walker,
Crider,	Homsher	Ruth,	Watson,
Crowe,	Kephart,	Scarlett,	Wilson,
Dent,	Klein,	Snowden,	Wolfe,
DiSilvestro,	Lane,	Stevenson,	Wood, T. N.,
Doehla,	Leader,	Stiefel,	Woodring,
Farrell,	Letzler,	Tallman,	

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for conucurrence.

BILL OVER IN ORDER

Mr. BECKER. Mr. President, I ask unanimous consent that Senate Bill No. 337 on third reading, entitled:

An Act to further amend the act, approved the seventh day of June, one thousand nine hundred seventeen (P. L. 447), entitled as amended, "An act relating to the administration and distribution of the estates of decedents and of minors, and of trust estates; including the appointment, bonds, rights, powers, duties, liabilities, accounts, discharge and removal of executors, administrators, guardians, and trustees herein designated as fiduciaries; the administration and distribution of the estates of presumed decedents; widow's and children's exemptions; debts of decedents; rents of real estate as assets for payment thereof, the lien thereof, sales and mortgages of real estate for the payment thereof, judgments and executions therefor, and the discharge of real estate from the lien thereof; contracts of decedents for the sale or purchase of real estate; legacies, including legacies charged on land; the discharge of residuary estates and of real estate from the lien of legacies and other charges; and appraisement of real estate devised at a valuation; the ascertainment of the curtilage of dwelling houses or other buildings devised; the abatement and survival of actions, and the substitution of executors and administrators therein; the survival of causes of action and suits thereupon by or against fiduciaries; investments by fiduciaries; the organization of corporations to carry on the business of decedents; the audit and review of accounts of fiduciaries; refunding bonds; transcripts to the court of commno pleas of balances due by fiduciaries; the rights, powers, and liabilities of nonresident and foreign fiduciaries; the the appointment, bonds, rights, powers, duties, and liabilities of trustees durante absentia; the recording and registration of decrees, reports, and other proceedings, and the fees therefor; appeals in certain cases; and also generally dealing with the jurisdiction powers, and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents," by permitting the investment of trust funds by fiduciaries in municipality authority bonds.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 337, as follows:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to convey to the Borough of Ebensburg Cambria County certain property located in Cambria County and commonly known as the "Keystone Airport"

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Department of Property and Supplies acting on behalf of the Commonwealth of Pennsylvania and subject to the approval of the Governor is hereby authorized to grant and convey to the Borough of Ebensburg all those certain pieces or parcels of land situate in Cambria Township and in Jackson Township Cambria County Pennsylvania bounded and described as follows

1 Beginning at a post a corner of tract No. 3 hereinafter described and in the center of the William Penn Highway formerly the Pittsburgh Pike and being the line of land of Webster Grith et al thence by said line South fifty-eight (58) degrees fifty (50) minutes West nineteen hundred and sixteen (1916) feet to post in center of said highway and a corner of land of Tract No. 2 hereinafter described thence by line of land of Tract No. 2 North five (5) degrees fifteen (15) minutes East one thousand ninety-seven (1097) feet to a post and still along line of tract No. 2 north eighty-four (84) degrees forty-five (45) minutes west eight hundred (800) feet to a post in line of land of tract No. 4 thence along line of tract No. 4 hereinafter described north two (2) degrees east one thousand six hundred and thirty-six (1636) feet to a post a corner of land of A V Barker et al thence by land of A V Barker et al south eighty-eight (88) degrees fifty-five (55) minutes east one thousand eighty-three (1083) feet to a post thence by land of A V Barker et al and by line of tract No. 3 hereinafter described south thirty-four (34) degrees thirty (30) minutes east two thousand one hundred sixty (2160) feet to a post the place of beginning

Containing eighty-five (85) acres and one hundred sixteen (116) perches more or less

2 Beginning at a point on the Pittsburgh Pike thence along line of land of John Baustert North eighty (80) degrees West one hundred sixty-seven (167) feet to a point on line of land of Frank Cassidy thence by line of land of said Cassidy and a tract of land formerly in the name of Wm H. Sechler hereinafter described as tract No. 4 North five (5) degrees fifteen (15) minutes East fifteen hundred and thirty-eight (1538) feet to a point thence by line of tract No. 1 hereinbefore described South eighty-four (84) degrees forty-five (45 minutes East eight hundred (800) feet to a point thence by same South five (5) degrees fifteen (15) minutes West ten hundred and ninety-seven (1097) feet to a point on the aforesaid Pittsburgh Pike thence along said Pike South fifty-nine (59) degrees fifteen (15) minutes West seven hundred and seventy-four (774) feet to the place of beginning

Containing twenty-five (25) acres

3 Beginning at a post in center line of Pittsburgh Pike and corner of tract No. 1 hereinbefore described thence along line of tract No. 1 hereinbefore described North thirty-four (34) degrees West eleven hundred and forty-five (1145) feet to a post thence by land of A V Barker et al North fifty-six (56) degrees thirty (30) minutes East twelve hundred and sixty-five (1265) feet to a post on line of factory road thence by the factory road on land of A V Barker et al South eighty-four (84) degrees East one hundred and sixty-five (165) feet North eighty-four (84) degrees East two hundred and seventy-four (274) feet South fifty-nine (59) degrees forty-five (45) minutes East two hundred (200) feet South sixty-one (61) degrees fifteen (15) minutes East one hundred (100) feet South seventy (70) degrees forty-five (45) minutes East one hundred (100) feet South sixty-two (62) degrees forty-five (45) minutes East two hundred and ninety-six (296) feet South sixty-seven (67) degrees thirty (30) minutes East three hundred and fifty-four (354) feet South fifty-eight (58) degrees twenty (20) minute

East one hundred and thirty (130) feet to a post in the center of Pittsburgh Pike thence by the center of Pittsburgh Pike South fifty-eight (58) degrees thirty (30) minutes West twenty-two hundred and thirty-two (2232) feet to post the place of beginning

Containing fifty (50) acres and six (6) perches

4 Beginning at a Hazel a corner of land of A V Barker et al thence by line of land of tract No. 1 and tract No. 2 hereinbefore described South three (3) degrees forty-nine (49) minutes West one hundred ninety-five (195) perches to stones corner of Harry George thence by land of said Harry George and also by land of William James Estate North eighty-six (86) degrees thirty (30) minutes West one hundred sixty-three (163) perches to a spruce corner of land of Webster Griffith thence along land of said Webster Griffith North three (3) degrees forty-five (45) minutes East to the right-of-way of the Blacklick Branch of the Pennsylvania Railroad thence along the Southern line of the right-of-way of the Blacklick Branch of said Railroad to a point where the Northern line of the tracts herein described intersect said line thence along the Northern line of said tract to a Hazel the place of beginning

Containing one hundred twenty (120) acres more or less

Being the same premises which became vested in the Commonwealth of Pennsylvania grantor herein by deed from P J Little and Bertha M Little his wife dated the twenty-sixth day of June one thousand nine hundred thirty-three and recorded in Cambria County in Deed Book Volume four hundred fifty-three page five hundred eighty

The conveyance herein authorized shall be subject to reservations and exception as expressed in the deed to the Commonwealth hereinbefore described

Section 2 The grant or conveyance herein authorized shall be made for a consideration of one dollar ($1) Said grant or conveyance shall be effected by execution of a deed in regular form from the Commonwealth executed and delivered by the Department of Property and Supplies

Section 3 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz	Mahany,	Taylor,
Berger,	Haluska	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn	Rahauser,	Wagner,
Chapman,	Holland	Rosenfeld,	Walker,
Crider,	Homsher	Ruth,	Watson,
Crowe,	Kephart,	Scarlett,	Wilson,
Dent,	Klein,	Snowden,	Wolfe,
DiSilvestro,	Lane,	Stevenson,	Wood, T. N.,
Doehla,	Leader,	Stiefel,	Woodring,
Farrell,	Letzler,	Tallman,	

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 338, as follows:

An Act to further amend clause (c) of section three of the act approved the first day of June one thousand nine hundred thirty-seven (P. L. 1168) entitled "An act to protect the right of employes to organize and bargain collectively creating the Pennsylvania Labor Relations Board conferring powers and imposing duties upon the Pennsylvania Labor Relations Board officers of the State government and courts providing for the right of employes to organize and bargain collectively declaring certain labor practices by employers to be unfair further providing that representatives of a majority of the employes be the exclusive representatives of all the employes authorizing the board to conduct hearings and elections and certify as to representatives of employes for purposes of collective bargaining empowering the board to prevent any person from engaging in any unfair labor practice and providing a procedure for such cases including the issuance of a complaint the conducting of a hearing and the making of an order empowering the board to petition a court of common pleas for the enforcement of its order and providing a procedure for such cases providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order and establishing a procedure for such cases providing for an appeal from the common pleas court to the Supreme Court providing the board with investigatory powers including the power to issue subpoenas and the compelling of obedience to them through application to the proper court providing for service of papers and process of the board prescribing certain penalties" excluding municipal authorities from the definition of employer

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause (c) of section three of the act approved the first day of June one thousand nine hundred thirty-seven (P. L. 1168) entitled "An act to protect the right of employes to organize and bargain collectively creating the Pennsylvania Labor Relations Board conferring powers and imposing duties upon the Pennsylvania Labor Relations Board officers of the State government and courts providing for the right of employes to organize and bargain collectively declaring certain labor practices by employers to be unfair further providing that representatives of a majority of the employes be the exclusive representatives of all the employes authorizing the board to conduct hearings and elections and certify as to representatives of employes for purposes of collective bargaining empowering the board to prevent any person from engaging in any unfair labor practice and providing a procedure for such cases including the issuance of a complaint the conducting of a hearing and the making of an order empowering the board to petition a court of common pleas for the enforcement of its order and providing a procedure for such cases providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order and establishing a procedure for such cases providing for an appeal from the common pleas court to the Supreme Court providing the board with investigatory powers including the powers to issue subpoenas and the compelling of obedience to them through application to the proper court providing for service of papers and process of the board prescribing certain penalties" as amended by the act approved the twenty-seventh day of May one thousand nine hundred forty-three (P. L. 741) is hereby further amended to read as follows

Section 3 Definitions When used in this act * * * * *

(c) The term "employer" includes any person acting directly or indirectly in the interest of an employer but shall not include the United States or the Commonwealth or any political subdivision thereof or any municipal authority or any person subject to the Federal Railway Labor Act or any labor organization (other than when acting as an employer) or anyone acting in the capacity of officer or agent of such labor organization

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz	Mahany,	Taylor,
Berger,	Haluska	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn	Rahauser,	Wagner,
Chapman,	Holland	Ruth,	Walker,
Crider,	Homsher	Scarlett,	Watson,
Crowe,	Kephart,	Snowden,	Wilson,
Dent,	Klein,	Stevenson,	Wolfe,
DiSilvestro,	Lane,	Stiefel,	Wood, T. N.,
Doehla,	Leader,	Tallman,	Woodring,
Farrell,	Letzler,		

NAYS—1

Rosenfeld,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 341, on third reading, entitled:

An Act to amend section ten of the act approved the twenty-fifth day of May, one thousand nine hundred forty-five, (P. L. 1050), entitled "An act relating to the collection of taxes levied by counties, county institution districts, cities of the third class, boroughs, towns, townships, certain school districts and vocational school districts; conferring powers and imposing duties on tax collectors; courts and various officers of said political subdivisions; and prescribing penalties," providing for interest on unpaid taxes.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 342, on third reading, entitled:

An Act making an appropriation to the Senate, and the House of Representatives to pay the expenses of their committees directed to visit State institutions under the supervision of the Department of Welfare.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 362, as follows:

An Act to amend section two of the act approved the eleventh day of April one thousand nine hundred forty-five (P. L. 203) entitled "An act to provide assistance for typhoid fever carriers and persons having typhoid fever carriers in their households and imposing certain responsibilities upon the Secretary of Health the Secretary of Public Assistance and the Secretary of Welfare in connection therewith" by fixing the date on which financial assistance shall begin

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two of the act approved the eleventh day of April one thousand nine hundred forty-five (P. L. 203) entitled "An act to provide assistance for typhoid fever carriers and persons having typhoid fever carriers in their households and imposing certain responsibilities upon the Secretary of Health the Secretary of Public Assistance and the Secretary of Welfare in connection therewith" is hereby amended to read as follows

Section 2 Application for assistance shall be made upon form to be furnished by the department and such application must be notarized It shall include the name and address of the carrier date of official notice to him of his carrier condition specify the character of occupation relinquished and such other information as the Department of Health shall deem necessary to an estimate of the financial and economic distress resulting from the restrictions imposed upon the carrier The Secretary of Health and the Secretary of Public Assistance and the Secretary of Welfare or such of their assistants as any or all of them may designate shall jointly give due and careful consideration to applications for assistance as provided for in this act and may if considerable desirable or necessary to a fair and just conclusion with respect to the needs of the applicant seek additional information having a bearing on the facts contained in the application from individuals other than the applicant himself and shall determine whether compensation shall be granted or not and the amount of compensation Compensation shall vary with the circumstances of each individual applicant and in no case shall exceed six hundred dollars ($600) per annum Compensation shall be granted for a period of one year from the date application for assistance is made and the receipient may make annually a new application for its continuance The Secretary of Health at his discretion shall suspend one or more payments or terminate payments of compensation whenever the recipient fails to observe any of the provisions of the State Department of Health governing typhoid fever carriers

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahauser,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsher,	Ruth,	Watson,
Crowe,	Kephart,	Scarlett,	Wilson,
Dent,	Klein,	Snowden,	Wolfe,
DiSilvestro,	Lane,	Stevenson,	Wood, T. N.,
Doehla,	Leader,	Stiefel,	Woodring,
Farrell,	Letzler,	Tallman,	

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 364, as follows:

An Act to add sections four hundred ninety-six point five and four hundred ninety-six point six to the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by prescribing the procedure and entering into contracts for establishment operation and maintenance of aviation landing fields and air dromes

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Article five of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" as amended by the act approved the eleventh day of July one thousand nine hundred forty-one (P. L. 360) is hereby further amended by adding at the end thereof two new sections to read as follows

Section 496.5 In establishing maintaining and operating airdromes and landing fields where construction and repair of roadways runways buildings and facilities or the purchase thereof are deemed necessary within or for use within the limits of land acquired for such purpose there shall be no necessity for submission thereof to the court of quarter sessions or Grand Jury of any county but contracts therefor shall be entered into as provided for the general business of the county and in the case of joint establishment operation and maintenance with any other political subdivision contracts relating thereto shall be entered into as provided for the general business of any of such participating municipal subdivisions

Section 496.6 Any contracts heretofore entered into for construction and repair of roadways runways buildings and facilities or the purchase thereof within or for use within the limits of land acquired for the establishment and operation of airdromes or landing fields without first having obtained the approval of the court of quarter sessions or Grand Jury of any county and entered into as provided for the general business of the county or other political subdivisions jointly interested are hereby ratified confirmed approved and declared lawful contracts

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahauser,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsher,	Ruth,	Watson,
Crowe,	Kephart,	Scarlett,	Wilson,
Dent,	Klein,	Snowden,	Wolfe,
DiSilvestro,	Lane,	Stevenson,	Wood, T. N.,
Doehla,	Leader,	Stiefel,	Woodring,
Farrell,	Letzler,	Tallman,	

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

Mr. WOODRING. Mr. President, I ask unanimous consent that Senate Bill No. 369, on third reading, entitled:

An Act to authorize railroad corporations incorporated in this Commonwealth to hold directors' meetings at such place within this Commonwealth, or elsewhere, as appointed by a majority of the directors.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 370, as follows:

An Act validating charters of and amendments of the articles of incorporation of certain non-profit corporations incorporated under the Nonprofit Corporation Law

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 All charters of incorporation and amendments of articles of incorporation heretofore granted by any of the courts of common pleas of this Commonwealth to applicants for incorporation or for amendments of articles of incorporation under the provisions of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 289) entitled "An act relating to nonprofit corporations defining and providing for the organization merger consolidation and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and members prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the first class within the provisions of this act prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas prothonotaries of such courts recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" shall be and the same are hereby validated and confirmed notwithstanding that the articles of incorporation or the amendments of the articles of incorporation or the application for charter or amendments of articles of incorporation as filed and approved by the court did not comply with the provisions of the said act as to the form required Provided however That the papers as filed approved by court and recorded contained all the facts required under the provisions of said act

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahauser,	Wagner,

Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsher,	Ruth,	Watson,
Crowe,	Kephart,	Scarlett,	Wilson,
Dent,	Klein,	Snowden,	Wolfe,
DiSilvestro,	Lane,	Stevenson,	Wood, T. N.,
Doehla,	Leader,	Stiefel,	Woodring,
Farrell,	Letzler,	Tallman,	

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 371, on third reading, entitled:

An Act to amend section six and section thirteen of the act approved the twenty-third day of May one thousand nine hundred forty-five (P. L. 926) entitled "An act for the protection of the public health by regulating the conduct and operation of public eating and drinking places within this Commonwaelth requiring their licensing imposing certain duties on the Department of Health of this Commonwealth and on local health authorities and providing penalties" by conferring on local health authorities power to suspend or revoke licenses and making fines collected in cities boroughs and townships of the first class payable to these political subdivisions

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 402, on third reading, entitled:

An Act to amend section three of the act, approved the fifteenth day of June, one thousand nine hundred thirty-seven (P. L. 1743 No. 368) entitled "An act relating to magistrates and magistrates' courts in the city of Philadelphia; imposing certain duties upon, and prohibiting certain practices by, magistrates; imposing certain duties on the city controller in regard thereto; authorizing the employment by him of additional clerks and fixing their compensation; regulating the practice in magistrates' courts, the entering of bail, and the issuance of discharges in criminal cases in the county of Philadelphia; conferring certain powers over magistrates and maginstrates' courts, and imposing certain duties in connection therewith upon the judges of the courts of common pleas of the county of Philadelphia; providing for the appointment and employment of stenographers to report proceedings in certain cases heard by magistrates; fixing salaries of persons employed by authority of this act; providing penalties for violations of the provisions thereof; and repealing certain prior acts," by removing the restrictions against magistrates participating in political activities.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 408, entitled:

An Act authorizing the Pennsylvania Historical and Museum Commission to accept, on behalf of the Commonwealth, certain real estate comprising the Crispen Cemetery in Philadelphia; and providing for its restoration and maintenance as an historic shrine.

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. FARRELL. Mr. President, I ask unanimous consent to offer amendments at this time.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend title, page 1, line 3 of title, by striking out the word "Crispen" and inserting in lieu thereof "Crispin"; Amend sec. 1, page 2, line 1, by striking out the word "Crispen" and inserting in lieu thereof "Crispin"; Amend sec. 1, page 2, line 3, by striking out the word "Crispen" and inserting in lieu thereof "Crispin"; Amend sec. 1, page 2, line 4, by striking out the word "Crispen" and inserting in lieu thereof "Crispin"; Amend sec. 4, page 3, line 1, by striking out the word "Crispen" and inserting in lieu thereof "Crispin".

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

It was agreed to.

And said bill having been read at length the third time, and agreed to, as amended.

Ordered, That the bill, as amended, lie over for printing on final passage.

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 433, on third reading, entitled:

An Act authorizing the Secretary of Property and Supplies to sell and convey a tract of land in Limerick Township, Montgomery County, Pennsylvania, with the approval of the Governor.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 436, as follows:

An Act making an appropriation to the Pennsylvania Historical and Museum Commission for the preservation and permanent casing of battle flags and war relics

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of fifty thousand dollars ($50,000) or so much thereof as amy be necessary is hereby specificially appropriated to the Pennsylvania Historical and Museum Commission for the preservation and permament casing of the battle flags of World War I and World War II and other relics of Pennsylvania's participation in the several wars

And said bill having been read at length the third time, and agreed to.

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz	Mahany,	Taylor,
Berger,	Haluska	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn	Rahauser,	Wagner,
Chapman,	Holland	Ruth,	Walker,
Crider,	Homsher	Scarlett,	Watson,
Crowe,	Kephart,	Snowden,	Wilson,
Dent,	Klein,	Stevenson,	Wolfe,
DiSilvestro,	Lane,	Stiefel,	Wood, T. N.,
Doehla,	Leader,	Tallman,	Woodring,
Farrell,	Letzler,		

NAYS—1

Rosenfeld,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 447, as follows:

An Act to amend the act approved the fourth day of June one thousand nine hundred forty-five (Appropriation Acts page 106) entitled "An act making an appropriation for the preparation of the Eightieth Division History and creating a commission for such purposes" continuing the commission and reappropriating the unexpended balance

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections one and two of the act approved in the sum of seven thousand five hundred dollars ($7500) the fourth day of June one thousand nine hundred forty-five (Appropriation Acts page 106) entitled "An act making an appropriation for the preparation of the Eightieth Division History and creating a commission for such purposes" are hereby amended to read as follows

Section 1 In order to commemorate the heroic achievements of the citizens of Pennsylvania who served in the battlefields of Europe and to perpetuate the memories of those who fell in the World War there is hereby appropriated to the commission hereinafter constituted the sum of [twenty-five thousand dollars ($25,000)] seven thousand five hundred dollars ($7500) or so much thereof as may be necessary for the compilation and the printing in book form of the history of the Eightieth Division

A commission is hereby constituted which shall be composed of five (5) citizens who were former Pennsylvania soldiers and who served with the Eightieth Division during the war with Germany The members of the commission shall be appointed by the Governor They shall serve without compensation but shall receive their actual and necessary expenses incurred in the performance of the duties imposed upon them by this act The commission shall organize at the call of the Governor Vacancies occurring in the membership of the commission shall be filled by appointment by the Governor Any member so appointed shall have the same qualifications as is required of the original appointees The commission shall remain in existence until the purposes for which it is constituted are achieved

Section 2 It shall be the duty of the commission after its organization to forthwith make arrangements for the preparation of the history and the furnishing of photographs with accompanying maps and shall then make a complete report of its proceeding to the General Assembly as soon as possiible In such report the commission shall state the amount of money required to print and furnish each citizen who served as a member of the Eightieth Division with a copy of the history in book form

The unexpended balance of the appropriation made by the act to which this is an amendment is hereby reappropriated for the purposes specified therein The appropriation made hereby shall not lapse at the end of any fiscal biennium but shall continue to be available until expended for the purposes for which it is made

Payments from said appropriation shall be made by reguisition of the secretary of the commission under such regulations as the Auditor General shall prescribe

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahauser,	Wagner,
Chapman,	Holland,	Ruth,	Walker,
Crider,	Homsher,	Scarlett,	Watson,
Crowe,	Kephart,	Snowden,	Wilson,
Dent,	Klein,	Stevenson,	Wolfe,
DiSilvestro,	Lane,	Stiefel,	Wood, T. N.,
Doehla,	Leader,	Tallman,	Woodring,
Farrell,	Letzler,		

NAYS—1

Rosenfeld,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 472, as follows:

An Act to amend section one of the act approved the fourth day of June one thousand nine hundred forty-five entitled "An act making an appropriation to the Department of Health for the acquisition of land by purchase or condemnation the construction and equipment of a State Health Laboratory the construction of buildings the improvement furnishing and repairs of the State Sanatoria and the Crippled Children's Hospital for the payment by the Commonwealth of a share of the cost of preparing plans and surveys for sewage or industrial waste treatment plants and for the payment by the Commonwealth of a share of the cost of constructing such industrial waste plants for sealing abandoned coal mines for stream clearance including the purchase or condemnation of lands easements or rights of ways and acquisition or construction of pipes conduits or tunnels and pumps and pumping equipment and for experimental and research work relating to the pollution of streams and the prevention thereof" by reducing the amount appropriiated by said act

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 That section one of the act approved the fourth day of June one thousand nine hundred forty-five entitled "An act making an appropriation to the Department of Health for the acquisition of land by purchase or condemnation the construction and equiipment of a State Health Laboratory the construction of buildings the improvement furnishing and repairs of the State Sanatoria and the Crippled Children's Hospital for the payment by the Commonwealth of a share of the cost

of preparing plans and surveys for sewage or industrial waste treatment plants and for the payment by the Commonwealth of a share of the cost of constructing such industrial waste plants for sealing abandoned coal mines for stream clearance including the purchase or condemnation of lands easements or right of ways and the acquisition or construction of pipes conduits or tunnels and pumps and pumping equipment and for experimental and research work relating to the pollution of streams and the prevention thereof" be hereby amended to read as follows

Section 1 The sum of [twelve million three hundred twenty-five thousand dollars ($12,325,000)] nine million two hundred thirty-five thousand dollars ($9,235,000) or so much thereof as may be necessary is hereby appropriated to the Department of Health for the following purposes (1) for the acquisition by purchase or condemnation of land the construction and equipment of a State Health Laboratory the construction of new buildings and facilities the repair and improvement of existing buildings and facilities and the purchase of furnishings and equipment for the State Sanatoria and the Crippled Children's Hospital (2) for payment by the Commonwealth of a share not to exceed fifty per cent (50%) of the cost of preparing engineering and architectural plans and estimates for the construction of plants for the treatment of sewage or industrial waste to be constructed by municipalities municipal authorities and private corporations to end stream pollution and for the payment by the Commonwealth of a share of the cost of constructing such plants for the treatment of industrial waste (3) for labor and supplies necessary in the work of sealing abandoned coal mines (4) for stream clearance including the purchase or condemnation of lands easements or right of ways and the acquisition or construction of pipes conduits drains or tunnels and pumps and pumping equipment and (5) for conducting experiments and research to determine approved methods for controlling stream pollution and treating sewage acid mine drainage and industrial waste

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

Mr. DENT. Mr. President, Senate Bill 472, if I understand the bill—and I hope to be corrected if I am wrong—reduces the amount appropriated for the very core of the anti-stream pollution program, by $3,000,000 or more.

I would like to know from the sponsor, or whoever feels qualified to give me the answer, as to where this amount is to be taken from; what phase of the anti-stream pollution program will suffer if this amount is removed? Will the sponsor kindly tell me that.

Mr. CROWE. Mr. President, the amount was reduced because, under the present budgetary setup, we found that the lower amount would cover the present program. However, this is only the beginning of an extended program, and I believe two years from now the Governor intends to have an additional appropriation of $10,000,000 and to go on further with his program, but at this present time for the work that is set up, the amount of nine million and what ever hundred thousand dollars it is will do the trick.

Mr. DENT. Thank you very kindly.

For fear of being misunderstood, I am going to ask my colleagues to vote for this bill. That is one reason. is because it happens to agree exactly with the program that I have been advocating here Monday after Monday on the question of expending moneys over the "use" years and the years in which this construction work can be done.

If you will notice, this bill now takes from an appropriation previously made, a $12,000,000 appropriation, because they found that it was impossible to spend that amount of money in the biennium we are now facing.

And yet, upon the recommendation of the Governor, this Assembly has agreed to pass taxes to create appropriations that they themselves know it will be physically impossible to spend. If you are sound in your policy of taxing for tomorrow in the Governor's budget message, then you are unsound in this legislation, because you are taking from money already appropriated and ear-marked for a specific purpose, sums that you now find to be in surplus to the needs and the requirements of the biennium.

If we are going to follow that policy all the way through then I submit to you that the program that I have advocated here, and at the present time is being advocated by the Pennsylvania State Chamber of Commerce, which represents in the main most of the industry and all of the business in the state, is sound, in that we ought not create taxes that impose burdens upon this generation to do things that can not possibly be done until the next biennium or the next or the next or the next.

So therefore I say, Mr. President, that this is an admission that we can not spend the money we are trying to raise at the present time.

Mr. CROWE. Mr. President, this post-war program has been held up by scarcity of materials and labor troubles throughout the state, and we have not been able to get this program under way as intended. Had that not been the case, the program would have been underway probably a year and a half ago, and we would have needed all this money that was appropriated to cover the program as outlined.

Mr. DENT. Mr. President, I appreciate the position of the sponsor of this bill and I want him to know that I understand it is only the bidding of the department he is doing, because when we were in the majority we had to do the same thing.

I do not hold any personal criticism for introducing this legislation but I may say to you that two years ago when this specific appropriation was before the Senate, I said then you could not spend the money, that it was a false budget, appropriating money that could not be spent, and at that time you said I did not know what I was talking about.

I come to you now and I say to you, and it does not give me any personal satisfaction to say it, but I do say to you I was right then and I hope to say to you I am right again now, because you can not spend money for mythical projects and raise taxes at the present time to do it.

Mr. WOODRING. Mr. President, I am going to try and throw a wrench into the machinery on this side of the Senate, and ask my colleagues to vote "no" on this measure because, while I quite agree with what the gentleman from Westmoreland has said concerning flood control and stream pollution and silt clearance, Senate Bill 472 is an amendment to an act of 1945, an appropriation act which appropriated $12,000,000 and some odd dollars

and now by this amendment is sought to be reduced by the tune of approximately $3,000,000.

The 1945 appropriation was for various purposes and the first purpose stated in the 1945 law was "for the acquisition by purchase or condemnation of land, the construction and equipment of a State Health Laboratory, the construction of new buildings and facilities, the repair and improvement of existing buildings and facilities, and the purchase of furnishings and equipment for the State Sanitoria and the Crippled Children's Hospital."

In so far as any reduction is concerned against the Crippled Children's Hospital, I am absolutely against such a reduction, and I say that for this reason, that I am today in receipt of a letter from the Department of Health. I have in my district two girls who suffer from herditary ataxia, the symptoms of which are similar to those of infantile paralysis, and the Department of Health writes to me and they say:

"COMMONWEALTH OF PENNSYLVANIA
"DEPARTMENT OF HEALTH
"Harrisburg

April 10, 1947.

"Hon. Carleton T. Woodring
210 Drake Building
"Easton, Pennsylvania

"Dear Mr. Woodring:

With regard to the two patients—Anne Seier and her sister Mary of Northampton, Pennsylvania, I regret to say that there is no institution or home under the Department of Health's control where these sisters might be placed.

"Their condition is a progressive one and as far as is known an incurable one.

"I know of no institution for incurables in the state of Pennsylvania but I cannot deny that there is a great need for an institution of this type.

Sincerely yours,

WILLIAM C. EDWARDS, M.D.,
Chief,
Crippled Children's Division."

WCE: M

Mr. President, it seems to me if the Commonwealth finds itself in a position where it has $3,000,000 it does not know what to do with, instead of reducing the appropriation by passage of this bill, I think we ought to do something for the incurables of this state, and when we have girls, or children of any sex, in this Commonwealth suffering from this disease known as hereditary ataxia, if the parents are not able to take care of them, and that is the case with these two girls, then the Comonwealth ought to take care of them, and I think, rather than a reduction, we ought to pass an additional appropriation to take care of cases such as these, which are all too prevalent in this Commonwealth.

I suggest that we vote against this bill.

Mr. DENT. Mr. President, the Senator from Philadelphia last week, if I am correct in the quotation he gave, which he said was from Emerson, said, foolish consistency was a hobgoblin of small minds, and so, not wanting to be accused of having a small mind, I am going to be inconsistent and ask my confederates now to vote against this bill.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—31

Becker,	Farrell,	Mahany,	Wade,
Berger,	Frazier,	Mallery,	Wagner,
Blass,	Geltz,	Scarlett,	Walker,
Carr,	Heyburn,	Snowden,	Watson,
Chapman,	Homsher,	Stevenson,	Wilson,
Crider,	Kephart,	Tallman,	Wolfe,
Crowe,	Letzler,	Taylor,	Wood, T. N.,
Doehla,	Lord,	Tyler,	

NAYS—15

Barr,	Holland,	Margie,	Stiefel,
Dent,	Klein,	Rahauser,	Tarr,
DiSilvestro,	Lane,	Rosenfeld,	Woodring,
Haluska,	Leader,	Ruth,	

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 475, as follows:

An Act to further amend section two of the act approved the tenth day of July one thousand nine hundred thirty-five (P. L. 645) entitled "An act imposing certain requirements on certain hospitals receiving State aid authorizing the withholding of appropriations and imposing duties on the Department of Welfare" extending temporary wartime provisions

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two of the act approved the tenth day of July one thousand nine hundred thirty-five (P. L. 645) entitled "An act imposing certain requirements on certain hospitals receiving State aid authorizing the withholding of appropriations and imposing duties on the Department of Welfare" as amended by the act approved the thirteenth day of April one thousand nine hundred forty-two (P. L. 32) is hereby further amended to read as follows

Section 2 The Department of Welfare shall enforce the provisions of this act and shall withhold the payment of all money or the unpaid balance thereof appropriated or allotted to any hospital failing to comply with the provisions of this act Provided however That [during the continuation of the state of war between the United States of America and any foreign country and for six months thereafter] for a period of two years following the effective date of this amendment no funds appropriated or allotted to any hospital shall be withheld under this act if the Secretary of Welfare determines that the constant attendance of a licensed physician or resident interne cannot be secured by such hospital because of the [war] emergency or unusual conditions created by the recent war

Section 2 The provisions of this act shall become effective the first day of June one thousand nine hundred forty-seven

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

Mr. DENT. Mr. President, I desire to discuss this bill a little.

This bill, for the benefit of those who have not read it, extends the temporary war time provisions in the Department of Welfare to allow, as I understand it, certain hospitals or any hospital in the Commonwealth to do without certain requirements that they must comply with in order to receive state subsidies. This requirement is that there should be and must be in constant attendance a licensed physician or resident intern.

During the war we operated without this requirement, because it was stated that so many men of the medical profession had entered the armed services that it was impossible to maintain this particular requirement in order to conform with the state law that governs current state aid and subsidies. I submit to the members of this Senate that if this condition still exists it is of a permanent nature and can not be cured by a temporary expedient. I submit, Mr. President, that every adult in this state knows that we are not turning out of our medical colleges sufficient graduates to take their places in the field of medicine, in order to give the people of Pennsylvania the medical services required in this modern day and age.

This bill should not be passed by this Senate unless, accompanying the passage of this bill, we solemnly pledge to pass legislation that will provide more facilities, either through existing universities and medical colleges, or the creation and building of new medical colleges, in order that this state will have a sufficient number of men and women trained in the field of medicine. Every person knows that we graduate from our pre-medical colleges and liberal arts schools in this state 4,428 pre-medical students who are ready and willing and asking for the privilege of entering medical schools and finishing their education and becoming full-fledged doctors of medicine.

Under our present system in Pennsylvania, until the accelerated program was put into effect because of the war, we had facilities for only a small number of those graduates to be placed in our schools—I think the figure was around four hundred.

Ninety per cent of the students who were led to believe they could enter medical colleges have in part wasted their education for four years in the pre-medical schools. Now you are asking that the state of Pennsylvania make it permanent, if you please, although there is a restriction of two years, but I have often seen, and you have all seen, where measures passed on an emergency or temporary basis become permanent in nature and in fact—and if we allow the standards to be lowered, then we are committing a crime against the patients who seek the services of these hospitals.

If you do not need a physician in attendance, then let us eliminate that requirement, but, if you do not need it for two years, then you do not need it for any number of years. Are we going to say during a two-year period we do not care what happens to those patients that are brought to the hospitals requiring the attention of a trained medicial man or woman? Are we going to say that during the next two years, do not get sick, Pennsylvania, because we are not going to have our hospital staffed, because the Pennsylvania Legislature in its shortsightedness has refused time and time again to provide the necessary facilities in order that this state can have a sufficient number of men graduated from the medical schools to give the people of Pennsylvania the needed medical attention.

I want to say to all of you that many and many a time, as I have come up through the ranks of labor, I have heard condemnation aimed at my head and at the heads of my colleagues in the labor ranks, that we were trying to impose upon the people a stranglehold by having a closed shop, and I want to ask any man in this room if he has ever tried at any time to break into the so-called medical association's closed shop.

Are we going to say forever and forever, no matter what the requirements may be in the medical profession, that we have a sufficient number of doctors.

This Legislative is interested, not in the income of the men who graduate from medical colleges, but it is interested in the welfare of patients and persons who become ill in this Commonwealth.

I say to you this is the wrong type of legislation to be passed, because you are saying in fact that we recognize either one of two things, that we do not need trained persons in hospitals in attendance or, on the other hand, we do not have enough doctors and are making no provisions to get them.

Personally I am going to vote "no."

Mr. WALKER. Mr. President, I appreciate the speech the gentleman has just made in behalf of a bill which was recently sponsored by Senator Barr and myself, relative to an appropriation to the medical school of the University of Pittsburgh, which is the only medical school in Pennsylvania west of Philadelphia county.

Those of us who live in Western Pennsylvania appreciate the fact that it is very difficult to get boys or girls admitted to the medical school at the university, simply because their facilities are limited to about eighty or eighty-one freshmen, and they have seven or eight hundred applications every year—I have just been corrected and advised that the number is 891.

Mr. President, I hope that I can have the privilege of voting for a bill that will appropriate millions of dollars to the University of Pittsburgh medical school to solve the problem that has just been raised by the gentleman from Westmoreland, but this bill is a collateral matter that has to be faced and must rise or fall on its own merit.

The gentleman from Westmoreland will recall that during the war it was impossible for these small hospitals to obtain trained personnel and under the regulations set up in the Department of Welfare by this Legislature, a certain number of licensed physicians and interns had to be on hand or registered at the hospital and the number was predicated upon the number of beds in the hospital. The demand of the war years on the medical profession made it impossible for the hospitals to meet that particular demand and, therefore, in order to qualify them to get their appropriate allowance through the Department of Welfare, this emergency provision was placed in the act.

The hospitals are still unable to obtain the trained personnel of licensed physicians or interns, because the gentleman from Westmoreland must remember that quite a number of young men graduating at this time from medical schools owe an implied obligation to the government, and many of them are going into the armed

services, because a lot of them were trained on that basis and, as a result, the present senior class and what would correspond to the junior class in the medical schools, still have a military obligation which must be discharged, and many of them will go into the service upon graduation, and as a result will not be available for civilian hospitals or civilian interns, and therefore the smaller hospitals all over the state are experiencing very great difficulty in obtaining this trained personnel to meet the Department of Welfare requirements. If this bill is not passed, and they can not meet the requirements, they can not get the money we appropriate to them. Therefore I appeal to the sound reasoning of the gentleman from Westmoreland that there is little sense in us appropriating money to hospitals if we do not place them in a position under our own law to accept the appropriation that we make.

That is the purpose of this bill, and, therefore, I suggest to him that he vote—not that I want a speech to change a vote on the floor of the Senate, because that would be a shock no one of us could stand—but if the gentleman from Westmoreland would ponder just a moment he would appreciate the fact that without this bill the hospitals would be in a very grave and ludicrous position.

Mr. HALUSKA. Mr. President, I dislike very much to disagree with my floor leader—I agree in part and disagree in part with what he said, and I certainly agree with what the gentleman from Allegheny has said with regard to what we should do to induce our colleges to make more room for those who study medicine—we have done very little—and certainly I for one would vote for an appropriation bill for these colleges to make it possible for young men and women to take up the study of medicine.

Mr. President, being superintendent of a hospital, I have some first hand knowledge of what we are confronted with. I say very frankly, if this bill fails to pass, the small hospitals in our Commonwealth will practically have to close their doors. In my hospital I have offered many inducements to try and obtain the services of a resident doctor. For the last four years that has been impossible. I have contacted every college of which I know, asking for interns and up to the present I have no interns. Therefore, I must depend upon our local physicians to carry on day and night. If we are to be removed from war time restrictions we certainly could not operate.

Therefore, I am asking my colleagues to vote for this bill because many, many small hospitals would find it impossible to keep their doors open if we are to abide by the law as it was before the war.

This is an important measure and I trust my friend from Westmoreland may reconsider and ask our colleagues on this side of the house to vote for this measure.

Mr. DENT. Mr. President, I think we all understand each other perfectly. I have not attempted to induce any of my democratic colleagues to vote against this bill, nor do I now ask them to do so. I think it is a matter of personal privilege in the manner that you look at the picture.

You have sufficient votes to pass this bill, which assures these hospitals of a continued state appropriation, but I believe it encumbent upon me to point out by my negative vote, even if I stand alone, to the people of Pennsylvania the seriousness of this situation.

There is no reasonable assurance that Senator Haluska's hospital will be in a position two years from now to get that much needed help, and so, in order that we can point out the crying need for more medical schools, or at least more facilities at the existing schools, the state's stake in this matter, the menace to public health, I therefore reiterate my original position, Mr. President, that I intend to vote "no," not intending to hurt the hospitals, but to point out the crying need for some change in our present policy.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Barr,	Geltz,	Mahany,	Tarr,
Becker,	Haluska,	Mallery,	Taylor,
Berger,	Hare,	Margie,	Tyler,
Blass,	Heyburn,	Rahauser,	Wade,
Carr,	Holland,	Rosenfeld,	Wagner,
Chapman,	Homsher,	Ruth,	Walker,
Crider,	Kephart,	Scarlett,	Watson,
Crowe,	Klein,	Snowden,	Wilson,
DiSilvestro,	Lane,	Stevenson,	Wolfe,
Doehla,	Leader,	Stiefel,	Wood, T. C.,
Farrell,	Letzler,	Tallman,	Woodring,
Frazier,	Lord,		

NAYS—1

Dent,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 477, as follows:

An Act to amend sections three four and nine of the act approved the twenty-fifth day of May one thousand nine hundred thirty-seven (P. L. 808) entitled "An act providing for the use of the Pennsylvania Industrial School at Huntingdon as an institution for the reception care maintenance detention employment and training of defective delinquents authorizing the preparation and equipment (including necessary construction) of the institution for such purposes either by the Department of Property and Supplies or The General State Authority and authorizing the necessary leases or conveyances for this purpose changing the name of the Board of Trustees of Pennsylvania Industrial School providing for the commitment and transfer of such persons to such institution and discharge therefrom conferring powers and imposing duties on the aforesaid board of trustees the Department of Welfare and courts and imposing certain charges on counties" further providing for the mental examination of juvenile delinquents and their release or retention

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section three four and nine of the act approved the twenty-fifth day of May one thousand nine hundred thirty-seven (P. L. 808) entitled "An act providing for the use of the Pennsylvania Industrial School at Huntingdon as an institution for the reception care maintenance detention employment and training of de-

fective delinquents authorizing the preparation and equipment (including necessary construction) of the institution for such purposes either by the Department of Property and Supplies or The General State Authority and authorizing the necessary leases or conveyances for this purpose changing the name of the Board of Trustees of Pennsylvania Industrial School providing for the commitment and transfer of such persons to such institution and discharge therefrom conferring powers and imposing duties on the aforesaid board of trustees the Department of Welfare and courts and imposing certain charges on counties" are hereby amended to read as follows

Section 3 When any male person over the age of fifteen years is convicted of crime before any court or is held as a juvenile delinquent by any juvenile court or is detained in any prison industrial school workhouse house of correction penitentiary or any other penal or correctional institution under sentence and such person is in the opinion of the court or the superintendent jail physician or warden of the institution where maintained so mentally defective that he should be cared for and maintained in the Pennsylvania Institution for Defective Delinquents such superintendent physician or warden shall make application upon a form prepared by the Department of Welfare to the court having jurisdiction of the charge against such person which court upon the presentation of such petition or upon its own motion in case of convictions before it or juvenile delinquents appearing before it or upon application of the district attorney the defendant or counsel for the defendant or other person acting for the defendant shall order an inquiry by a psychiatrist and a psychologist or by two qualified physicians [or by psychiatrist] as now provided by law [in case the person has not been sentenced] who shall immediately examine the said person and make written report of its findings to the court If in the opinion of the psychiatrist and psychologist or the physicians [or psychiatrist] the person so committed or convicted or held in mentally defective and has criminal tendencies whether or not coupled with mental instability he or they shall so state in the report of their examination to the court The court may in its discretion summon other witnesses and secure further evidence If the court is then satisfied that the person thought to be mentally defective is not insane nor can be classified as an idiot or imbecile by recognized psychological tests nor a psychopath or an infirmary case though in fact mentally defective with criminal tendencies the court shall order the commitment or transfer of such person to the Pennsylvania Institution for Defective Delinquents If any person who has been sentenced and is so committed or transferred shall recover the time during which he was in the Pennsylvania Institution for Defective Delinquents shall be computed as a part of the term for which he was sentenced In case sentence has not been imposed the court shall have power to commit such person to the Pennsylvania Institution for Defective Delinquents in lien of sentence to a prison workhouse Pennsylvania Industrial School penitentiary or any other penal or correctional institution where required by a relevant act of Assembly or by law and direct the detaining of such defendant in such institution until the further order of the court

Section 4 The expenses of examination including the [fees] fee of the psychiatrist and phychologist or physicians [and psychiatrists] and all costs incident to the commitment transfer to and maintenance of such person in the Pennsylvania Institution for Defective Delinquents shall be borne by the county from which such person was committed

Section 9 When in the opinion of the board it appears that the mental condition of any inmate has so improved that his release will be benefical and not incompatible with the welfare of society the board shall notify the Department of Welfare whereupon such department may recommend the discharge of such inmate to the court committing or sending him to the institution which recommendation shall be accompanied by a record of the case seting forth the date of the original commitment the institutions in which such person was an inmate and the time spent in each the history of the case in the Pennsylvania Institution for Defective Delinquents and the opinion of the superintendent and physician or psychiatrist as to the present mental condition of such inmate Whereupon the court may in its discretion after hearing all persons desirous of being heard issue an order under the seal of the court upon the Department of Welfare to discharge such inmate from the said institution or to return such inmate to the jurisdiction of the committing or sentencing court for probation or parole as the court shall determine

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pas finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz	Mahany,	Taylor,
Berger,	Haluska	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn	Rahauser,	Wagner,
Chapman,	Holland	Rosenfeld,	Walker,
Crider,	Homsher	Ruth,	Watson,
Crowe,	Kephart,	Scarlett,	Wilson,
Dent,	Klein,	Snowden,	Wolfe,
DiSilvestro,	Lane,	Stevenson,	Wood, T. N.,
Doehla,	Leader,	Stiefel,	Woodring,
Farrell,	Letzler,	Tallman,	

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence,

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 478, on third reading, entitled:

An Act to further amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; provding for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by extending the wartime purchasing powers of the Department of Property and Supplies for a period of not longer than two years after the state of war ceases; and by further prescribing the methods of making purchases and entering into contracts by the Department of Property and Supplies.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 501, as follows:

An Act to amend article seven section seven hundred one paragraph (i) of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by authorizing the substitution of a facsimile signature of the Governor on official documents requiring his signature or approval

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Article seven section seven hundred one paragraph (i) of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" is hereby amended to read as follows

Section 701 The Governor The Governor shall have the power and it shall be his duty

* * * *

(i) To do all other acts make all appointments fill all vacancies exercise all the powers vested in him and perform all the duties imposed upon him as provided and required by the Constitution and laws of this Commonwealth Provided however That whenever the Governor is authorized or required by law to sign or approve any plans agreements contracts bonds or any official documents he may in his discretion substitute or direct to be substituted in lieu of his signature or as evidence of his approval a facsimile signature which shall have the same force and effect as his personal signature

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz	Mahany,	Taylor,
Berger,	Haluska	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn	Rahauser,	Wagner,
Chapman,	Holland	Rosenfeld,	Walker,
Crider,	Homsher	Ruth,	Watson,
Crowe,	Kephart,	Scarlett,	Wilson,
Dent,	Klein,	Snowden,	Wolfe,
DiSilvestro,	Lane,	Stevenson,	Wood, T. N.,
Doehla,	Leader,	Stiefel,	Woodring,
Farrell,	Letzler,	Tallman,	

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILLS ON SECOND READING CALENDAR

BILL ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and Consideration of Senate Bill No. 72, entitled:

An Act to further amend section three hundred twenty of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," by providing for the payment of retirement allowances to widows of deceased county employes and for crediting employes with time spent in military service, in counties of the second class.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 105, on second reading, entitled:

An Act to prohibit the payment of appropriations to institutions which pay for insurance or annuity contracts to insurance companies associations and exchanges of other states and foreign countries not legally doing business in Pennsylvania and not subject to the jurisdiction of the Insurance Commissioner.

go over in order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 135, entitled:

An Act to amend sections one thousand three and one thousand one hundred ten of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333), entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of County boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," changing method of determining priority of political parties on ballot.

And said bill having been read at length the second time,

On the question,

Will the Senate agree to the bill on second reading?

Mr. DENT. Mr. President, I am not going to dalay the action of the Senate and try to give our reasons for opposing this bill on second reading.

However, in order that there will be no misunderstanding of our opposition to this particular type of legislation, I am going to ask that the Democratic Senators be recorded as voting "no" in the matter of passage of this bill on second reading.

And the question recurring,

Will the Senate agree to the bill on second reading?

Mr. BARR. Mr. President, I ask for a roll call.

The yeas and nays were required by Mr. BARR and Mr. DENT, and were as follows, viz:

YEAS—28

Becker,	Farrell,	Mallery,	Wade,
Blass,	Geltz	Scarlett,	Wagner,
Carr,	Heyburn	Snowden,	Walker,
Chapman,	Homsher	Stevenson,	Watson,
Crider,	Kephart,	Tallman,	Wilson,
Crowe,	Letzler,	Taylor,	Wolfe,
Doehla,	Lord,	Tyler,	Wood, T. N.,

NAYS—15

Barr,	Holland	Margie,	Stiefel,
Dent,	Klein,	Rahauser,	Tarr,
DiSilvestro,	Lane,	Rosenfeld,	Woodring,
Haluska	Leader,	Ruth,	

So the question was determined in the affirmative.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 234, entitled:

An Act to amend section fifteen of the act, approved the seventeenth day of July, one thousand nine hundred thirty-five (P. L. 1092), entitled "An act defining fraternal benefit societies and their status; authorizing such societies to create subordinate lodges and to pay benefits to members and their beneficiaries from funds collected, and regulating such benefits and collections; provxiding for the organization and incorporation of such societies and for their supervision, regulation, and examination by the Insurance Commissioner, and for the admission of foreign societies; designating tables of mortality as a basis for rates of contribution; requiring all societies to make annual and other reports; and appointing the Insurance Commissioner as attorney for service of process; providing penalties for any violations of the act; exempting such societies from taxation and certain other societies from its provisions; and requiring beneficial associations, other than fraternal benefit societies, to report to and be supervised by the Insurance Commissioner; and repealing existing laws," by further providing for the investment of funds by domestic societies.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 366, entitled:

An Act to amend section five of the act, approved the sixteenth day of May, one thousand nine hundred forty-five (P. L. 577), entitled "An act for the prevention, control and cure of venereal diseases by requiring certain persons to submit to physical examination and blood tests; providing for the treatment of certain persons; requiring reports to be made to the State Department of Health, imposing duties upon and authorizing and directing the Secretary of Health to make rules and regulations, and to disseminate certain information; rgeulating the advertisement and restricting the sale of certain drugs and remedies; and imposing penalties," authorizing county jails to receive persons under quarantine; and providing for reimbursement by the Commonwealth.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 393, entitled:

An Act authorizing certain existing beneficial or protective societies, heretofore incorporated, to reincorporate, or to merge and reincorporate, as limited life insurance companies for the purpose of making insurance upon the health of individuals and against personal injury and disablement and death, including endowment insurance; regulating such corporations and limiting the amounts for which such corporations may issue policies.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 394, entitled:

An Act to further amend section four hundred nineteen of the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 682), entitled "An act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund:

providing penalties; and repealing existing laws," by permitting certain additional stock insurance companies to come within the provisions thereof.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 434, entitled:

An Act to further amend section two of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 685), entitled "An act designating certain life insurance companies as limited life insurance companies, and further describing the powers thereof," further describing the powers of limited life insurance companies under certain conditions.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 462, entitled:

An Act relating to Federal aid to political subdivisions for the development of public airports.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 463, entitled:

An Act to add clause II to section one thousand five hundred two of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" authorizing either alone or jointly with other political subdivisions the acquisition of land for the operation and leasing of airports airdromes landing fields and airport facilites.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 464, entitled:

An Act to add clause XXVI to section seven hundred two of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" authorizing either alone or jointly with other political subdivisions the acquisition of land for and the operation and leasing of airports airdromes landing fields and airport facilities.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

HOUSE MESSAGE

HOUSE BILL FOR CONCURRENCE

The Clerk of the House of Representatives being introduced presented for concurrence bill of the House, as follows:

House Bill No. 7, entitled:

An Act to amend section one of the act, approved the twenty-eighth day of May, one thousand nine hundred forty-three (P. L. 793), entitled "An act authorizing counties of the second class to regulate the production of smoke from chimneys, smokestacks or other source, including provisions for the payment of inspection and certificates of compliance fees incident thereto; authorizing the expenditure of money for the employment of persons, and the acquisition of property for effectuating such regulations; and providing penalties for the violation thereof," removing exemption regarding railroad locomotives

Which was committed to the Committee on Mines and Mining.

POINT OF INFORMATION

Mr. BARR. Mr. President I rise on a point of information.

The PRESIDENT. The gentleman from Allegheny will state his point of information.

Mr. BARR. Mr. President, did I understand that House Bill No. 7 has been referred the Committee on Mines and Mining.

The PRESIDENT. The gentleman from Allegheny is correct.

Mr .BARR. Would the Chair tell me what this bill has to do with Mines and Mining?

The PRESIDENT. It has a lot to do with smoke.

Mr. BARR. Mr. President, all the bill does is to take three words out of the bill, which was passed in 1943, the words relating to railroad locomotives.

The PRESIDENT. The bill has been referred to committee. Would the Senator from Allegheny like to make any further statement?

Mr. BARR. I just wanted to object to its reference to that committee.

ADJOURNMENT

Mr. TALLMAN. Mr. President, I move that the Senate do now adjourn until Tuesday, April 15, 1947, at 2:30 o'clock, p. m., Eastern Standard Time.

Mr. WILSON. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 6:38 o'clock, p. m., Eastern Standard Time until Tuesday, April 15, 1947, at 2:30 o'clock, p. m., Eastern Standard Time.

HOUSE OF REPRESENTATIVES

MONDAY, April 14, 1947

The House met at 4:30 p. m.

The SPEAKER (Franklin H. Lichtenwalter) in the Chair.

PRAYER

The Chaplain, Rev. Lester C. Updegrove offered the following prayer:

O eternal God, Thou art our refuge and strength, and the same yesterday, today, and forever. We thank Thee that Thy love is infinitely broader and deeper than the measure of man's mind. In Thy holy name may all error give way and righteous truth survive. Direct the citizens of our land and fortify them against all the threatened inroads of destructive materialism, of selfishness, of biogotry, and hold our country close to the great truths of our Christian faith. We offer our prayer in the name of Him who says, "I am the way, the truth and the life." Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of Thursday, April 10, 1947.

The Clerk proceeded to read the Journal of Thursday, April 10, 1947, when, on motion of Mr. NAJAKA unanimously agreed to, the further reading was dispensed with and the Journal approved.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILLS No. 5, 233, 328, and 578

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 11, 1947.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 5, Printer's No. 51, entitled "An Act to further amend section five hundred nine of the act approved the eleventh day of July one thousand nine hundred twenty-three (P. L. 998), entitled 'An act for the prevention and treatment of mental diseases mental defect epilepsy and inebriety regulating the admission and commitment of mental patients to hospitals for mental diseases and institutions for mental defectives and epileptics governing the transfer discharge interstate rendition and deportation of mental patients providing for the payment by individuals counties or the Commonwealth of the cost of the admission care and discharge of mental patients and imposing penalties' by further providing for the collection and prorating of claims against estates of indigent insane patients and persons liable for their support by the Commonwealth and certain political subdivisions in certain cases."

JAMES H. DUFF.

April 11, 1947.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 233, Printer's No. 48, entitled "An Act to further amend section two of the act approved the eighth day of June one thousand eight hundred ninety-three (P. L. 344 No. 284), entitled 'An act relating to husband and wife enlarging her capacity to acquire and dispose of property to sue and be sued and to make a last will and enabling them to sue and to testify against each other in certain cases' prescribing the manners in which a husband may join in his wife's conveyance and validating certain conveyances."

JAMES H. DUFF.

April 11, 1947.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 328, Printer's No. 186, entitled "A Supplement to the act approved the fourth day of June one thousand nine hundred and forty-five (Appropriation Acts page 63) entitled 'An act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and the support of the public schools for two years beginning June first one thousand nine hundred forty-five and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and forty-five' providing for a deficiency in the appropriation made by said act to the Department of Forests and Waters for the operation of a Nautical School for the fiscal biennium ending May thirty-first one thousand nine hundred and forty-seven."

JAMES H. DUFF.

April 11, 1947.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 578, Printer's No. 80, entitled "An Act making a deficiency appropriation to the Glen Mills Schools situate in Delaware County Pennsylvania."

JAMES H. DUFF.

BILL SIGNED BY SPEAKER

Bill numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the title was publicly read as follows:

SENATE BILL No. 174.

An Act to amend clause XLVIII of section one thousand five hundred two of the act approved the twenty-fourth day of June, one thousand nine hundred thirty-one (P. L. 1206), entitled "An act concerning townships of the first class; amending, revising, consolidating, and changing the law relating thereto," further regulating garbage and treatment works.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

LEAVES OF ABSENCE

By consent of the House leave of absence was granted as follows:

Mr. Kean for Mr. McDONALD for the week because of death in the family.

Mr. Young for Mr. DEPUY for today and tomorrow.

Mr. Weidner for Mr. MORRISON for the week because of illness.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 387, entitled:

An Act to further amend section one of the act, approved the eighth day of April, one thousand eight hundred sixty-eight (P. L. 73), entitled "An act to authorize the recorder of deeds in the several counties of this Commonwealth to record the discharges of all honorably discharged officers and soldiers," providing for the recording of certificates of service issued commissioned officers.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 576, entitled:

An Act fixing the fees of the recorder of deeds in counties of the sixth, seventh and eighth class.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 589, entitled:

An Act to add section four hundred fifty-one to the act approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," authorizing boards of county commissioners to make appropriations to county firemen's associations.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 673, entitled:

An Act to further amend the act, approved the eighth day of July, one thousand nine hundred forty-one (P. L. 298), entitled "An act authorizing the creation of, and providing for, and regulating the maintenance and operation of a county employes' retirement system in counties of the fourth class, imposing certain charges on counties, and fixing penalties," permitting persons returning to county employment within five years to reinstatement upon fulfilling certain conditions.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

CLASS OF NEWPORT JUNIOR HIGH SCHOOL WELCOMED

The SPEAKER. The Chair takes pleasure in introducing the senior class of the Newport Junior High School who are here under the direction of Mr. Krupp. The class is here as guest of Mr. Toomey.

CLASS OF MESSIAH BIBLE COLLEGE OF GRANTHAM WELCOMED

The SPEAKER. The Chair is also pleased to have as guests the class in Problems of U. S. History of the Messiah Bible College of Grantham, Pennsylvania, under the direction of Mr. Wittlinger, the instructor.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 6, entitled:

An Act to amend subsection four of section one thousand two hundred nine point one of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" requiring librarians with bachelor's degree of library science to be paid as teachers holding Master's Degrees.

And said bill having been read at length the second time and agreed to
Ordered, To be transcribed for third reading.

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 191, entitled:

An Act to amend the act approved the third day of May one thousand nine hundred thirty-three (P. L. 242) entitled "An act to promote the public health and safety by providing for examination and registration of those who desire to engage in the occupation of beauty culture defining beauty culture and regulating beauty culture shops schools students apprentices teachers managers and operators conferring powers and duties upon the Department of Public Instruction providing for appeals to certain courts by applicants and licensees and providing penalties" providing for the keeping and distribution of a registry roster by the department.

And said bill having been read at length the second time and agreed to
Ordered, To be transcribed for third reading.

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 234, entitled:

An Act to amend section seven of the act approved the twenty-fourth day of July one thousand nine hundred forty-one (P. L. 490) entitled "An act relating to acknowledgments of written instruments and to make uniform the law with relation thereto" regulating acknowledgments of written instruments made by corporations.

And said bill having been read at length the second time and agreed to
Ordered, To be transcribed for third reading.

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 339, entitled:

An Act to further amend section eleven of the act approved the nineteenth day of June one thousand nine hundred thirty-one (P. L. 589) entitled as amended "An act to promote the public health and safety by providing for the examination and licensure of those who desire to engage in the occupation of barbering regulating barber shops and barber schools and apprentices and students therein regulating compensation for service rendered conferring certain powers and duties on the Department of Public Instruction and providing penalties" providing for the keeping and distribution of a registry roster by the department.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 419, entitled:

An Act to repeal the act approved the twenty-eight day of July one thousand nine hundred forty-one (P. L. 535) entitled "An act providing for the redemption of real property purchased by political subdivisions at tax sales upon the payment of the amount charged against the same and costs by installment payments and prescribing the procedure therefor."

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 438, entitled:

An Act to further amend section three of and add section four to the act approved the twenty-fourth day of May one thousand eight hundred ninety-three (P. L. 129) entitled "An act to empower boroughs and cities to establish a police pension fund to take property in trust therefor and regulating and providing for the regulation of the same" deleting provisions relating to termination of right to participate in the fund and regulation thereof and providing that compensation or pension is not to be subject to attachment execution assignment or transfer and payable only to beneficiary designated in person.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 507, entitled:

An Act to amend sections eleven hundred three and eleven hundred five of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereo" by restricting the payment of bounties to residents of the Commonwealth reducing the penalty for presentation of illegal bounty claims and clarifying the law with reference thereto.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 641, entitled:

An Act fixing the salary of county controllers in counties of the second, third, fourth, fifth and sixth, classes and repealing parts of acts inconsistent therewith.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 657, entitled:

An Act to further amend the act, approved the fifth day of August, one thousand nine hundred forty-one (P. L. 803), entitled "An act providing for the creation, maintenance and operation of a couny employes retirement system in counties of the fifth class; imposing certain charges on counties, and prescribing penalties," transferring contributors from the one one-hundred-twentieth class to the one one-hundredth class.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 720, entitled:

An Act defining and providing for the licensing and regulation of private business schools and classes and agents thereof conferring powers and imposing duties upon the State Board of Private Business Schools and prescribing penalties.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 754, entitled:

An Act to further amend sections three hundred eighteen three hundred nineteen three hundred twenty three hundred twenty-one three hundred twenty-two three hundred twenty-three and three hundred twenty-four of the act approved the second day of May one thousand nine hundred and twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eight classes and revising amending and consolidating the laws relating thereto" by changing the amount of contributions to the employe's retirement fund and the retirement age of new employes extending the power of the retirement board in investing the money of the retirement fund decreasing the length of service necessary to entitle certain members to a retirement allowance upon being totally disabled refund of contributions authorizing counties of the second class and county institution district to make additional appropriatons.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 767, entitled:

An Act to amend sections one thousand one hundred five one thousand one hundred twenty-one one thousand one hundred twenty-seven one thousand one hundred thirty-four and one thousand one hundred thirty-seven of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by further providing for the term of office and the election of county superintendents assistant county superintendents district superintendents and assistant district superintendents in all second third and fourth class school districts of the Commonwealth

The first section was read.

On the question,

Will the House agree to the section?

Mr. HELM offered the following amendment:

Amend Sec. 1 (Sec. 1105), page 5, by inserting between lines 4 and 5, the following "The Superintendent of Public Instruction shall notify the secretary of each school board of the State of the provisions of this section at least one hundred twenty (120) days before the time fixed by this act for the convention of school directors of the county to elect a county superintendent so that proper action may be taken by the respective school boards if they desire to have such a convention for the election of a county superintendent."

It was agreed to.

The section was agreed to as amended.

The second to eighth sections inclusive and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 768, entitled:

An Act to add section one thousand six hundred ten point one to the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" authorizing the teaching of safe driving of automobiles

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 769, entitled:

An Act making an appropriation out of the Motor License Fund to the Department of Public Instruction to promote highway safety education

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 792, entitled:

An Act to further amend sections two thousand one hundred one and two thousand one hundred seven of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by further providing for the meetings of teachers of public schools under the jurisdiction of the county superintendent authorizing instructional courses for such teachers upon approval of the county board of school directors and increasing the amount of expenses for teachers' meetings or instructional courses to be paid by the county treasurer

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 827, entitled:

An Act defining and providing for the licensing of private correspondence schools and the registration of agents of such schools providing for contractural liability conferring powers and imposing duties on the State Council of Education and prescribing penalties

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 832, entitled:

A Supplement to the act approved the twenty-fifth day of April one thousand nine hundred forty-five (P. L. 299) entitled "An act providing for the establishment in counties of the second class of the lot and block plan for the registration of land titles for the accumulation of county tax liens and for the enumeration of the parcels of real estate to be assessed for county city borough township school and institution district taxation providing for the incurring of indebtedness for the installation thereof and imposing duties upon the county controller and the deed registrar in each of such counties" providing for the use in counties of the second class of the lot and block descriptive number in the making of assessments in the preparation of tax bills and tax receipts in the filing of liens for delinquent taxes and in the sale of real estate for taxes and imposing duties upon certain county officials in second class counties and upon treasurers tax collectors and solicitors of cities boroughs towns townships and school districts in said counties

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 848, entitled:

An Act to amend clause (d) of subsection one of section four of the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by increasing the membership of the Public School Employes' Retirement Board

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 863, entitled:

An Act to further amend section three of the act approved the thirteenth day of May one thousand nine hundred twenty-seven (P. L. 988) entitled "An act providing for and regulating the State registration of nurses and licensed attendants the annual recording of registration certificates and regulating the profession of nursing and repealing certain existing laws" further providing for emergency registration of nurses.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 873, entitled:

An Act to repeal the act approved the twenty-eighth day of May one thousand nine hundred forty-three (P. L. 784) entitled "An act prescribing temporary emergency war provisions with respect to the administration of certain provisions of the school laws of this Commonwealth relating to days for school to be in session closing schools and suspending classes temporary assignment and reassignment of teachers extension of transportation facilities payment of tuition in lieu of transportation and granting temporary farm and conservation employment certificates for certain pupils under certain conditions providing for full state subsidies when employing teachers holding special wartime certificates authorizing boards of school directors (or boards of public education) subject to the approval of the district or county superintendent to put such provisions into operation."

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 876, entitled:

An Act empowering all corporations incorporated under the laws of the State of Pennsylvania for purposes not for profit to change alter and amend by by-law such provisions of their charters as are purely administrative and validating such changes alterations and amendments heretofore made.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 887, entitled:

An Act relating to the regulation of rates for insurance which may be written by stock or mutual casualty insurance companies, associations or exchanges, including fidelity, surety and guaranty bonds and all other forms of motor vehicle insurance and title insurance; to rating and advisory organizations; conferring on the Insurance Commissioner the power and duty of supervising and regulating persons, associations; companies and corporations, and of enforcing the provisions of this act; prescribing and regulating the practice and procedure before the commissioner, and procedure for review by the courts; giving the Court of Common Pleas of Dauphin County exclusive jurisdiction over certain proceedings; prescribing penalties and providing for enforcement thereof; and repealing inconsistent acts.

The first section was read and agreed to.

The second section was read.

On the question,

Will the House agree to the section?

Mr. KURTZ offered the following amendment:

Amend sec. 2, page 3, line 8, by striking out the word "used" and inserting in lieu thereof "use".

It was agreed to.

The section was agreed to as amended.

The third and fourth sections were separately read and agreed to.

The fifth section was read.

On the question,

Will the House agree to the section?

Mr. KURTZ offered the following amendments:

Amend sec. 5, page 9, line 3, by inserting after the word "Provided" the following: "however".

Amend sec. 5, page 9, line 11, by inserting after the word "Provided" the following: "however".

They were agreed to.

The section was agreed to as amended.

The sixth and seventh sections were separately read and agreed to.

The eighth section was read.

On the question,

Will the House agree to the section?

Mr. KURTZ offered the following amendments:

Amend sec. 8, page 16, line 1, by inserting after the word "Provided" the following: "however".

Amend sec. 8, page 16, line 4, by striking out the word "approved" and inserting in lieu thereof "approve".

They were agreed to.

The section was agreed to as amended.

The ninth section was read.

On the question,

Will the House agree to the section?

Mr. KURTZ offered the following amendments:

Amend sec. 9, page 16, line 16, by striking out the word "Insured" and inserting in lieu thereof "Insureds".

Amend sec. 9, page 16, line 17, by striking out the word "Insured" and inserting in lieu thereof "Insureds".

They were agreed to.

The section was agreed to as amended.

The tenth to seventeenth sections inclusive were separately read and agreed to.

The eighteenth section was read.

On the question,

Will the House agree to the section?

Mr. KURTZ offered the following amendment:

Amend sec. 18, page 27, line 8, by inserting after the word "shall" the following: "not".

It was agreed to.

The section was agreed to as amended.

The nineteenth to twenty-first sections inclusive and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 888, entitled:

An Act relating to the regulation of rates for insurance which may be written by stock or mutual fire, marine or fire and marine insurance companies, associations or exchanges, to rating and advisory organizations:

to reports by rating organizations and insurers to the Pennsylvania State Police; conferring on the Insurance Commissioner the power and duty of supervising and regulating persons, associations, companies and corporations, and of enforcing the provisions of this act; prescribing and regulating the practice and procedure before the commissianer, and procedure for review by the courts; giving the court of common pleas of Dauphin County exclusive jurisdiction over certain proceedings; prescribing penalties and providing for enforcement thereof; and repealing inconsistent acts.

The first section was read and agreed to.

The second section was read.

On the question,

Will the House agree to the section?

Mr. KURTZ offered the following amendment:

Amend sec. 2, page 4, line 3, by striking out the word "Insured" and inserting in lieu thereof "insureds".

It was agreed to.

The section was agreed to as amended.

The third and fourth sections we separately read and agreed to.

The fifth section was read.

On the question,

Will the House agree to the section?

Mr. KURTZ offered the following amendments:

Amend sec. 5, page 10, line 7, by striking out the words "Provided, That" and inserting in lieu thereof "provided, however".

Amend sec. 5, page 10, line 16, by striking out the words "Provided, That" and inserting in lieu thereof "provided, however".

They were agreed to.

The section was agreed to as amended.

The sixth section was read.

On the question,

Will the House agree to the section?

Mr. KURTZ offered the following amendment:

Amend sec. 6, page 15, line 8, by striking out the words "Provided, That" and inserting in lieu thereof "provided".

It was agreed to.

The section was agreed to as amended.

The seventh section was read and agreed to.

The eighth section was read.

On the question,

Will the House agree to the section?

Mr. KURTZ offered the following amendment:

Amend sec. 8, page 17, line 12, by striking out the words "Provided, That" and inserting in lieu thereof "provided, however".

It was agreed to.

The section was agreed to as amended.

The ninth section was read.

On the question,

Will the House agree to the section?

Mr. KURTZ offered the following amendments:

Amend sec. 9, page 17, line 17, by striking out the word "Insured" and inserting in lieu thereof "Insureds".

Amend sec. 9, page 17, line 18, by striking aut the word "Insured" and inserting in lieu thereof "Insureds".

Amend sec. 9, page 19, lines 7 and 8, by striking out the word "circumstances" and inserting in lieu thereof "circumstance".

Amend sec. 9, page 19, line 8, by striking out the word "inpsection" and inserting in lieu thereof "inspection".

They were agreed to.

The section was agreed to as amended.

The tenth section was read.

On the question,

Will the House agree to the section?

Mr. KURTZ offered the following amendment:

Amend sec. 10, page 20, line 6, by striking out the word "of" where it appears the second time in said line, and inserting in lieu thereof "or".

It was agreed to.

The section was agreed to as amended.

The eleventh to fourteenth sections inclusive were separately read and agreed to.

The fifteenth section was read.

On the question,

Will the House agree to the section?

Mr. KURTZ offered the following amendments:

Amend sec. 15, page 26, line 6, by inserting after the word "dollars" the following: "($50)".

Amend sec. 15, page 26, line 8, by inserting after the word "dollars" the following "($500)".

They were agreed to.

The section was agreed to as amended.

The sixteenth section was read.

Mr. KURTZ offered the following amendment.

Amend sec. 16, page 28, line 11, by striking out the word "or" and inserting in lieu thereof "of".

It was agreed to.

The section was agreed to as amended.

The seventeenth section was read.

On the question,

Will the House agree to the section?

Mr. KURTZ offered the following amendment:

Amend sec. 17, page 28, line 15, by striking out the word "effect" and inserting in lieu thereof "affect".

It was agreed to.

The section was agreed to as amended.

The eighteenth section was read.

On the question,

Will the House agree to the section?

Mr. KURTZ offered the following amendment:

Amend sec. 18, page 28, line 17, by striking out the word "Regularity" and inserting in lieu thereof "Regulatory".

It was agreed to.

The section was agreed to as amended.

The nineteenth and twentieth sections and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 890, entitled:

An Act to further amend the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 789), entitled, as amended, "An act relating to insurance; establishing an insurance department; and amending, revising, and consolidating the law relating to the licensing, qualification, regulation, examination, Lloyds associations, reciprocal and interinsurance exchanges, and certain societies and orders, the examination and regulation of fire insurance rating bureaus,

and the licensing and regulation of insurance agents and brokers the service of legal process upon foreign insurance companies, associations or exchanges; providing penalties, and repealing existing laws," making the provisions thereof applicable to rating organizations authorizing the commissioner to collect prescribed fees, fines and penalties of such organizations; excluding from the definition of agent and broker, in the case of title insurance companies, attorneys, licensed real estate agents and brokers and repealing certain sections.

The first section was read and agreed to.

The second section was read.

On the question,

Will the House agree to the section?

Mr. KURTZ offered the following amendment:

Amend sec. 2 (Sec. 211), page 5, line 9, by striking out the word "bureau" and inserting in lieu thereof "organization".

It was agreed to.

The section was agreed to as amended.

The third section was read.

On the question,

Will the House agree to the section?

Mr. KURTZ offered the following amendment:

Amend sec. 3, page 6, line 1, by striking out the entire line.

It was agreed to.

The section was agreed to as amended.

The fourth section was read.

On the question,

Will the House agree to the section?

Mr. KURTZ offered the following amendment:

Amend sec. 4, page 6, line 2, by striking out the figure "4" and inserting in lieu thereof "3".

It was agreed to.

The section was agreed to as amended.

The fifth section was read.

On the question,

Will the House agree to the section?

Mr. KURTZ offered the following amendment:

Amend sec. 5, page 7, lines 6, 7 and 8, by striking out all of said lines.

It was agreed to.

The section was agreed to as amended.

The sixth section was read.

On the question,

Will the House agree to the section?

Mr. KURTZ offered the following amendment:

Amend sec. 6, page 7, line 9, by striking out the figure "6" and inserting in lieu thereof "4".

It was agreed to.

The section was agreed to as amended.

The seventh section was read.

On the question,

Will the House agree to the section?

Mr. KURTZ offered the following amendment:

Amend sec. 7, page 8, line 5, by striking out the figure "7" and inserting in lieu thereof "5".

It was agreed to.

The section was agreed to as amended.

The eighth section was read.

On the question,

Will the House agree to the section?

Mr. KURTZ offered the following amendment:

Amend sec. 8, page 9, line 17, by striking out the figure "8" and inserting in lieu thereof "6".

It was agreed to.

The section was agreed to as amended.

The ninth section was read.

On the question,

Will the House agree to the section?

Mr. KURTZ offered the following amendment:

Amend sec. 9, page 11, line 6, by striking out the figure "9" and inserting in lieu thereof "7".

The title was read.

On the question,

Will the House agree to the section?

Mr. KURTZ offered the following amendment:

Amend title, page 2, line 2 from top of page, by inserting after the word "penalties" the following: "and".

It was agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 895, entitled:

An Act to add section six hundred twenty-six to the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 789), entitled as amended "An act relating to insurance; establishing an insurance department; and amending, revising, and consolidating the law relating to the licensing, qualification, regulation, examination, suspension, and dissolution of insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and certain societies and orders, the examination and regulation of fire insurance rating bureaus, and the licensing and regulation of insurance agents and brokers the service of legal process upon foreign insurance companies, associations or exchanges; providing penalties, and repealing existing laws," authorizing insurance companies, associations and exchanges to pay commissions to licensed brokers.

The first section was read and agreed to.

The title was read.

On the question,

Will the House agree to the title?

Mr. KURTZ offered the following amendment:

Amend title, page 1, line 1 of title, by inserting after the word "add" the following: "a new".

It was agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 897, entitled:

An Act to further amend the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 682), entitled "An act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign

insurance companies, Lloyds association, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," excluding from the provisions thereof fire rating bureaus and repealing the sections relating to fire insurance rates and rating bureaus.

The first section was read.

On the question,

Will the House agree to the section?

Mr. KURTZ offered the following amendment:

Amend sec. 1 (Sec. 103), page 3, line 16, by inserting after the word "Commonwealth" the following: "and."

It was agreed to.

The section was agreed to as amended.

The second section was read.

On the question,

Will the House agree to the section?

Mr. KURTZ offered the following amendments:

Amend sec. 2 (Sec. 353), page 4, line 16, by inserting after the figures "353" the following: "Unfair".

Amend sec. 2 (Sec. 353), page 4, line 16, by inserting brackets before and after the word "Discrimination" and inserting immediately thereafter the following: "Unfair discrimination".

They were agreed to.

The section was agreed to as amended.

The third section was read.

On the question,

Will the House agree to the section?

Mr. KURTZ offered the following amendment:

Amend sec. 3, page 6, lines 8 to 13, by striking out all of said lines.

It was agreed to.

The section was agreed to as amended.

The fourth section was read.

On the question,

Will the House agree to the section?

Mr. KURTZ offered the following amendment:

Amend sec. 4, page 6, line 14, by striking out the figure "4" and inserting in lieu thereof "3".

It was agreed to.

The section was agreed to as amended.

The fifth section was read.

On the question,

Will the House agree to the section?

Mr. KURTZ offered the following amendment:

Amend sec. 5, page 7, line 6, by striking out the figure "5" and inserting in lieu thereof "4".

It was agreed to.

The section was agreed to as amended.

The title was read.

On the question,

Will the House agree to the section?

Mr. KURTZ offered the following amendments:

Amend title, page 1, line 7 of title, by striking out the word "interinsurance" and inserting in lieu thereof "inter-insurance".

Amend title, page 2, last 2 lines of title, by striking out the words "and repealing the sections relating to fire insurance rates and rating bureaus" and inserting in lieu thereof "revising the provisions relating to discrimination and the penalties therefor and relating to reports by subscribers to reciprocals and inter-insurance exchanges".

It was agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 898, entitled:

An Act to further amend section five hundred thirty-two of the act approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," by permitting additional or increased appropriations by first class school districts in certain cases.

The first section was read.

On the question,

Will the House agree to the section?

Mr. BROWN offered the following amendment:

Amend sec. 1 (sec. 532), page 3, line 17, by striking out the words "such as epi".

Amend sec. 1 (sec. 532), page 3, line 18, by striking out the words "demics floods fire or other catastrophies".

They were agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 905, entitled:

An Act to amend and reenact section one of the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 491) entitled "An act reducing for a limited period of time the training period of internship in osteopathic hospitals in order to qualfy for examination for license by the Osteopathic Surgeons' Examining Board to practice major surgery and suspending inconsistent laws" further regulating the training period of internship in osteopathic hospitals.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 908, entitled:

An Act to add four new sections to the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 682), entitled "An act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and

exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," regulating ownership by domestic insurance companies of the capital stock of other insurance companies, conferring powers upon the Insurance Commissioner, prescribing procedure before the commissioner and on appeal and conferring powers and duties upon the Court of Common Pleas of Dauphin County.

The first section was read.

On the question,

Will the House agree to the section?

Mr. KURTZ offered the following amendment:

Amend sec. 1 (sec. 337.3), page 3, line 18, by striking out the word "the" where it appears the first time in said line, and inserting in lieu thereof "this".

It was agreed to.

The section was agreed to as amended.

The second section and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 910, entitled:

An Act relating to unfair methods and unfair or deceptive acts and practices in the business of insurance; defining and prohibiting such methods, acts and practices; conferring on the Insurance Commissioner the power and duty of enforcing the provisions of this act; prescribing and regulating the practice and procedure before the commissioner, and procedure for review by the courts; conferring upon the Court of Common Pleas of Dauphin County exclusive jurisdiction over certain proceedings; prescribing penalties and providing for enforcement thereof; and repealing inconsistent acts.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

QUESTION OF INFORMATION

Mr. ANDREWS. Mr. Speaker, I rise to a question of information.

The SPEAKER. The gentleman will state it.

Mr. ANDREWS. Mr. Speaker, have we just passed House Bill No. 910?

The SPEAKER. That is correct.

Mr. ANDREWS. What is the correct Printer's Number?

The SPEAKER. 262.

Mr. ANDREWS. Was there any correction for line 15 on page 2?

The SPEAKER. The Chair would inform the gentleman that there were no amendments offered to the bill.

Mr. ANDREWS. I was just wondering, Mr. Speaker. I was wondering if the gentleman didn't want to amend that spelling on page 2, line 15? It is spelled that way two or three times in the bill. What are we going to do?

Mr. KURTZ. Mr. Speaker, I am sorry that that was one error that was overlooked. We shall be pleased to offer amendments, and we would ask that the gentleman kindly withdraw his request for this amendment now.

The SPEAKER. The Chair would suggest if the Minority Leader is in agreement and also the House, that the gentleman offer these amendments on third reading by unanimous consent

Mr. ANDREWS. Mr. Speaker, you might look on page 4 line 3 for another error.

The SPEAKER. The Chair would suggest that if it is agreeable, the amendments be taken up on third reading by unanimous consent.

Mr. KURTZ. I thank the gentlemen.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 917, entitled:

An Act to repeal the act approved the nineteenth day of March one thousand nine hundred forty-three (P. L. 19) entitled "An act reducing for a limited period of time the training period of medical internship in hospitals in order to qualify for examination for license to practice medicine and surgery and suspending inconsistent laws."

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 921, entitled:

An Act to repeal the act approved the twenty-second day of April one thousand nine hundred forty-three (P. L. 71) entitled "An act authorizing the State Board of Medical Education and Licensure to issue temporary permits to doctors of medicine legally licensed in other states to practice medicine and surgery in this State under certain conditions for a limited period of time."

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 936, entitled:

An Act to further amend section one of the act approved the twenty-sixth day of May one thousand nine hundred forty-three (P. L. 607) entitled "An act authorizing administrative boards within the Department of Public Instruction for the duration of the present War to admit to examination and grant licenses or registration to certain applicants who are less than twenty-one but not less than twenty years of age" further regulating the professional examination licensure or registration of persons who are less than twenty-one but over twenty years of age.

And said bill having been read at length the second time and agreed to

Orederd, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 940, entitled:

An Act to amend subdivision (e) of article five of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" allowing counties of the second class to expend county moneys for aiding townships to construct or complete water systems.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 957, entitled:

A Joint Resolution proposing an amendment to article nine section four of the Constitution of the Commonwealth of Pennsylvania increasing the maximum amount of State debt to supply deficiencies in revenue.

And said bill having been read at length the second time and agreed to

Orederd, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1014, entitled:

An Act to further amend the fifth paragraph of section three hundred five of the act approved the twenty-ninth day of November one thousand nine hundred thirty-three (P. L. 15-1933-34) entitled as amended "An act to regulate and restrain the sale manufacture possession transportation importation traffic in and use of alcohol and alcoholic and malt or brewed beverages conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents the Department of Public Instruction other officers of the State Government courts and district attorneys authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises and the granting of licenses subject to local option to sell such beverages for consumption on and off the premises forbidding importation or bringing of such beverages into the State except as herein provided prohibiting certain sales or practices in connection with and transactions in such beverages by licensees and others providing for the forfeiture of certain property making disposition of the receipts from State stores and of fees and imposing penalties" permitting for a limited period of time wines to be sold without having affixed to the package the official seal of the board.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1088, entitled:

An Act validating the charters and the registration of the corporate name of certain non-profit corporations.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreably to order,

The House proceeded to the second reading and consideration of House Bill No. 1143, entitled:

An Act providing that the Soldiers' and Sailors' Home at Erie, Pennsylvania, shall provide ample facilities for caring for any mentally deranged veterans or civilians who may be detained there temporarily

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1173, entitled:

An Act to amend the title of the act, approved the fifth day of May, one thousand nine hundred twenty-seven (P. L. 817), entitled, "An act authorizing and regulating the growth, sale, and distribution of forest tree seedlings and transplants by the Department of Forests and Waters; regulating the use of such forest tree seedlings and transplants; and imposing duties upon the Department of Agriculture with regard to the enforcement of this act," by extending its provisions to include shrubs and vines under certain circumstances.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1174, entitled:

An Act to further amend clause (j) of section one thousand eight hundred two of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boardn, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain adminstrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissons shall be determined," by prescribing certain additional forest powers and duties.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 51, entitled:

An Act providing for the observance of September fourteenth of each year as National Anthem Day.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

BILL PASSED OVER

There being no objection.

Senate Bill No. 114, Printer's No. 21

was passed over at the request of the SPEAKER

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 7, as follows:

An Act to amend section one of the act approved the twenty-eight day of May one thousand nine hundred forty-three (P. L. 793) entitled "An act authorizing counties of the second class to regulate the production

of smoke from chimneys smokestacks or other source including provisions for the payment of inspection and certificates of compliance fees incident thereto authorizing the expenditure of money for the employment of persons and the acquisition of property for effectuating such regulations and providing penalties for the violation thereof" removing exemption regarding railroad locomotives and changing the effective date

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one of the act approved the twenty-eighth day of May one thousand nine hundred forty-three (P. L. 793) entitled "An act authorizing counties of the second class to regulate the production of smoke from chimneys smokestacks or other source including provisions for the payment of inspection and certificates of compliance fees incident thereto authorizing the expenditure of money for the employment of persons and the acquisition of property for effectuating such regulations and providing penalties for the violation thereof" is hereby amended to read as follows

Section 1 Counties of the second class shall have the power by resolution or ordinance to regulate the production or emission of smoke from any chimney smokestack or other source [except railroad locomotives] within such county Said regulations may include provisions for the payment of fees for examination of plans and issuing of permits for inspection of fuel-burning devices and issuing certificates of compliance with such regulations and providing for fines and penalties as hereinafter set forth for the violation of any such regulation The boards of commissioners of counties of the second class shall have discretion to determine the effective date of any resolution or ordinances promulgated by them pursuant to this act and in making such determination shall take into consideration the availability of fuel burning devices suitable for burning high volatile bituminous coal smokelessly

Section 4 This act shall become effective [six (6) months after the cessation of the war in which the United States is now engaged] immediately upon the final enactment of these amendments

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—183

Aaronson,	Gibson,	Mazza,	Scanlon,
Andrews,	Goff,	McCormack,	Schuster,
Baumunk,	Goodling,	McCosker,	Scott,
Beech,	Gorman,	McCullough,	Serrill,
Bender,	Graybill,	McKinney,	Shoemaker,
Bentzel,	Greenwood,	McMillen,	Simons,
Bloom,	Greer,	Milm,	Smith, C. C.,
Boies,	Griffiths,	Mikula,	Smith, C. M.,
Bonawitz,	Guthrie,	Miller,	Sollenberger,
Boorse,	Gyger,	Mintess,	Sorg,
Bower,	Haller,	Mohr,	Sproul,
Breisch,	Haudenshield,	Mooney,	Stimmel,
Brice,	Helm,	Moore, C. E.,	Stockham,
Brown,	Henry,	Moore, H. A.,	Stonier,
Brunner,	Hewitt,	Murray,	Stuart,
Cadwalader,	Hocker,	Myers,	Swope,
Cassidy,	Hoffman,	Najaka,	Tahl,
Chervenak,	Hoopes,	Naumann,	Thomassy,
Chudoff,	Horan,	Needham,	Thompson,
Clevenger,	Imbt,	Neff,	Tittle,
Cook,	Jennings,	Nelson,	Tompkins,
Cooper,	Johnson,	O'Dare,	Toomey,
Cordier,	Johnston,	O'Donnell,	Turner,
Costa,	Jones,	Orban,	Upshur,
Crowley,	Jump,	Patten,	Vaughan,
Dague,	Kean,	Pichney,	Verona,
Dalrymple,	Kelley,	Pickens,	Wachhaus,
Davison,	Kemp,	Polaski,	Wagner,
De Long,	Kent,	Powers,	Waldron,
Demech,	Kirley,	Price,	Wallin,
Dennison,	Kline,	Propert,	Walton,
Dix,	Kohl,	Ragot,	Waterhouse,
Dye,	Kratz,	Readinger,	Watkins,
Efenberg,	Krise,	Reagan,	Watson,
Elder,	Kurtz,	Reilly, J. M.,	Weidner,
Erb,	Laughner,	Reilly, W. J.,	Weiss,
Ewing,	Layer,	Richter,	West,
Feola,	Lee,	Riley,	Wheeler,
Fish,	Leisey,	Robbins,	Wolf,
Fiss,	Livingston,	Robertson,	Wood,
Flack,	Livingstone,	Root,	Worley,
Fleming,	Loftus,	Rose,	Yeakel,
Foor,	Lovett,	Rowen,	Yester,
Frost,	Lyons,	Royer,	Young,
Gallagher,	Madden,	Sarraf,	Lichtenwalter, Speaker.
Getchey,	Madigan,	Sax,	

NAYS—15

Bane,	Evans,	Petrosky,	Stank,
Bucchin,	Mills,	Reese, D. P.,	Wescott,
Cochran,	O'Connor,	Reese, R. E.,	Yetzer,
Cole,	O'Neill,	Snider,	

NOT VOTING—7

Barrett,	Depuy,	McDonald,	Trout,
Capano,	Hall,	Morrison,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 15, as follows:

An Act to further amend section one of the act approved the eleventh day of May one thousand nine hundred eleven (P. L. 275) entitled "An act to provide for the appointment of county and city inspectors of weights and measures providing for their compensation and expenses prescribing their duties prohibiting vendors from giving false or insufficient weights and fixing the penalties for the violation of the provisions hereof" requiring inspectors of weights and measures to be appointed by council in third class cities

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one of the act approved the eleventh day of May one thousand nine hundred eleven (P. L. 275) entitled "An act to provided for the appointment of county and city inspectors of weights and measures providing for their compensation and expenses prescribing their duties prohibiting vendors from giving false or insufficient weights and fixing the penalties for the violation of the provisions hereof" as last amended by the act approved the nineteenth day of July one thousand nine hundred seventeen (P. L. 1102) is hereby further amended to read as follows

Section 1 Be it enacted &c That the mayors of cities of the second [and] class and second class A and the council by majority vote in cities of the third class and the several boards of county commissioners shall respectively appoint one or more competent persons as inspectors of weights and measures in the respective county or city whose salary shall not be less than one thousand dollars per annum to be paid out of the respective revenues of such county or city Provided however That the payment of a minimum salary shall not apply to counties having a population of fifteen thousand or less In addition to the salary provided by law the said county and city inspectors shall be entitled to receive the actual expenses incurred by them personally in performing the duties of their office such as transportation

hotel livery telephone telegraph and postal charges to be paid by the boards of county commissioners of their respective counties and by the proper officers of their respective cities in such proportion as may be agreed upon by said boards of county commissioners and proper officers of cities on bills itemized and properly sworn to Provided however That nothing in this act shall be construed to prevent two or more counties or any county and city from combining the whole or any part of their districts as may be agreed upon by the board of county commissioners and mayors or councils of cities with one set of standards and one inspector upon the written consent of the chief of the bureau of standards Provided further In cities of the first class the inspectors shall be appointed by the county commissioners of the county in which the said city may be located Any inspector appointed in pursuance of an agreement for such combination shall subject to the terms of his appointment have the same authority and duties as if he had been appointed by each of the authorities who are parties to the agreement The county and city inspectors of weights and measures as appointed by the respective counties and cities shall hold their office during good behavoir and shall not be removed discharged or reduced in pay or position except for inefficiency incapacity conduct unbecoming employes or other just cause and until the said officials shall have been furnished with written statements of the reason for such removal discharge or reduction and shall have been given reasonable time to make written answer thereto Nor shall such removal discharge or reduction be made until the charge or charges shall have been examined into and found true in fact by the appointing power of such county or city at a hearing upon reasonable notice to the person charged at which time he may be represented by counsel and offer testimony or witnesses in his own behalf It shall be unlawful for any sealer or inspector of weights and measures or any of his deputies to perform clerical or other services for the county or city of their respective districts

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—194

Aaronson,	Getchey,	McCullough,	Scanlon,
Andrews,	Gibson,	McKinney,	Schuster,
Bane,	Goff,	McMillen,	Scott,
Barrett,	Goodling,	Mihm,	Serrill,
Baumunk,	Gorman,	Mikula,	Shoemaker,
Beech,	Graybill,	Miller,	Simons,
Bender,	Greenwood,	Mills,	Smith, C. C.,
Bentzel,	Greer,	Mintess,	Smith, C. M.,
Bloom,	Griffiths,	Mohr,	Snider,
Boles,	Guthrie,	Mooney,	Sollenberger,
Bonawitz,	Gyger,	Moore, C. E.,	Sorg,
Boorse,	Haller,	Moore, H. A.,	Sproul,
Breisch,	Haudenshield,	Murray,	Stank,
Brice,	Helm,	Myers,	Stimmel,
Brown,	Henry,	Najaka,	Stockham,
Brunner,	Hewitt,	Naumann,	Stonier,
Bucchin,	Hocker,	Needham,	Stuart,
Cadwalader,	Hoffman,	Neff,	Swope,
Capano,	Hoopes,	Nelson,	Tahl,
Cassicy,	Horan,	O'Connor,	Thomassy,
Chervenak,	Imbt,	O'Dare,	Thompson,
Chudoff,	Jennings,	O'Donnell,	Tittle,
Clevenger,	Johnson,	O'Neill,	Tompkins,
Cochran,	Johnston,	Orban,	Toomey,
Cole,	Jones,	Patten,	Turner,
Cook,	Jump,	Petrosky,	Upshur,
Cooper,	Kean,	Pichney,	Vaughan,
Cordier,	Kelley,	Pickens,	Verona,
Costa,	Kemp,	Polaski,	Wachhaus,
Crowley,	Kent,	Powers,	Wagner,
Dague,	Kirley,	Price,	Waldron,
Dalrymple,	Kline,	Propert,	Wallin,
Davison,	Kohl,	Ragot,	Walton,
De Long,	Kratz,	Readinger,	Waterhouse,
Demech,	Kurtz,	Reese, D. P.,	Watkins,
Dye,	Laughner,	Reese, R. E.,	Watson,
Efenberg,	Layer,	Reilly, J. M.,	Weidner,
Elder,	Lee,	Reilly, W. J.,	Weiss,
Erb,	Leisey,	Richter,	West,
Evans,	Livingston,	Riley,	Wheeler,
Ewing,	Livingstone,	Robbins,	Wolf,
Feola,	Loftus,	Robertson,	Wood,
Fish,	Lovett,	Root,	Worley,
Fiss,	Lyons,	Rose,	Yeakel,
Flack,	Madden,	Rowen,	Yester,
Fleming,	Madigan,	Royer,	Yetzer,
Foor,	Mazza,	Sarraf,	Young,
Frost,	McCormack,	Sax,	Lichtenwalter,
Gallagher,	McCosker,		Speaker.

NAYS—6

Bower,	Dix,	Reagan,	Wescott,
Dennison,	Krise,		

NOT VOTING—5

Depuy,	McDonald,	Morrison,	Trout,
Hall,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 41, as follows:

An Act to amend section five hundred five of the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 571) entitled "An act relating to assessment for taxation in counties of the fourth fifth sixth seventh and eight classes designating the subjects property and persons subject to and exempt from taxation for county borough town township school except in cities and county institution district purposes and providing for and regulating the assessment and valuation thereof for such purposes creating in each such county a board for the assessment and revision of taxes defining the powers and duties of such boards providing for the acceptance of this act by cities regulating the office of ward borough town and township assessors abolishing the office of assistant triennial assessor in townships of the first class providing for the appointment of a chief assessor assistant assessors and other employes providing for their compensation payable by such counties prescribing certain duties of and certain fees to be collected by the recorder of deeds and eliminating the triennial assessment" increasing the compensation of assessors

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section five hundred five of the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 571) entitled "An act relating to assessment for taxation in counties of the fourth fifth sixth seventh and eighth classes designating the subjects property and persons subject to and exempt from taxation for county borough town townhip school except in cities and county institution district purposes and providing for and regulating the assessment and valuation thereof for such purposes creating in each such county a board for the assessment and revision of taxes defining the powers and duties of such boards providing for the acceptance of this act by cities regulating the office of ward borough town and township assessors abolishing the office of assistant trienial assessor in townships of the first class providing for the appointment of a chief as-

sessor assistant assessors and other employes providing for their compensation payable by such counties prescribing certain duties of and certain fees to be collected by the recorder of deeds and eliminating the triennial assessment" is hereby amended to read as follows

Section 505 Compensation of Assessor Each assessor hereafter elected shall be paid [six] eight dollars for each day of eight hours and at the same rate for each hour of any greater or lesser period necessarily employed by him in the performance of his dutes On or before the tenth day of each month succeeding any month in which the assessor has been employed one or more days in the performance of his duties the assessor shall file with the board a sworn statement of the days so employed indicating the particular days and the nature of the duties performed on each day The board shall make such examination of the statement as to it seems proper and shall allow or disallow any compensation claimed by the assessor within twenty days after receipt of such statement Any assessor who hall be aggrieved by the action of the board in allowing or disallowing any compensation claimed by him may appeal from the decision of the board to the court of common pleas of the county

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—197

Aaronson,	Gallagher,	McCosker,	Scanlon,
Andrews,	Getchey,	McCullough,	Schuster,
Bane,	Gibson,	McKinney,	Scott,
Barrett,	Goff,	McMillen,	Serrill,
Baumunk,	Goodling,	Mihm,	Shoemaker,
Beech,	Gorman,	Mikula,	Simons,
Bender,	Graybill,	Miller,	Smith, C. C.,
Bentzel,	Greenwood,	Mills,	Smith, C. M.,
Bloom,	Greer,	Mintess,	Snider,
Boles,	Griffiths,	Mohr,	Sollenberger,
Bonawitz,	Guthrie,	Mooney,	Sorg,
Boorse,	Gyger,	Moore, C. E.,	Sproul,
Bower,	Haller,	Moore, H. A.,	Stank,
Breisch,	Haudenshield,	Murray,	Stimmel,
Brice,	Helm,	Myers,	Stockham,
Brown,	Henry,	Najaka,	Stonier,
Brunner,	Hewitt,	Naumann,	Stuart,
Bucchin,	Hocker,	Needham,	Swope,
Cadwalader,	Hoffman,	Neff,	Tahl,
Capano,	Hoopes,	Nelson,	Thomassy,
Cassidy,	Horan,	O'Connor,	Thompson,
Chervenak,	Imbt,	O'Dare,	Tittle,
Chudoff,	Jennings,	O'Donnell,	Tompkins,
Clevenger,	Johnson,	O'Neill,	Toomey,
Cochran,	Johnston,	Orban,	Turner,
Cole,	Jones,	Patten,	Upshur,
Cook,	Jump,	Petrosky,	Vaughan,
Cooper,	Kean,	Pichney,	Verona,
Cordier,	Kelley,	Pickens,	Wachhaus,
Costa,	Kemp,	Polaski,	Wagner,
Crowley,	Kent,	Powers,	Waldron,
Dague,	Kirley,	Price,	Wallin,
Dalrymple,	Kline,	Propert,	Walton,
Davison,	Kohl,	Ragot,	Waterhouse,
De Long,	Kratz,	Readinger,	Watkins,
Demech,	Krise,	Reese, D. P.,	Watson,
Dennison,	Kurtz,	Reese, R. E.,	Weidner,
Dye,	Laughner,	Reilly, J. M.,	Weiss,
Efenberg,	Layer,	Reilly, W. J.,	Wescott,
Elder,	Lee,	Richter,	West,
Erb,	Leisey,	Riley,	Wheeler,
Evans,	Livingston,	Robbins,	Wolf,
Ewing,	Livingstone,	Robertson,	Worley,
Feola,	Loftus,	Root,	Yeakel,
Fish,	Lovett,	Rose,	Yester,
Fiss,	Lyons,	Rowen,	Yetzer,
Flack,	Madden,	Royer,	Young,
Fleming,	Madigan,	Sarraf,	Lichtenwalter,
Foor,	Mazza,	Saw,	Speaker.
Frost,	McCormack,		

NAYS—3

Dix,	Reagan,	Wood,

NOT VOTING—5

Depuy,	McDonald,	Morrison,	Trout,
Hall,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 173, as follows:

An Act to further amend the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by increasing the maximum amount of funeral expenses of deceased service persons and their widows to be contributed by counties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections four hundred twenty-two and four hundred twenty-three of the act aproved the seceond day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws thereto" as last amended by the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 286) are hereby further amended to read as follows

Section 422 Sum to Be Spent The county commissioners of each county are hereby authorized and directed to contribute the sum of [seventy-five dollars ($75)] one hundred twenty-five dollars ($125.00) towards the funeral expense of each deceased service person in the cases enumerated below where in each case application therefor is made within one year after the date of his or her death and where the total expenses of the funeral does not exceed [four hundred dollars ($400.00)] six hundred dollars ($600.00) Provided That in the case of any deceased service person who died while in the service application need not be made within one year after the date of his or her death but may be made at any time thereafter Payments shall be made under the following circumstances

(1) Where the deceased service person at the time of his or her death had his or her legal resdience in the county whether or not he or she died in the county and wether or not he or shew was buried in the county It is hereby declared to be the intent of the General Assembly that every deceased service person having a legal residence in this Commonwealth at the time of his or her death shall be entitled to the benefits of this section regardless of where he or she may have died or where he or she may be buried and that the liability therefor shall be on the county where such deceased service person shall have had his or her legal residence at the time of his or her death

(2) Where the deceased service person died and was buried in the county but at the time of his or her death did not have a legal residence within this Commonwealth if the county commissioners of the county where he or she died shall be notified in writing by any organization of veterans that the body is unclaimed by relatives or friends and upon investigation shall find such condition to exist

(3) When a deceased service person has died while a member of the Pennsylvania Soldier's and Sailors' Home at Erie Pennsylvania and such home incurs all funeral expenses and buries the soldier in a cemetery in the City of

Erie Pennsylvania or the home furnishes clothing casket and shipping case and ships the body to the county from which he was admitted to the home the county from which he was admitted shall reimburse and pay to the Pennsylvania Soldiers' and Sailors' Home the amount of seventy-five dollars ($75.00) or so much thereof as was actually expended by such home

Section 423 Burial of Widows of Deceased Service Persons Upon due application and proof the county commissioners of each county are hereby authorized and directed to contribute the sum of [seventy-five dollars ($75.00)] one hundred twenty-five dollars ($125.00) from the county funds towards the funeral expenses of any widow of any male deceased service person who at the time of her death had a legal residence in the county whether or not she died in the county and whether or not she was buried in the county Provided however That the county commissioners shall not contribute any moneys toward the funeral expenses of any such widow of a deceased service person who had remarried after the death of such deceased service person nor where the total expense of any such funeral shall exceed [four hundred dollars ($400.00)] six hundred dollars ($600.00) nor unless application for the payment of such moneys shall be made within one year after the date of the death of such widow of a deceased service person

Section 2 Section four hundred twenty-four of said act as amended by the act aproved the twelfth day of July one thousand nine hundred thirty-five (P. L. 683) is hereby further amended to read as follows

Section 424 Payments It shall be the duty of the county commissioners of each county in this State to draw a warrant upon the treasurer of their county in the sum of [seventy-five dollars ($75)] one hundred twenty-five dollars ($125.00) for each body buried in accordance with the provisions of this act to be paid out of the funds of the county and such warrants shall be made payable to the applicant or applicants if the application shows that the funeral expenses have been paid otherwise to the undertaker performing the services with notice to the applicant

Application for such contribution shall be made by the personal representative of such deceased service man or deceased service man's widow if there be such personal representative if no such personal representative has qualified then by any next of kin individual or veterans' organization who or which assumes responsibility for the cost of burial of the body and shall be sustained by affidavit as to the facts

Such application shall be on forms prescribed by the Department of Military Affairs and shall set forth whether or not the funeral expenses have been paid The application shall have attached thereto a certified copy of the death certificate and an affidavit by the undertaker who had charge of the burial of the body to the effect that the undertaker did render such service and that the cost of burial did not exceed the sum of [four hundred ($400.00)] six hundred dollars ($600.00)

Section 3 This act shall become effective ten days after its final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken as follows:

YEAS—200

Aaronson,	Gallagher,	McCosker,	Scanlon,
Andrews,	Getchey,	McCullough,	Schuster,
Bane,	Gibson,	McKinney,	Scott,
Barrett,	Goff,	McMillen,	Serrill,
Baumunk,	Goodling,	Mihm,	Shoemaker,
Beech,	Gorman,	Mikula,	Simons,
Bender,	Graybill,	Miller,	Smith, C. C.,
Bentzel,	Greenwood,	Mills,	Smith, C. M.,
Bloom,	Greer,	Mintess,	Snider,
Boies,	Griffiths,	Mohr,	Sollenberger,
Bonawitz,	Guthrie,	Moore, C. E.,	Sorg,
Boorse,	Gyger,	Mooney,	Sproul,
Bower,	Haller,	Moore, H. A.,	Stank,
Breisch,	Haudenshield,	Murray,	Stimmel,
Brice,	Helm,	Myers,	Stockham,
Brown,	Henry,	Najaka,	Stonier,
Brunner,	Hewitt,	Naumann,	Stuart,
Bucchin,	Hocker,	Needham,	Swope,
Cadwalader,	Hoffman,	Neff,	Tahl,
Capano,	Hoopes,	Nelson,	Thomassy,
Cassidy,	Horan,	O'Connor,	Thompson,
Chervenak,	Imbt,	O'Dare,	Tittle,
Chudoff,	Jennings,	O'Donnell,	Tompkins,
Clevenger,	Johnson,	O'Neill,	Toomey,
Cochran,	Johnston,	Orban,	Turner,
Cole,	Jones,	Patten,	Upshur,
Cook,	Jump,	Petrosky,	Vaughan,
Cooper,	Kean,	Pichney,	Verona,
Cordier,	Kelley,	Pickens,	Wachhaus,
Costa,	Kemp,	Polaski,	Wagner,
Crowley,	Kent,	Powers,	Waldron,
Dague,	Kirley,	Price,	Wallin,
Dalrymple,	Kline,	Propert,	Walton,
Davison,	Kohl,	Ragot,	Waterhouse,
De Long,	Kratz,	Readinger,	Watkins,
Demech,	Krise,	Reagan,	Watson,
Dennison,	Kurtz,	Reese, D. P.,	Weidner,
Dix,	Laughner,	Reese, R. E.,	Weiss,
Dye,	Layer,	Reilly, J. M.,	Wescott,
Efenberg,	Lee,	Reilly, W. J.,	West,
Elder,	Leisey,	Richter,	Wheeler,
Erb,	Livingston,	Riley,	Wolf,
Evans,	Livingstone,	Robbins,	Wood,
Ewing,	Loftus,	Robertson,	Worley,
Feola,	Lovett,	Root,	Yeakel,
Fish,	Lyons,	Rose,	Yester,
Fiss,	Madden,	Rowen,	Yetzer,
Flack,	Madigan,	Royer,	Young,
Fleming,	Mazza,	Sarraf,	Lichtenwalter,
Foor,	McCormack,	Sax,	Speaker.
Frost,			

NAYS—0

NOT VOTING—5

Depuy,	McDonald,	Morrison,	Trout,
Hall,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 206, as follows:

An Act to amend section two of the act approved the third day of May one thousand nine hundred twenty-three (P. L. 134) entitled "An act making the proceedings of the conventions of the Departments of Pennsylvania of the Grand Army of the Republic and the United Spanish War Veterans a part of the public records of the State and providing for their publication and distribution" by increasing the number of copies to be published

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two of the act approved the third day of May one thousand nine hundred twenty-three (P. L. 134) entitled "An act making the proceedings of the conventions of the Departments of Pennsylvania of the Grand Army of the Republic and the United Spanish War Veterans a part of the public records of the State and providing for their publication and distribution" is hereby amended to read as follows

Section 2 Not more than one thousand five hundred (1500) copies of each of such annual reports shall be

printed and bound and the balance remaining after the distribution provided for in section one of this act may be requisitioned as follows The State Librarian three hundred copies the Legislative Reference Bureau and the Senate Library ten copies and the executive head of the organization of whose proceedings it is a report the remaining copies

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—200

Aaronson,	Gallagher,	McCosker,	Scanlon,
Andrews,	Getchey,	McCullough,	Schuster,
Bane,	Gibson,	McKinney,	Scott,
Barrett,	Goff,	McMillen,	Serrill,
Baumunk,	Goodling,	Mihm,	Shoemaker,
Beech,	Gorman,	Mikula,	Simons,
Bender,	Graybill,	Miller,	Smith, C. C.,
Bentzel,	Greenwood,	Mills,	Smith, C. M.,
Bloom,	Greer,	Mintess,	Snider,
Boies,	Griffiths,	Mohr,	Sollenberger,
Bonawitz,	Guthrie,	Mooney,	Sorg,
Boorse,	Gyger,	Moore, C. E.,	Sproul,
Bower,	Haller,	Moore, H. A.,	Stank,
Breisch,	Haudenshield,	Murray,	Stimmel,
Brice,	Helm,	Myers,	Stonier,
Brown,	Henry,	Najaka,	Stockham,
Brunner,	Hewitt,	Needham,	Stuart,
Bucchin,	Hocker,	Naumann,	Swope,
Cadwalader,	Hoffman,	Neff,	Tahl,
Capano,	Hoopes,	Nelson,	Tittle,
Cassidy,	Horan,	O'Connor,	Thomassy,
Chervenak,	Imbt,	O'Dare,	Thompson,
Chudoff,	Jennings,	O'Donnell,	Tompkins,
Clevenger,	Johnson,	O'Neill,	Toomey,
Cochran,	Johnston,	Orban,	Turner,
Cole,	Jones,	Patten,	Upshur,
Cook,	Jump,	Petrosky,	Vaughan,
Cooper,	Kean,	Pichney,	Verona,
Cordier,	Kelley,	Pickens,	Wachhaus,
Costa,	Kemp,	Polaski,	Wagner,
Crowley,	Kent,	Powers,	Waldron,
Dague,	Kirley,	Propert,	Wallin,
Dalrymple,	Kline,	Price,	Walton,
Davison,	Kohl,	Ragot,	Waterhouse,
De Long,	Kratz,	Readinger,	Watkins,
Demech,	Krise,	Reagan,	Watson,
Dennison,	Kurtz,	Reese, D. P.,	Weidner,
Dix,	Laughner,	Reese, R. E.,	Weiss,
Dye,	Layer,	Reilly, J. M.,	Wescott,
Efenberg,	Lee,	Reilly, W. J.,	West,
Elder,	Leisey,	Richter,	Wheeler,
Erb,	Livingston,	Riley,	Wolf,
Evans,	Livingstone,	Robbins,	Wood,
Ewing,	Loftus,	Robertson,	Worley,
Feola,	Lovett,	Root,	Yeakel,
Fish,	Lyons,	Rose,	Yester,
Fiss,	Madden,	Rowen,	Yetzer,
Flack,	Madigan,	Royer,	Young,
Fleming,	Mazza,	Scarf,	Lichtenwalter,
Foor,	McCormack,	Sax,	Speaker.
Frost,			

NAYS—0

NOT VOTING—5

Depuy,	McDonald,	Morrison,	Trout,
Hall,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS PASSED OVER

There being no objection.

House Bill No. 358, Printer's No. 312 and

House Bill No. 362, Printer's No. 312

were passed over at the request of Mr. SWOPE.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 365, as follows:

An Act to further amend the first paragraph of section two hundred twenty and to add clause (n) to section two hundred eighty-five of the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" increasing the resident fishing license fee

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The first paragraph of section two hundred twenty of the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" as last amended by the act approved the twenty-ninth day of March one thousand nine hundred forty-five (P. L. 99) is hereby further amended to read as follows

Section 220 Resident Fishing License Fees For the purposes of this article every person sixteen years of age and upward upon application to any issuing agent within the Commonwealth or to the Department of Revenue and upon the establishment of his identity to the satisfaction of the issuing agent or the Department of Revenue by producing a bank book letters lodge cards police cards a motor vehicle operator's permit or some other positive means of identification that he has been a bona fide resident of this Commonwealth for a period of sixty days next preceding his application was born in the United States and in the case of naturalized foreign-born residents the production of such applicant's naturalization papers shall upon the payment to the issuing agent or the Department of Revenue of a license fee of [one dollar and fifty cents ($1.50)] two dollars ($2.00) for the use of the Commonwealth and in the event that the license is issued by an issuing agent a fee of ten cents (10c) for the use of the issuing agent be entitled to the license herein referred to as "a resident fishing license"

Section 2 The provisions of this act shall become effective immediately upon final enactment

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. FISH. Mr. Speaker, as most of the fishermen know tomorrow is the first day of trout fishing. The thousands of fishermen throughout the Commonwealth are going to be out on their favorite streams. The Department of Fisheries has done a splendid job in placing thousands and thousands of trout in the different streams of our Commonwealth, so fishermen tomorrow morning will go out and they will use most any kind of bait that they have their mind on and they will find that the trout are willing to bite on any bait that they want to drop in the water, and the average fisherman is going to catch a great many trout.

That sport, if you call it sport, will keep up until

tomorrow afternoon when the average fisherman is going to start to criticize the Department of Fisheries for not putting any trout in the streams. The fact remains that the Department of Fisheries has planted plenty of trout in the streams, but unfortunately the trout has been put there only in the last two or three weeks with the result that they will bite on most any kind of bait.

About the first of May when the average fisherman goes out trying to catch some trout he is going to criticize this Legislature and he is going to criticize the Department of Fisheries because the trout have disappeared.

This proposed bill increasing the license fee by fifty cents is not going to assure the fishermen that he is going to go out and fish for trout and catch trout after the first of May. The average fisherman will not catch trout. Why should we, Mr. Speaker and Members of the House, as a Legislative Body add fifty cents to the cost of that fisherman to give him the legal right and privilege of going out in that stream, and we fishermen who fish up until the middle of the summer and go home without any fish are asked by our friends, "What did you catch?" Our answer is "We have been out communing with nature."

Certainly the Fish Commission has done a nice job, but we fishermen in Cumberland County want the privilege of going out to fish and really fish for trout during the entire trout season.

Then, Mr. Speaker, could I remind you the condition of our bass fishing at the present time? In this locality bass fishing is fast becoming a sacred memory. We remember the time that we could go out and catch some bass, but that time is past. We must not forget to give the Department due credit for this, as far as doing everything possible to develop bass fishing in Pennsylvania—apparently they have forgotten us in Cumberland County.

I know that many of you do remember when we were youngsters' our fathers would take us out along a stream and would catch some rock bass, sun fish and trout, and we knew that we were doing a pretty good job.

Members of the House take your boy today and go out along the stream, or your daughter and you can still fish for sun fish and rock bass, but we still can't catch as many as we could as boys. But to the best of my knowledge the state Department of Fisheries has not done very much in propagating warm water fish.

The Department comes along and tells us that an increase in revenues is necessary; they tell us that the cost of food for these fish has increased greatly. I admit that. Then they also tell us that the Department is entitled to higher salaries, and I agree with that.

The Post War Planning Commission on fisheries also tell us that they have a $759,000 program set, and I agree with them, but on the other hand, Mr. Speaker and Members of the House, may I remind you that there were 155,000 additional fishermen in 1947—or there will be, over 1946. May I also remind you that those 155,000 fishermen mean revenue, to the Department of Fisheries of approximately 225,000 dollars.

May I also remind you that in Governor Duff's statement and in the budget set up for the Department of Fisheries an additional three hundred thousand dollars was set up in the fund to pay for additional salaries and additional expenses incidental to the propagation of fish.

Mr. Speaker, we heard the story that because there is such an increased number of fishermen it is absolutely necessary that we have more funds to propagate fish. May I remind you that it has not been so many years ago when a daily catch of trout was 25 trout; today your limit is 16. It has not been so many years ago since the daily catch of bass was 10 bass; today it is 6, but it is very difficult, I assure you, for the expert fisherman to go out and catch six bass today.

You will find, that the average fisherman is very generous. It is difficult for the fisherman to walk past a sporting goods store and see the different gadgets and the gaily colored flies in that window without having the desire within him to go in and purchase one of those lures, hoping he will find the answer to his prayers and really catch fish.

This fifty cents that we intend to tack on the fisherman, he is going to pay that fifty cents; he wants to go fishing, but may I remind the Members of the House this fifty cents goes in the general fund of the Fisheries Department. There is none of this money set aside for the propagation of fish.

Therefore, I ask you to agree with me and defeat this bill until the time when we will have a bill introduced in this House that will guarantee fishermen the privilege not only of communing with nature but really going out and catching fish.

Mr. TOMPKINS. Mr. Speaker, I agree whole heartedly with the gentleman from Cumberland that we want to fish. We need more fish. I don't know how you except to get them if you do not get the additional money to put additional fish in the streams. We all know that the Governor has a program of stream pollution on hand and that for every mile of stream that is cleared in this Commonwealth there will be a demand for fish for those streams. Therefore, we need additional hatcheries and propagation for fish, and I know of no way by which that can be accomplished except by increased revenue.

I am sorry that the gentleman does not feel that he receives his sufficient quota of fish. However, with the permission of the Members of the House I would like to read a statement from the Pittsburgh Press of Sunday, April 13, 1947, entitled

> "Trout Season Means Holiday in Cameron. Even Schools Will Be Closed. Cameron County is probably the only county in the world which closes its schools on the opening day of the trout season. On Tuesday, every resident will have the opportunity to catch a mess of the finned aristocrats."

I am sorry that I cannot be there for the occasion. Johnie Mock in that same paper says:

> "According to the Wardens, this year's stocking has equaled all past records. In fact, in most instances the trout are bigger in size than ever planted before."

Wally Nelson, Editor of the Cameron County Press, insists he witnessed the release of two, so large that they were compelled to follow the contour of the pail. When placed in the stream they swam in circles because of being confined in the pail. "For two bucks," he advises, "He'll tell us the exact hole in which they were dropped."

Gentlemen, I know this for a fact, because it happened that I helped place them there myself. I have the consent of the Commission that if any Member of the House will come to Cameron County this fishing season they will point out the holes in which these fish are located.

For that reason I am for bigger and better and more trout and an increase in the fishing license.

On the question, recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—120

Aaronson,	Griffiths,	Mohr,	Sproul,
Baumunk,	Gyger,	Moore, C. E.,	Stimmel,
Beech,	Haller,	Murray,	Stockham,
Bentzel,	Haudenshield,	Myers,	Stonier,
Bloom,	Hewitt,	Naumann,	Stuart,
Boorse,	Hoffman,	Nelson,	Tahl,
Bower,	Hoopes,	O'Dare,	Thomassy,
Breisch,	Imbt,	O'Donnell,	Thompson,
Brice,	Jennings,	Orban,	Tittle,
Brunner,	Johnson,	Petrosky,	Tompkins,
Cadwalader,	Johnston,	Pichney,	Toomey,
Cassidy,	Jones,	Pickens,	Turner,
Cook,	Kean,	Propert,	Upshur,
Cooper,	Kelley,	Reagan,	Vaughan,
Costa,	Kent,	Reese, D. P.,	Wachhaus,
Dague,	Kline,	Reilly, W. J.,	Wagner,
Davison,	Kratz,	Richter,	Waldron,
De Long,	Krise,	Riley,	Wallin,
Dennison,	Kurtz,	Robertson,	Walton,
Dix,	Laughner,	Root,	Waterhouse,
Elder,	Layer,	Rowen,	Watkins,
Flack,	Lee,	Royer,	Watson,
Fleming,	Leisey,	Sar,	Wescott,
Foor,	Loftus,	Scott,	West,
Frost,	Madigan,	Serrill,	Wolf,
Gallagher,	McCormack,	Shoemaker,	Wood,
Gibson,	McCosker,	Simons,	Yeakel,
Goodling,	McKinney,	Smith, C. C.,	Yester,
Gorman,	Mills,	Smith, C. M.,	Young,
Greer,	Mintess,	Sorg,	Lichtenwalter, Speaker.

NAYS—59

Andrews,	Erb,	McCullough,	Reilly, J. M.,
Bane,	Evans,	Mihm,	Robbins,
Barrett,	Fish,	Mikula,	Scanlon,
Bender,	Getchey,	Miller,	Schuster,
Bonawitz,	Graybill,	Mooney,	Snider,
Bucchin,	Hocker,	Moore, H. A.,	Sollenberger,
Chervenak,	Horan,	Najaka,	Stank,
Chudoff,	Jump,	Neff,	Swope,
Clevenger,	Kemp,	O'Connor,	Verona,
Cole,	Kohl,	Patten,	Weidner,
Cordier,	Livingston,	Polaski,	Weiss,
Crowley,	Livingstone,	Powers,	Wheeler,
Dalrymple,	Lovett,	Price,	Worley,
Demech,	Lyons,	Readinger,	Yetzer,
Efenberg,	Madden,	Reese, R. E.,	

NOT VOTING—26

Boies,	Feola,	Henry,	Needham,
Brown,	Fiss,	Kirley,	O'Neill,
Capano,	Goff,	Mazza,	Ragot,
Cochran,	Greenwood,	McDonald,	Rose,
Depuy,	Guthrie,	McMillen,	Sarraf,
Dye,	Hall,	Morrison,	Trout,
Ewing,	Helm,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no obpection.

House Bill No. 554, Printer's No. 206

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 558, as follows:

An Act to amend section four hundred nineteen of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by permitting certain additional insurance companies to come within the provisions thereof

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section four hundred nineteen of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" as added thereto by the act approved the twenty-sixth day of April one thousand nine hundred twenty-nine (P. L. 789) and as further amended by the act approved the sixteenth day of May one thousand nine hundred forty-five (P. L. 585) is hereby further amended to read as follows

Section 419 Certain Companies Heretofore Organized May Come within Provisions of Act [Stock companies] Every company incorporated or reincorporated under the act of April twenty-eighth one thousand nine hundred and three (P. L. 329) entitled "An act to provide for the incorporation and regulation of corporations for the purpose of making insurance upon the health of individuals and against personal injury and disablement and death therein limiting the amount for which such corporations may issue policies and providing the manner in which certain existing corporations may become reincorporated under this act" or under the act of April twentieth one thousand nine hundred twenty-seven (P. L. 317) entitled "An act authorizing certain existing beneficial or protective societies heretofore incorporated to reincorporate for the purpose of making insurance upon the health of individuals and against personal injury and disablement and death regulating such corporations and limiting the amount for which corporations may issue policies and imposing a tax on gross premiums of companies reincorporated under the provisions of this act" or under the act of June twenty-fourth one thousand nine hundred thirty-nine (P. L. 686) entitled "An act authorizing certain existing beneficial or protective societies heretofore incorporated to reincorporate as limited life insurance companies for the purpose of making insurance upon the health of individauls and against personal injury and disablement and death regulating such corporations and limiting the amount for which such corporations may issue policies" having in the case of a stock company a paid up capital of not less than three hundred thousand dollars ($300,000) and a paid-in surplus at least equal

to fifty per centum of the subscribed capital or having in the case of a mutual company insurance in force in an aggregate amount of not less than one million dollars ($1,000,000) on not less than four hundred persons and a surplus of not less than two hundred thousand dollars ($200,000) may notwithstanding any limitation to the contrary established by any act of Assembly or by the provisions of its charter issue policies insuring the lives of persons and every insurance appertaining thereto may grant and dispose of annuities and may insure against personal injury disablement or death resulting from traveling or general accidents and against disablement resulting from sickness and every insurance appertaining thereto as specified in subdivision (a) clause one (1) of section two hundred and two (202) of this act

Section 2 All acts and parts of acts inconsistent with the provisions of this act are hereby repealed

Section 3 This act shall become effective immediately upon final enactment

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. KLINE. Mr. Speaker, last week at the suggestion of the gentleman from Cambria, Mr. Andrews, it was suggested that we have an explanation of all the insurance bills. This either has been done or is being done with the exception of House Bill No. 558 and House Bill No. 983, which will appear later on the calendar.

At present any first class mutual life insurance company having insurance in force in an aggregate amount of not less than one million dollars on not less than four hundred persons, and a surplus of not less than two hundred thousand dollars may issue policies insuring the lives of persons in Pennsylvania. The purpose of this bill is to allow limited life insurance companies to write unlimited amounts where they meet the requirements. I think, therefore, this is fair legislation and I ask support on this bill.

On the question, recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—200

Aaronson,	Gallagher,	McCosker,	Scanlon,
Andrews,	Getchey,	McCullough,	Schuster,
Bane,	Gibson,	McKinney,	Scott,
Barrett,	Goff,	McMillen,	Serrill,
Baumunk,	Goodling,	Mihm,	Shoemaker,
Beech,	Gorman,	Mikula,	Simons,
Bender,	Graybill,	Miller,	Smith, C. C.,
Bentzel,	Greenwood,	Mills,	Smith, C. M.,
Bloom,	Greer,	Mintess,	Snider,
Boies,	Griffiths,	Mohr,	Sollenberger,
Bonawitz,	Guthrie,	Mooney,	Sorg,
Boorse,	Gyger,	Moore, C. E.,	Sproul,
Bower,	Haller,	Moore, H. A.,	Stank,
Breisch,	Haudenshield,	Murray,	Stimmel,
Brice,	Helm,	Myers,	Stockham,
Brown,	Henry,	Najaka,	Stonier,
Brunner,	Hewitt,	Naumann,	Stuart,
Bucchin,	Hocker,	Needham,	Swope,
Cadwalader,	Hoffman,	Neff,	Tahl,
Capano,	Hoopes,	Nelson,	Thomassy,
Cassidy,	Horan,	O'Connor,	Thompson,
Chervenak,	Imbt,	O'Dare,	Tittle,
Chudoff,	Jennings,	O'Donnell,	Tompkins,
Clevenger,	Johnson,	O'Neill,	Toomey,
Cochran,	Johnston,	Orban,	Turner,
Cole,	Jones,	Patten,	Upshur,
Cook,	Jump,	Petrosky,	Vaughan,
Cooper,	Kean,	Pichney,	Verona,
Cordier,	Kelley,	Pickens,	Wachhaus,
Costa,	Kemp,	Polaski,	Wagner,
Crowley,	Kent,	Powers,	Waldron,
Dague,	Kirley,	Price,	Wallin,
Dalrymple,	Kline,	Propert,	Walton,
Davison,	Kohl,	Ragot,	Waterhouse,
De Long,	Kratz,	Readinger,	Watkins,
Demech,	Krise,	Reagan,	Watson,
Dennison,	Kurtz,	Reese, D. P.,	Weidner,
Dix,	Laughner,	Reese, R. E.,	Weiss,
Dye,	Layer,	Reilly, J. M.,	Wescott,
Efenberg,	Lee,	Reilly, W. J.,	West,
Elder,	Leisey,	Richter,	Wheeler,
Erb,	Livingston,	Riley,	Wolf,
Evans,	Livingstone,	Robbins,	Wood,
Ewing,	Loftus,	Robertson,	Worley,
Feola,	Lovett,	Root,	Yeakel,
Fish,	Lyons,	Rose,	Yester,
Fiss,	Madden,	Rowen,	Yetzer,
Flack,	Madigan,	Royer,	Young,
Fleming,	Mazza,	Sarraf,	Lichtenwalter, Speaker.
Foor,	McCormack,	Sax,	
Frost,			

NAYS—0

NOT VOTING—5

Depuy,	McDonald,	Morrison,	Trout,
Hall,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 636, as follows:

An Act to add section twenty-eight point one to the act approved the sixteenth day of May, one thousand nine hundred twenty-three (P. L. 207), entitled "An act providing when, how, upon what property, and to what extent, liens shall be allowed for taxes and for municipal improvements, for the removal of nuisances, and for water rents or rates, sewer rates, and lighting rates; for the procedure upon claims filed therefor; the methods for preserving such liens and enforcing payment of such claims; the effect of judicial sales of the properties liened; the distribution of the proceeds of such sales, and the redemption of the property therefrom; for the lien and collection of certain taxes heretofore assessed, and of claims for municipal improvements made and nuisances removed, within six months before the passage of this act; and for the procedure on tax and municipal claims filed under other and prior acts of Assembly," by providing for the sale of property for delinquent taxes, in counties of the first class giving purchaser indefeasible title, not subject to redemption and free of all taxes, municipal claims, liens, mortgages, charges and estates of whatsoever kind.

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED

Mr. GRIFFITHS. Mr. Speaker, I move that this bill be recommitted to the Committtee on Judiciary for the purpose of further study and possible amendment.

The motion was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 765, as follows:

An Act requiring persons elected or appointed as judges of any court of record to be residents of the judicial district for which they are elected or appointed two years prior to the time of such election or appointment

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 No person shall be eligible for election or appointment as judge of any court of record within the Commonwealth unless such person shall have been a resident of the judicial district in which he is seeking election or in which he is appointed for a period of at least two full years immediately preceding such election or appointment

Section 2 All acts and parts of acts inconsistent with the provisions of this act are hereby repealed

Section 3 The provisions of this act shall become effectice immediately upon final enactment

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. BANE. Mr. Speaker, as a neophyte member of the House it is with considerable terpidation that I arise to address this august body on the merits and issues raised by House Bill No. 765. I am probably one of the few individuals in the United States who must concede at the outset that my ancestors did not step ashore at Plymouth Rock. History and facts record that they landed in the environs of the city of Philadelphia.

As a member of this House now for some fourteen weeks I can better understand why they left the City of Brotherly Love and removed themselves to the uttermost parts of Penn's Woods and finally situated themselves in the outskirts of Fayette County.

Oftentimes I have noted that the city of Brotherly Love has been beset by many trials and tribulations that they have been unable to take care of in their own locality. As a result they have undertaken to seek relief in this august body. Some two weeks ago we were told that the councilmen in Philadelphia were in straitened circumstances and so we raised their wages.

We also passed a bill in which we found that various persons in the exercise of various plans were obtaining water by by-passing the meters, and we took care of that situation.

A couple of weeks ago we passed a bill which prohibited the invasion of this State, and prohibited the opening of pool rooms in the city of Philadelphia until residence had been established for a period of at least two years.

Now, Mr. Speaker, there isn't a word in House Bill No. 765 which says anything about the city of Philadelphia However, I have been informed, and I hope not erroneously so, that this bill is designed to correct another evil existing in the city of Brotherly Love.

I understand that certain members of the bar practicing in the City of Philadelphia, but who not being able to find a residence either by reason of economic conditions or otherwise, have moved out into the adjoining counties of Montgomery, Berks and Chester, and there having established a legal residence, but nevertheless practicing within the limits of the City of Philadelphia, have been placed in the situation by reason of the death of an incumbent on the bench or the bar of Philadelphia that they must be residents of their district for two years before they are eligible to appointment or election. That is the purpose, as I understand it, for which this bill is designed.

I perhaps might state to this House that I am rather sensitive about bills of this character. I didn't say anything at the time we passed the poolroom bill for the reason that I have been inculcated with the fundamental and cardinal principles which every baby member of this House is presumed to observe, namely "Don't take yourself too seriously; have a good time while you are here, and keep your mouth shut."

I hope you will bear with me in differing with the last of these three principles, because I have no difficulty with the first two.

In my experience with the armed forces I spent twenty-seven months overseas, in ten major battle areas, and certain phrases prior to my entering the service were very high-sounding, but had very little meaning to me, such as "The American Way of Life", "The Pursuit of Life, Liberty and Happiness"—and of course "The benefits rising from individual enterprise."

Like many of the Members of this House who served in the armed forces, it has not been my privilege to travel abroad on any extended matters, but while I was there I found on my return that America was a country differing from any other place in this world, that every man who is a citizen of this nation can say with pride "I am an American."

It is for this basic reason that I arise in protest to the passage of this bill. We find here a situation that while it is not greatly different from the pool room bill, nevertheless it is a prohibition upon the right of free enterprise, in my humble opinion. Any person who lives in Philadelphia who desires to own or open a pool room, while he may be an American citizen and he may meet all the qualifications that the licensing board might require, he may fail in his efforts to enter legitimate enterprise solely because he now finds in the City of Philadelphia a limitation of residence of two years.

We come now to a situation where we are going to require residence of a member of the bar of at least two years prior to the date that he can be appointed or elected to the bench. I am a member of the bar of Fayette County, and I believe every member of the bar has an inherent desire, and if he doesn't, he should have a desire to be assigned to that august division. If he meets all the other fundamental requirements as a member of the bar, whether he be a resident of Montgomery, Berks, Chester or Fayette or wherever he might be, I am opposed to any limitation of his residence to the particular county before his appointment to the bench for a period of at least two years.

You might say there is a great deal of difference between and the two types of bills here presented. Say that the difference, if any, is one of degree rather than of kind, and therefore, knowing these acts which set up inter-city, inter-county or inter-state barriers to the exercise of free enterprise are depriving an American citizen of a right of which we should not deprive him. For this fundamental basic reason I ask you to vote in opposition to this bill.

Mr. WORLEY. Mr. Speaker, I desire to interrogate the gentleman from Fayette, Mr. Bane.

The SPEAKER. Will the gentleman from Fayette permit himself to be interrogated?

Mr. BANE. I shall, Mr. Speaker.

Mr. WORLEY. I would like to inquire, Mr. Speaker, of the gentleman, whether or not he is not also opposed to the residence requirements set up by several of our Pennsylvania counties of from three to five years for members of the bar to practice in that county.

Mr. BANE. For the benefit of the House and to be consistent, I am in opposition to such requirements. The fact remains that just as we now have established a possbile precedent for other cases such as a pool room, I say to this House that we ought not to add further restraint upon the right of free enterprise.

I believe that any member of the bar—and I say this does not happen in my particular county, but if any member of the bar can achieve the respect and honor and the admiration of his bar association, sufficient to achieve his appointment to that bench, whether he comes from Allegheny, Fayette, Chester or whatever county it may be he is a man worthy to be appointed to that bench and we ought not to limit his right by placing this limitation upon him.

Mr. WORLEY. Mr. Speaker, I agree with the gentleman and I would not want to have barriers on the court or lawyers or anyone else.

Mr. CHARLES C. SMITH. Mr. Speaker, I desire to interrogate the gentleman from Fayette, Mr. Bane.

The SPEAKER. Will the gentleman from Fayette permit himself to be interrogated?

Mr. BANE. I shall, Mr. Speaker.

Mr. CHARLES C. SMITH. Mr. Speaker, I would like to ask the gentleman from Fayette if he has any knowledge of the requirements to be a member of the House as far as residence in the state and district are concerned?

Mr. BANE. I don't think that I have, Mr. Speaker.

Mr. CHARLES C. SMITH. I would like to refer the gentleman to Article II of the Constitution which says:

> "Senators shall be at least twenty-five years of age and Representatives twenty-one years of age. They shall have been citizens and inhabitants of the State four years, and inhabitants of their respective districts one year next before their election."

Now, I am under the impression, Mr. Speaker, that any elected Member must have residence in the state or the district where he is elected for a certain length of time. That time does vary, but I can see no reason why a judge should not have two years' residence when a Member of this House must have one year's residence in the district and four years in the state.

Mr. EDWIN S LIVINGSTON. I want to say, Mr. Speaker, on this bill that I don't think any of us would sit here and admit the we don't have a man in the whole county that could fill the job.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—167

Aaronson,	Goff,	Mazza,	Sax,
Baumunk,	Goodling,	McCormack,	Scanlon,
Beech,	Gorman,	McCosker,	Scott,
Bender,	Greenwood,	McCullough,	Serrill,
Bloom,	Greer,	McKinney,	Shoemaker,
Bonawitz,	Griffiths,	McMillen,	Simons,
Boorse,	Guthrie,	Mihm,	Smith, C. C.,
Bower,	Gyger,	Mikula,	Smith, C. M.,
Breisch,	Haller,	Miller,	Sollenberger,
Brice,	Haudenshield,	Mintess,	Sorg,
Brunner,	Helm,	Mohr,	Sproul,
Cadwalader,	Hewitt,	Moore, C. E.,	Stimmel,
Cassidy,	Hocker,	Moore, H. A.,	Stockham,
Chudoff,	Hoffman,	Murray,	Stonier,
Clevenger,	Hoopes,	Myers,	Stuart,
Cook,	Horan,	Najaka,	Tahl,
Cooper,	Imbt,	Naumann,	Thomassy,
Cordier,	Jennings,	Needham,	Thompson,
Costa,	Johnson,	Neff,	Tittle,
Crowley,	Johnston,	Nelson,	Tompkins,
Dague,	Jones,	O'Dare,	Toomey,
Dalrymple,	Jump,	O'Donnell,	Turner,
Davison,	Kean,	O'Neill,	Upshur,
De Long,	Kelley,	Orban,	Vaughan,
Demech,	Kemp,	Patten,	Wachhaus,
Dennison,	Kent,	Pichney,	Wagner,
Dix,	Kirley,	Pickens,	Waldron,
Dye,	Kline,	Powers,	Wallin,
Efenberg,	Kohl,	Price,	Walton,
Elder,	Kratz,	Propert,	Waterhouse,
Erb,	Krise,	Ragot,	Watkins,
Ewing,	Kurtz,	Reagan,	Watson,
Feola,	Laughner,	Reese, D. P.,	Weidner,
Fish,	Layer,	Reilly, J. M.,	Wescott,
Fiss,	Lee,	Reilly, W. J.,	West,
Flack,	Leisey,	Richter,	Wolf,
Fleming,	Livingston,	Riley,	Wood,
Foor,	Livingstone,	Robbins,	Yeakel,
Frost,	Loftus,	Robertson,	Yester,
Gallagher,	Lyons,	Rowen,	Young,
Getchey,	Madden,	Royer,	Lichtenwalter,
Gibson,	Madigan,	Sarraf,	Speaker.

NAYS—24

Andrews,	Bucchin,	Lovett,	Snider,
Bane,	Capano,	Mooney,	Swope,
Barrett,	Chervenak,	O'Connor,	Weiss,
Bentzel,	Cochran,	Polaski,	Wheeler,
Boies,	Cole,	Readinger,	Worley,
Brown,	Evans,	Reese, R. E.,	Yetzer,

NOT VOTING—14

Depuy,	McDonald,	Root,	Stank,
Graybill,	Mills,	Rose,	Trout,
Hall,	Morrison,	Schuster,	Verona,
Henry,	Petrosky,		

The majority required by the Constiution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 791, as follows:

An Act to amend or further amend the title and certain sections of the act approved the third day of June one thousand nine hundred thirty-three (P. L. 1449) entitled "An act establishing a court of record in the county of Allegheny for control care guidance and treatment trial placement and commitment of delinquent neglected and dependent children under sixteen years of age and of persons over sixteen years of age contributing to or encouraging delinquency neglect or dependency of children defining the jurisdiction and powers of the court and regulating procedure therein providing for the transfer thereto of certain powers functions and duties from other courts providing for the election of judges thereof the appointment of probation officers other necessary staff officials and assistants providing for housing of same and providing for detention facilties making the conrtibuting to or encouraging of the delinquency neglect or dependency of childres a misdemeanor and providing penalties" establishing a separate juvenile court for Luzerne County

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title of the act approved the third day of June one thousand nine hundred thirty-three (P. L. 1449) entitled "An act establishing a court of record in the county of Allegheny for control care guidance treatment trial placement and commitment of delinquent neglected and dependent children under sixteen years of age and of persons over sixteen years of age contributing to or encouraging delinquency neglect or dependency of children defining the jurisdiction and powers of the court and regulating procedure therein providing for the transfer thereto of certain powers functions and duties from other courts providing for the election of judges thereof the appointment of probation officers other necessary staff officials and assistant providing for housing of same and providing for detention facilities making the contributing to or encouraging of the delinquency neglect or dependency of children a misdemeanor and providing penalties" is hereby amended to read as follows

An Act establishing a court of record in the county of Allegheny and a court of record in the county of Luzerne for control care guidance treatment trial placement and commitment of delinquent neglected and dependent children under sixteen years of age and of presons over sixteen years of age contributing to or encouraging delinquency neglect or dependency of children defining the jurisdiction and powers of the court and regulating procedure therein providing for the transfer thereto of certain powers functions and duties from other courts providing for the election of judges thereof the appointment of probation officers other necessary staff officials and assistants providing for housing of same and providing for detention facilities making the contributing to or encouraging of the delinquency neglect or dependency of children a misdemeanor and providing penalties

Section 2 The first paragraph of section one of said act as amended by the act approved the fifteenth day of June one thousand nine hundred thirty-nine (P. L. 397) is hereby further amended to read as follows

Section 1 Be it enacted &c That Definitions 1 Whenever the words "the court" are used in this act they shall refer to the juvenile [courts] courts or either of them as the case may be established by this act the term "Judge" shall refer to the [judge of that court] judges of those courts the word "child" shall mean a person less than eighteen years of age the word "adult" shall mean a person eighteen years of age or over and the words "child" or "children" may be held to mean one or more children and the words "parent" or "parents" may be held to mean one or more parents when consistent with the intent of this act

Section 3 Sections two hundred one and three hundred one of said act are hereby amended to read as follows

Section 201 Establishment of Juvenile Court There shall be and hereby is established in Allegheny [County a court] and Luzerne Counties courts of record to be known as [the] juvenile [court] courts each to be composed of one judge

Section 301 Election of Judge The judge of each of the juvenile [court] courts shall be learned in the law He shall be elected by the qualified electors of the county shall hold office for a period of ten years if he shall so long behave himself well and shall receive the salary prescribed by law for judges of the County Court of Allegheny County The term of office of the elected judge of the court shall begin on the first Monday of January following his election

The first judge of the juvenile court shall be elected at the next municipal election following the passage of this act or of these amendments as the case may be Succeeding elections for the said office shall be held at the municipal election preceding the expiration of the term of any judge or at the following election in case of vacancy by death or otherwise where such vacancy occurs not less than two calendar months before such general election The vote for said judge shall be cast and counted according to law and return thereof shall be made without delay by the prothonotary of said county to the Secretary of the Commonwealth who shall ascertain and certify the result to the Governor who in turn shall issue a commission to the person or persons so elected

Whenever a vacancy shall occur by death or otherwise in the office of judge of either juvenile court created by this act the Governor shall fill such vacancy by appointing a properly qualified person to serve until a judge is elected and installed as the law provides

If for any reason the judge shall be temporarily absent from or incapacitated for service in the court and it shall become necessary to have another to act in his stead the president judge of the county court of Allegheny County or the president judge of the court of common pleas of Luzerne County as the case may be shall have the authority to meet such emergency either by serving in that capacity himself or by appointing a judge from the [county court] the court over which he presides to serve in the interim Provided however That in such service or appointment the president judge of the county court of Allegheny County or the president judge of the court of common pleas of Luzerne County as the case may be may be guided by the recommendations of the judge of the juvenile court when such are offered

Section 4 Section four hundred six of said act as amended by the act approved the fifteenth day of June one thousand nine hundred thirty-nine (P. L. 397) is hereby further amended to read as follows

Section 406 Certain Commitments Prohibited Special Room for Detention of Children No child under sixteen years of age pending or after hearing before the juvenile court shall be confined in any county jail workhouse police station lockup or other institution in which adults are confined or be placed in any court room during the trial of any adult unless his or her presence be required in the prosecution of adults upon order of the judge presiding at the trial of such adult or adults or in any vehicle in company with adults charged with or convicted of crime.

The county commissioners in said [county] counties shall provide furnish and heat a separate room or rooms or a suitable building to be used exclusively for the confinement of all children under sixteen years of age who may be in custody awaiting hearing in the juvenile court of the county and shall provide for the maintenance and care of such children while in custody

Section 5 Section four hundred twenty-four four hundred twenty-seven four hundred thirty-two and five hundred two of said act are hereby amended to read as follows

Section 424 Allegheny County Detention Home In order that the Allegheny County Detention Home may become more definitely an agency of the juvenile court of that county all future appointments to its board of managers shall be made by the judge of the juvenile court and the judge shall be a member ex officio of the said board of managers

Section 427 The prothonotary of Allegheny County shall be the clerk of the juvenile court of that county hereby created and the clerk of courts of Luzerne County shall be the clerk of the juvenile court of that county hereby created and shall assume and perform all the duties of clerk thereof At the [place] places designated for the holding of said [court] courts there shall be established an office in charge of a clerk appointed by the prothonotary or the clerk of courts as the case may be who shall have custody of the seal to be kept at such place as well as of the docket of the court and of all papers pertaining to the business of the court at such place

Section 432 Citation This act shall be known and may be cited as the "Juvenile Court Law of Allegheny [County] and Luzerne Counties"

Section 502 Repealer All acts and parts of acts inconsistent with any provision of this act are hereby repealed or made inactive for Allegheny [County] and Luzerne Counties

Section 6 In all cases of children now being maintained in family homes or institutions for child care the

judge of the Juvenile Court of Luzerne County shall make a finding as to the legal settlement of the child at the time of assumption of jurisdiction by the court and shall make an order effective on the first day of July one thousand nine hundred forty-eight upon the appropriate city or county institution district for the future board and other support of such child

Section 7 When this act takes effect all cases then pending in the court of quarter sessions of the peace of Luzerne County sitting as a juvenile court shall be certified by that court to the juvenile court created by this act for Luzerne County All records and files of the court of quarter sessions of the peace of Luzerne County sitting as a juvenile court shall be transferred and delivered to the juvenile court created by this act for Luzerne County

Section 8 Any cases in the court of quarter sessions of the peace of Luzerne County sitting as a juvenile court begun previous to and remaining unadjudicated at the date on which this act takes effect shall not be affected thereby as to their hearing and disposition but shall be proceeded with and disposed of in accordance with the laws in force immediately prior to said date Provided That any supplementary proceedings in or in connection with or respecting any such case or cases taken subsequent to the original disposition thereof as aforesaid and also any supplementary proceeding in or in connection with or respecting any case adjudicated and disposed of previous to the time when this act goes into effect that may be had after said time may be governed by the provision hereof both as to the procedure and as to the powers of the court

Section 9 This act shall take effect on the first Monday of January one thousand nine hundred forty-eight except in so far as it provides for the election of a judge of the juvenile court of Luzerne County at the next municipal election and as to such provision it shall take effect immediately upon its final enactment

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—198

Aaronson,	Gallagher,	McCosker,	Schuster,
Andrews,	Getchey,	McCullough,	Scott,
Bane,	Gibson,	McKinney,	Serrill,
Barrett,	Goff,	McMillen,	Shoemaker,
Baumunk,	Goodling,	Mihm,	Simons,
Beech,	Gorman,	Mikula,	Smith, C. C.,
Bender,	Graybill,	Miller,	Smith, C. M.,
Bentzel,	Greenwood,	Mills,	Snider,
Bloom,	Greer,	Mintess,	Sollenberger,
Boies,	Griffiths,	Mohr,	Sorg,
Bonawitz,	Guthrie,	Moore, C. E.,	Sproul,
Boorse,	Gyger,	Moore, H. A.,	Stank,
Bower,	Haller,	Mooney,	Stimmel,
Breisch,	Haudenshield,	Murray,	Stockham,
Brice,	Helm,	Myers,	Stonier,
Brown,	Henry,	Najaka,	Stuart,
Brunner,	Hewitt,	Naumann,	Swope,
Bucchin,	Hock[illegible],	Needham,	Tahl,
Cadwalader,	Hoffman,	Neff,	Thomassy,
Capano,	Hoopes,	Nelson,	Thompson,
Cassidy,	Horan,	O'Connor,	Tittle,
Chervenak,	Imbt,	O'Dare,	Tompkins,
Chudoff,	Jennings,	O'Donnell,	Toomey,
Clevenger,	Johnson,	O'Neill,	Turner,
Cochran,	Johnston,	Orban,	Upshur,
Cole,	Jones,	Patten,	Vaughan,
Cook,	Jump,	Petrosky,	Verona,
Cooper,	Kean,	Pichney,	Wachhaus,
Cordier,	Kent,	Pickens,	Wagner,
Costa,	Kelley,	Polaski,	Waldron,
Crowley,	Kemp,	Powers,	Wallin,
Dague,	Kirley,	Price,	Walton,
Dalrymple,	Kline,	Propert,	Waterhouse,
Davison,	Kohl,	Ragot,	Watkins,
De Long,	Kratz,	Readinger,	Watson,
Demech,	Krise,	Reese, D. P.,	Weidner,
Dennison,	Kurtz,	Reese, R. E.,	Weiss,
Dye,	Laughner,	Reilly, J. M.,	Wescott,
Ehrenberg,	Layer,	Reilly, W. J.,	West,
Elder,	Lee,	Richter,	Wheeler,
Erb,	Leisey,	Riley,	Wolf,
Evans,	Livingston,	Robbins,	Wood,
Ewing,	Livingstone,	Robertson,	Worley,
Feola,	Loftus,	Root,	Yeakel,
Fish,	Lovett,	Rose,	Yester,
Fiss,	Lyons,	Rowen,	Yetzer,
Flack,	Madden,	Royer,	Young,
Fleming,	Madigan,	Sarraf,	Lichtenwalter, Speaker.
Foor,	Mazza,	Sax,	
Frost,	McCormack,	Scanlon,	

NAYS—2

Dix,	Reagan,

NOT VOTING—5

Depuy,	McDonald,	Morrison,	Trout,
Hall,			

The majority required by the Constitution having voted in the affirmative, the question, was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 878, as follows:

An Act to further amend sections twenty-one and thirty-one of the act approved the sixth day of August one thousand nine hundred forty-one (P. L. 861), entitled "An act to create a uniform and exclusive system for the administration of parole in this Commonwealth establishing the 'Pennsylvania Board of Parole' conferring and defining its jurisdiction duties powers and functions including the supervision of persons placed upon probation in certain designated cases providing for the method of appointment of its members regulating the appointment removal and discharge of its officers clerks and employes dividing the Commonwealth into administrative districts for purposes of parole fixing the salaries of members of the board and of certain other officers and employes thereof making violations of certain provisions of this act misdemeanors providing penalties therefor and for other cognate purposes and making an appropriation" further defining the jurisdiction duties powers and functions of the Pennsylvania Board of Parole

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section twenty-one of the act approved the sixth day of August one thousand nine hundred forty-one (P. L. 861) entitled "An act to create a uniform and exclusive system for the administration of parole in this Commonwealth establishing the 'Pennsylvania Board of Parole' conferring and defining its jurisdiction duties powers and functions including the supervision of persons placed upon probation in certain designated cases providing for the method of appointment of its members regulating the appointment removal and discharge of its officers clerks and employes dividing the Commonwealth into administrative districts for purposes of parole fixing the salaries of members of the board and of certain other officers and employes thereof making violations of certain provisions of this act misdemeanors providing penalties therefor and for other cognate purposes and making an appropriation" as amended by the act approved the twenty-seventh day of May one thousand nine hundred forty-three (P. L. 767) is hereby further amended to read as follows

Section 21 The board is hereby authorized to release on parole any convict confined in any penal institution

of this Commonwealth as to whom power to parole is herein granted to said board except convicts condemned to death or serving life imprisonment whenever in its opinion the best interests of the convict justify or require his being paroled and it does not appear that the interests of the Commonwealth will be injured thereby If at the time a person is paroled he has been imprisoned for a period in excess of the minimum term of imprisonment to which he shall have been sentenced the period of parole may be extended by the board up to but not beyond the maximum term imposed The power to parole herein granted to the Board of Parole may not be exercised in the board's discretion at any time before but only after the expiration of the minimum term of imprisonment fixed by the court in its sentence or by the Pardon Board in a sentence which has been reduced by commutation Provided however That if the Board of Parole refuse to parole the prisoner at the expiration of any minimum term fixed by the Pardon Board it shall within ten days after the date when the minimum term expired transmit to the Pardon Board a written statement of the reasons for refusal to parole the prisoner at the expiration of the minimum term fixed by the Pardon Board Thereafter the Pardon Board may either accept the action of the Board of Parole or order the immediate release of the prisoner on parole under the supervision of the Board of Parole And further provided That no person who has been sentenced to the Industrial Home for Women at Muncy Pennsylvania who was under the age of twenty-two (22) years at date of sentence may be paroled from that institution by the Board of Parole within three (3) years of the effective date of the said sentence unless upon the recommendation of the trustees of that institution Said board shall have the power during the period for which a person shall have been sentenced to recommit one paroled for violation of the terms and conditions of his parole and from time to time to reparole and recommit in the same manner and with the same procedure as in the case of an original parole or recommitment if in the judgment of the said board there is a reasonable probability that the convict will be benefited by again according him liberty and it does not appear that the interests of the Commonwealth will be injured thereby

Section 2 Section thirty-one of said act as amended by the act approved the twenty-seventh day of May one thousand nine hundred forty-three (P. L. 767) is hereby further amended to read as follows

Section 31 Anything herein contained to the contrary notwithstanding this act shall not apply to persons committed to the Pennsylvania Training School houses of refuge for boys or girls institutions for the discipline or correction of juveniles as defined by existing laws or persons imprisoned in any county jail workhouse or other penal or correctional institution under sentence by an alderman justice of the peace or magistrate or committed in default of payment of any fine or of bail

This act shall apply to inmates confined in the Pennsylvania Industrial School (White Hill) situate at Camp Hill Pennsylvania [the Industrial Home for Women at Muncy Pennsylvania] and the Pennsylvania Industrial School at Huntingdon Pennsylvania when the maximum sentence which could have been imposed for the crime of which the prisoner was convicted equals or exceeds two years including juveniles under 18 years of age serving sentence in the above named institutions and it shall apply to inmates confined in the Industrial Home for Women at Muncy Pennsylvania in all cases where the maximum period of incarceration might equal or exceed two years regardless of the maximum sentence which could have been imposed for the crime of which the prisoner was convicted including juveniles under eighteen (18) years of age serving sentence in this institution but exclusive of juveniles committed [to aid institutions] thereto

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—200

Aaronson,	Gallagher,	McCosker,	Scanlon,
Andrews,	Getchey,	McCullough,	Schuster,
Bane,	Gibson,	McKinney,	Scott,
Barrett,	Goff,	McMillen,	Serrill,
Baumunk,	Goodling,	Mihm,	Shoemaker,
Beech,	Gorman,	Mikula,	Simons,
Bender,	Graybill,	Miller,	Smith, C. C.,
Bentzel,	Greenwood,	Mills,	Smith, C. M.,
Bloom,	Greer,	Minteer,	Snider,
Boles,	Griffiths,	Mohr,	Sollenberger,
Bonawitz,	Guthrie,	Moore, C. E.,	Sorg,
Boorse,	Gyger,	Moore, H. A.,	Sproul,
Bower,	Haller,	Mooney,	Stank,
Breisch,	Haudenshield,	Murray,	Stimmel,
Brice,	Helm,	Myers,	Stockham,
Brown,	Henry,	Najaka,	Stonier,
Brunner,	Hewitt,	Naumann,	Stuart,
Bucchin,	Hocker,	Needham,	Swope,
Cadwalader,	Hoffman,	Neff,	Tahl,
Capano,	Hoopes,	Nelson,	Thomassy,
Cassidy,	Horan,	O'Connor,	Thompson,
Chervenak,	Imbt,	O'Dare,	Tittle,
Chudoff,	Jennings,	O'Donnell,	Tompkins,
Clevenger,	Johnson,	O'Neill,	Toomey,
Cochran,	Johnston,	Orban,	Turner,
Cole,	Jones,	Patten,	Upshur,
Cook,	Jump,	Petrosky,	Vaughan,
Cooper,	Kean,	Pichney,	Verona,
Cordier,	Kelley,	Pickens,	Wachhaus,
Costa,	Kemp,	Polaski,	Wagner,
Crowley,	Kent,	Powers,	Waldron,
Dague,	Kirley,	Price,	Wallin,
Dalrymple,	Kline,	Propert,	Walton,
Davison,	Kohl,	Ragot,	Waterhouse,
De Long,	Kratz,	Readinger,	Watkins,
Demech,	Krise,	Reagan,	Watson,
Dennison,	Kurtz,	Reese, D. P.,	Weidner,
Dix,	Laughner,	Reese, R. E.,	Weiss,
Dye,	Layer,	Reilly, J. M.,	Wescott,
Efenberg,	Lee,	Reilly, W. J.,	West,
Elder,	Leisey,	Richter,	Wheeler,
Erb,	Livingston,	Riley,	Wolf,
Evans,	Livingstone,	Robbins,	Wood,
Ewing,	Loftus,	Robertson,	Worley,
Feola,	Lovett,	Root,	Yeakel,
Fish,	Lyons,	Rose,	Yester,
Fiss,	Madden,	Rowen,	Yetzer,
Flack,	Madigan,	Royer,	Young,
Fleming,	Mazza,	Sarraf,	Lichtenwalter,
Foor,	McCormack,	Sax,	Speaker.
Frost,			

NAYS—0

NOT VOTING—5

Depuy,	McDonald,	Morrison,	Trout,
Hall,			

The majority required by the Constitution having voted in the affirmative, the question, was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 983, as follows:

An Act to further amend clause (a) of section four hundred fifteen of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal

and inter-insurance exchanges and fire insurance rating bureaus and the regulations and supervision of insurance carried by such companies association and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" changing the definition of group life insurance

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause (a) of section four hundred fifteen of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" as added by the act approved the twenty-sixth day of April one thousand nine hundred twenty-nine (P. L. 785) and as amended by the act approved the sixteenth day of May one thousand nine hundred thirty-nine (P. L. 144) is hereby further amended to read as follows

Section 415 (a) Group life insurance is hereby declared to be that form of life insurance covering not less than [fifty] twenty-five employes with or without medical examination written under a policy issued to the employer the premium on which is to be paid by the employer or by the employer and employes jointly and insuring only all of his employes or all of any class or classes thereof determined by conditions pertaining to the employment for amounts of insurance based upon some plan which will preclude individual selection for the benefit of persons other than the employer Provided however That when the premium is to be paid by the employer and employe jointly and the benefits of the policy are offered to all eligible employes not less than seventy-five per centum of such employes may be so insured Such group policy may provide that the term "employes" shall include the officers managers and employes of subsidiary or affiliated corporations and the individual proprietors partners and employes of affiliated individuals and firms when the business of such subsidiary or affiliated corporations firms or individuals is controlled by the group policyholder through stock ownership contract or otherwise

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. KLINE. Mr. Speaker, this is the other bill that I previously mentioned. There is only one change in this bill, one word that changes the number required to secure group life insurance from fifty to twenty-five. The fifty makes it possible for a smaller group to enjoy this form of insurance.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—200

Aaronson,	Gallagher,	McCosker,	Scanlon,
Andrews,	Getchey,	McCullough,	Schuster,
Bane,	Gibson,	McKinney,	Scott,
Barrett,	Goff,	McMillen,	Serrill,
Baumunk,	Goodling,	Mihm,	Shoemaker,
Beech,	Gorman,	Mikula,	Simons,
Bender,	Graybill,	Miller,	Smith, C. C.,
Bentzel,	Greenwood,	Mills,	Smith, C. M.,
Bloom,	Greer,	M'ntess,	Snider,
Boies,	Griffiths,	Mohr,	Sollenberger,
Bonawitz,	Guthrie,	Mooney,	Sorg,
Boorse,	Gyger,	Moore, C. E.,	Sproul,
Bower,	Haller,	Moore, H. A.,	Stank,
Breisch,	Haudenshield,	Murray,	Stimmel,
Brice,	Helm,	Myers,	Stockham,
Brown,	Henry,	Najaka,	Stonier,
Brunner,	Hewitt,	Naumann,	Stuart,
Bucchin,	Hocker,	Needham,	Swope,
Cadwalader,	Hoffman,	Neff,	Tahl,
Capano,	Hoopes,	Nelson,	Thomassy,
Cassidy,	Horan,	O'Connor,	Thompson,
Chervenak,	Imbt,	O'Dare,	Tittle,
Chudoff,	Jennings,	O'Donnell,	Tompkins,
Clevenger,	Johnson,	O'Neill,	Toomey,
Cochran,	Johnston,	Orban,	Turner,
Cole,	Jones,	Patten,	Upshur,
Cook,	Jump,	Petrosky,	Vaughan,
Cooper,	Kean,	Pichney,	Verona,
Cordier,	Kelley,	Pickens,	Wachhaus,
Costa,	Kemp,	Polaski,	Wagner,
Crowley,	Kent,	Powers,	Waldron,
Dague,	Kirley,	Price,	Wallin,
Dalrymple,	Kline,	Propert,	Walton,
Davison,	Kohl,	Ragot,	Waterhouse,
De Long,	Kratz,	Readinger,	Watkins,
Demech,	Krise,	Reagan,	Watson,
Dennison,	Kurtz,	Reese, D. P.,	Weidner,
Dix,	Laughner,	Reese, R. E.,	Weiss,
Dye,	Layer,	Reilly, J. M.,	Wescott,
Efenberg,	Lee,	Reilly, W. J.,	West,
Elder,	Leisey,	Richter,	Wheeler,
Erb,	Livingston,	Riley,	Wolf,
Evans,	Livingstone,	Robbins,	Wood,
Ewing,	Loftus,	Robertson,	Worley,
Feola,	Lovett,	Root,	Yeakel,
Fish,	Lyons,	Rose,	Yester,
Fiss,	Madden,	Rowen,	Yetzer,
Flack,	Madigan,	Royer,	Young,
Fleming,	Mazza,	Sarraf,	Lichtenwalter,
Foor,	McCormack,	Sax,	Speaker.
Frost,			

NAYS—0

NOT VOTING—5

Depuy,	McDonald,	Morrison,	Trout,
Hall,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1013, as follows:

A Joint Resolution proposing an amendment to section one article nine of the Constitution of the Commonwealth of Pennsylvania

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The following amendment to the Constitution of the Commonwealth of Pennsylvania be and the same is hereby proposed in accordance with the eighteenth article thereof

That section one of article nine of the Constitution of the Commonwealth of Pennsylvania is hereby amended to read as follows

Section 1 All taxes shall be uniform upon the same class of subjects within the territorial limits of the authority levying the tax or any district thereof and shall be levied and collected under general laws but the General Assembly may by general laws exempt from taxation public property used for public purposes actual places of religious worship places of burial not used or held for private or corporate profit institutions of purely public charity and real and personal property owned

occupied and used by any branch post or camp of honorably discharged soldiers sailors and marines

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—200

Aaronson,	Gallagher,	McCosker,	Scanlon,
Andrews,	Getchey,	McCullough,	Schuster,
Bane,	Gibson,	McKinney,	Scott,
Barrett,	Goff,	McMillen,	Serrill,
Baumunk,	Goodling,	Mihm,	Shoemaker,
Beech,	Gorman,	Mikula,	Simons,
Bender,	Graybill,	Miller,	Smith, C. C.,
Bentzel,	Greenwood,	Mills,	Smith, C. M.,
Bloom,	Greer,	Mintess,	Snider,
Boles,	Griffiths,	Mohr,	Sollenberger,
Bonawitz,	Guthrie,	Mooney,	Sorg,
Boorse,	Gyger,	Moore, C. E.,	Sproul,
Bower,	Haller,	Moore, H. A.,	Stimmel,
Breisch,	Haudenshield,	Murray,	Stank,
Brice,	Helm,	Myers,	Stockham,
Brown,	Henry,	Najaka,	Stonier,
Brunner,	Hewitt,	Naumann,	Stuart,
Bucchin,	Hocker,	Needham,	Swope,
Capano,	Hoffman,	Neff,	Tahl,
Cadwalader,	Hoopes,	Nelson,	Thomassy,
Cassidy,	Horan,	O'Connor,	Thompson,
Chervenak,	Imbt,	O'Dare,	Tittle,
Chudoff,	Jennings,	O'Donnell,	Tompkins,
Clevenger,	Johnson,	O'Neill,	Toomey,
Cochran,	Johnston,	Orban,	Turner,
Cole,	Jones,	Patten,	Upshur,
Cook,	Jump,	Petrosky,	Vaughan,
Cooper,	Kean,	Pichney,	Verona,
Cordier,	Kelley,	Pickens,	Wachhaus,
Costa	Kemp,	Polaski,	Wagner,
Crowley,	Kent,	Powers,	Waldron,
Dague,	Kirley,	Price,	Wallin,
Dalrymple,	Kline,	Propert,	Walton,
Davison,	Kohl,	Ragot,	Waterhouse,
De Long,	Kratz,	Readinger,	Watkins,
Demech,	Krise,	Reagan,	Watson,
Dennison,	Kurtz,	Reese, D. P.,	Weidner,
Dix,	Laughner,	Reese, R. E.,	Weiss,
Dye,	Layer,	Reilly, J. M.,	Wescott,
Efenberg,	Lee,	Reilly, W. J.,	West,
Elder,	Leisey,	Richter,	Wheeler,
Erb,	Livingston,	Riley,	Wolf,
Evans,	Livingstone,	Robbins,	Wood,
Ewing,	Loftus,	Robertson,	Worley,
Feola,	Lovett,	Root,	Yeakel,
Fish,	Lyons,	Rose,	Yester,
Fiss,	Madden,	Rowen,	Yetzer,
Flack,	Madigan,	Royer,	Young,
Fleming,	Mazza,	Sarraf,	Lichtenwalter,
Foor,	McCormack,	Sax,	Speaker
Frost			

NAYS—0

NOT VOTING—5

Depuy,	McDonald,	Morrison,	Trout,
Hall,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1053, as follows:

A Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Pennsylvania by adding thereto a new section authorizing the creation of an additional debt by the Commonwealth for the payment of compensation to certain veterans

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The following amendment to the Constitution of the Commonwealth of Pennsylvania be and the same is hereby proposed in accordance with the eighteenth article thereof

That article nine of the Constitution of the Commonwealth of Pennsylvania be amended by adding thereto a new section to read as follows

Section 22 In addition to the purposes stated in article nine section four of this Constitution the Commonwealth may be authorized by law to create debt and to issue bonds to the amount of $500,000,000 for the payment of compensation to certain persons from this Commonwealth who shall have served in the armed forces of the United States during World War II between the seventh day of December one thousand nine hundred forty-one and the second day of September one thousand nine hundred forty-five for the service of such persons to their country whether or not they be living when distribution shall be made and if such persons shall be deceased when distribution shall be made such deceased person's compensation shall be paid to his spouse child children or parents

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. WEISS. Mr. Speaker, a few years ago the poet laureate of our House, the gentleman from Wayne, Mr. Dix, composed a little ditty, "Somebody stole my bill." I wondered at that particular time how he felt. I sort of feel the same way he did a few years ago, somebody stole our bill—that is Representative Mills and myself.

On January 21st a similar bill was introduced by Representative Mills and myself and was referred to the Committee on Judiciary. I believe it is still sleeping there and possibly will. I notice that Representative Royer—and I was certainly glad that the bill came out of committee, because I am in favor of it 100 percent—introduced a like bill on March 26th which has seen the light of day and it is out. I am glad that it has come out. This is only a start of doing something for the soldiers.

The Democratic Party and the leaders of the Democratic Party asked very much for a special session in reference to soldier bonus, and if that had been called it would have been possible for this bonus to have been paid two years earlier.

Also during the 1945 session Senator Gourley, who is now Judge Gourley, introduced a State G. I. bill of rights. It never saw the light of day, never came out.

Practically nothing has been done for the soldier up to the present time. There has been every opportunity. This will not help the soldiers until 1950. Let us do something for them now.

I hope this is the beginning of something worth while. Just today I happened to pick up a copy of the Veterans' Journal that happened to be 100 percent for the Republican party in the last election. This is a part of an editorial, which reads as follows:

"Forty-seven of the United States have loosened the bonds of taxi-cab monopolies and granted to responsible ex-service personnel franchises giving them the right to operate cabs. The remaining, and forty-eight, Pennsylvania, has not."

This comes from a very strong pro-Republican paper.

I do believe many things can be done for the veterans.

I had a few veteran doctors come to me during the past year, and state that during the time they spent overseas in the service they did not have a chance to make hospital connections. They are trying to do it now. It is practically impossible for them to get into a hospital because they are filled up, and this has possibly occurred hundreds of times, so I say let us not stop here. Let this be a beginning of something worth while for all veterans.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—200

Aaronson,	Gallagher,	McCosker,	Scanlon,
Andrews,	Getchey,	McCullough,	Schuster,
Bane,	Gibson,	McKinney,	Scott,
Barrett,	Goff,	McMillen,	Serrill,
Baumunk,	Goodling,	Mihm,	Shoemaker,
Beech,	Gorman,	Mikula,	Simons,
Bender,	Graybill,	Miller,	Smith, C. C.,
Bentzel,	Greenwood,	Mills,	Smith, C. M.,
Bloom,	Greer,	[illegible]ntess,	Snider,
Boies,	Griffiths,	Mohr,	Sollenberger,
Bonawitz,	Guthrie,	Mooney,	Sorg,
Boorse,	Gyger,	Moore, C. E.,	Sproul,
Bower,	Haller,	Moore, H. A.,	Stank,
Breisch,	Haudenshield,	Murray,	Stimmel,
Brice,	Helm,	Myers,	Stockham,
Brown,	Henry,	Najaka,	Stonier,
Brunner,	Hewitt,	Naumann,	Stuart,
Bucchin,	Hocker,	Needham,	Swope,
Cadwalader,	Hoffman,	Neff,	Tahl,
Capano,	Hoopes,	Nelson,	Thomassy,
Cassidy,	Horan,	O'Connor,	Thompson,
Chervenak,	Imbt,	O'Dare,	Tittle,
Chudoff,	Jennings,	O'Donnell,	Tompkins,
Clevenger,	Johnson,	O'Neill,	Toomey,
Cochran,	Johnston,	Orban,	Turner,
Cole,	Jones,	Patten,	Upshur,
Cook,	Jump,	Petrosky,	Vaughan,
Cooper,	Kean,	Pichney,	Verona,
Cordier,	Kelley,	Pickens,	Wachhaus,
Costa,	Kemp,	Polaski,	Wagner,
Crowley,	Kent,	Powers,	Waldron,
Dague,	Kirley,	Price,	Wallin,
Dalrymple,	Kline,	Propert,	Walton,
Davison,	Kohl,	Ragot,	Waterhouse,
De Long,	Kratz,	Readinger,	Watkins,
Demech,	Krise,	Reagan,	Watson,
Dennison,	Kurtz,	Reese, D. P.,	Weidner,
Dix,	Laughner,	Reese, R. E.,	Weiss,
Dye,	Layer,	Reilly, J. M.,	Wescott,
Efenberg,	Lee,	Reilly, W. J.,	West,
Elder,	Leisey,	Richter,	Wheeler,
Erb,	Livingston,	Riley,	Wolf,
Evans,	Livingstone,	Robbins,	Wood,
Ewing,	Loftus,	Robertson,	Worley,
Feola,	Lovett,	Root,	Yeakel,
Fish,	Lyons,	Rose,	Yester,
Fiss,	Madden,	Rowen,	Yetzer,
Flack,	Madigan,	Royer,	Young
Fleming,	Mazza,	Sarraf,	Lichtenwalter,
Foor,	McCormack,	Sax,	Speaker.
Frost,			

NAYS—0

NOT VOTING—5

Depuy,	McDonald,	Morrison,	Trout.
Hall,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

PARLIAMENTARY INQUIRY

Mr. ANDREWS. Mr. Speaker, I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. ANDREWS. In House Bill No. 1013, Mr. Speaker, the only new matter in that measure in on the third line, but there is no indication that there is any new matter in the bill. What is the status of the bill, and where does that leave us?

The SPEAKER. The Majority Leader informs the Chair that on page 2 of the bill, line 3, the words "any district thereof" is added in the bill, and should have been added in the bill. It is not an amendatory bill; it is a joint resolution amending the Constitution, therefore it is not necessary that it be underlined.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1057, as follows:

An Act to amend section twenty-two and add section twenty-two point one to the act, approved the twenty-eighth day of May, one thousand nine hundred thirty-seven (P. L. 955), entitled "An act to promote public health, safety, morals, and welfare by declaring the necessity of creating public bodies, corporate and politic, to be known as housing authorities to engage in slum clearance, and to undertake projects, to provide dwelling accommodations for persons of low income; providing for the organization of such housing authorities; defining their powers and duties; providing for the exercise of such powers, including the acquisition of property by purchase, gift or eminent domain, the renting and selling of property, and including borrowing money, issuing bonds, and other obligations, and giving security therefor; prescribing the remedies of obligees of housing authorities; authorizing housing authorities to enter into agreements, including agreements with the United States, the Commonwealth, and political subdivisions and municipalities thereof; defining the application of zoning, sanitary and building laws and regulations to projects built or maintained by such housing authorities; exempting the property and securities of such housing authorities from taxation; and imposing duties and conferring powers upon the State Board of Housing, and certain other State officers and departments," regulating manner of applying for and receiving grant or funds from the Federal and State Government or of any instrumentality thereof.

On the question,

Will the House agree to the bill on third reading?

Mr. GREER. Mr. Speaker, I ask unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk for information.

The Clerk read the amendment as follows:

Amend sec. 1 (Sec. 22), page 4, lines 13 to 19, both inclusive, by striking out all of said lines, and inserting in lieu thereof: "upon completion of an application of an Authority for financial assistance of the Federal Government in connection with a housing project, the Authority shall present to the State Board of Housing the said application and supporting data. The application and data shall be presented by the State Board of Housing within twenty (20) days from the receipt thereof to

the Federal agency in question, with the recommendations of the State Board of Housing. Should the State Board of Housing fail within the said twenty (20) day period, to forward said application and document to the Federal Government or its appropriate agency, the Authority shall be permitted to present its applicantion to the Federal Government or its agency. During the pendency of an application to the Federal Government or its agency for its assistance as aforesaid, the Authority shall file with the State Board of Housing copies of all correspondence agreements and documents that may be exchanged between the Authority and representatives of the Federal Government in connection with the project."

The SPEAKER. Will the House give unanimous consent to the offering of amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

Mr. BROWN. May I ask the gentleman from Butler, Mr. Greer, a question, Mr. Speaker, concerning the amendment he just inserted in House Bill No. 1057, Printers No. 222?

The SPEAKER. Will the gentleman from Butler permit himself to be interrogated?

Mr. GREER. I shall, Mr. Speaker.

Mr. BROWN. I would like to ask the gentleman, Mr. Speaker, if I am correct in interpreting the amendment to House Bill 1057, Printer's No. 222, that the procedure whereby an authority clears through the State Authority Board is advisory only? Am I correct in that conclusion?

Mr. GREER. I would say it is advisory.

Mr. BROWN. I thank the gentleman, Mr. Speaker.

On the question recurring,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

BILLS PASSED OVER

There being no objection

House Bill No. 1084, Printer's No. 224,

was passed over at the request of the SPEAKER.

There being no objection

House Bill No. 1215, Printer's No. 266,

was passed over at the request of Mr. SORG.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. WOOD asked and obtained permission for the Committee on Appropriations to meet during the session of the House.

CONGRATULATORY RESOLUTION

Messrs. PICHNEY and THOMPSON offered a resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was read, considered and adopted as follows:

In the House of Representatives, April 14, 1947.

Whereas, April 15th marks the 59th birthday of Honorable Louis Schwartz, a member of this House from 1927 until 1936; and

Whereas, As a member of the General Assembly, he sponsored the Sunday Baseball Bill and later the Sunday Movies Bill, which were passed and he has, as a consequent, become known throughout the State as the father of Sunday Baseball and Sunday Movies; and

Whereas, After leaving the House of Representatives, he became a member of City Council of Philadelphia, representing the Fifth Councilmanic district in that city and has for years been the Chairman of the Legislative Committee of that body and is in Harrisburg during each legislative session so that the old timers at Harrisburg regard him as still being a member of the House. The newer members have always been given the benefit of his practical suggestions and sound advice on legislative matters; and

Whereas, The Honorable Louis Schwartz, known by every one as "Lou" is also the father of two children and the grandfather of four grandchildren and is kept busy with his real estate and insurance business and like all busy people, he always finds time to do kindnesses for his friends and neighbors; therefore be it

Resolved, That the House felicitate Lou Schwartz on his 59th birthday and wish him many more happy and prosperous birthdays.

CONGRATULATORY RESOLUTION

Messrs. DAGUE and TOMPKINS offered a resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was read, considered and adopted as follows:

In the House of Representatives, April 14, 1947.

April 13, 1947 marked the sixtieth anniversary of the birth of an outstanding and beloved Member of the House of Representatives.

Elected to the House of Representatives in 1916 and 1932 and having served continuously since then, he has achieved a distinguished and notable legislative career and by his able and forthright dispatch of legislative matters has gained the respect and admiration of his friends and associates.

A member of the Venango County Bar and engaged in the oil production business his success in the business world as well as in the legislative field marks him as a man of diversified ability and talent.

His appointment as Chairman of the Judiciary Committee is a well deserved recognition of a record to be envied and respected, therefore be it

Resolved, That the House of Representatives in recognition of many years of devotion to public service extends its sincerest congratulations to John H. (Jack) McKinney on his sixtieth birthday anniversary with best wishes for many years of continued health and happiness, and be it further

Resolved, That a certified copy of this resolution be delivered by the Chief Clerk of the House of Representatives to our honored fellow member.

The SPEAKER. The Chair recognizes the gentleman from Venango, Mr. McKinney.

Mr. McKINNEY. Mr. Speaker, I thank the Speaker, the gentleman from Cameron, Mr. Tompkins, and the whole House. I hope I can be here many more years.

PERMISSION TO ADD ADDITIONAL SPONSORS

Mr. BROWN asked and obtained unanimous consent to add the names of Messrs. CLARENCE M. SMITH, HENRY, UPSHUR, THOMPSON and MINTESS to a resolution he was about to introduce.

CONDOLENCE RESOLUTION

Messrs. BROWN, CLARENCE M. SMITH, HENRY, UPSHUR, THOMPSON and MINTESS offered a resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was read, considered and adopted as follows:

In the House of Representatives, April 14, 1947.

W. Justin Carter, Sr., Esquire of the Dauphin County Bar, after a brief illness, was called to his reward March 23, 1947, at the age of eighty years, leaving to his associates and many friends an indelible memory of service and devotion to his race and to the better understanding between peoples of different colors.

A remarkable and successful legal career of fifty-three years duration attests only a part of his wide and varied activities and interests. In 1910 he was a delegate to the Universal Races Congress in London, England, as a representative of the American Negro, which Congress was held concurrently with the coronation of King George V and in both national and local affairs he was a prominent citizen as his many honors and titles bear lasting testimony.

His death has deprived his race and the nation as a whole of a man whose way of life and ideals have played an important role in tolerance and brotherhood.

Resolved, That the House of Representatives expresses its sorrow and sense of loss of a distinguished citizen and offer its sincere condolence to the widow and children in their bereavement, and be it further

Resolved, That a certified copy of this resolution be forwarded by the Chief Clerk of the House to Mrs. Elizabeth M. Carter, the widow of W. Justin Carter, Sr., Esquire.

PERMISSION TO ADDRESS HOUSE

Mr. WATKINS asked and obtained unanimous consent to address the House.

Mr. Speaker, Honorable Gus Wachhaus, Sr., Member of the General Assembly of Pennsylvania and the House of Representatives, from Schuylkill County, was born March 15, 1901 in Shenandoah. He attended Shenandoah Public Schools, Overbrook School for the Blind, and Perkins Institution for the Blind. He is the father of three sons and is in business in Shenandoah.

Ever since his election to the House of Representatives in 1942, he has been devoted to public service and to the improvement of the conditions for the Blind. He has constantly worked for the best interests of his fellow blind of the Commonwealth of Pennsylvania. He is responsible for the introduction of some of the most important legislation for his fellow blind in the history of the Commonwealth of Pennsylvania, such as:

House Bill No. 245, introduced in the 1943 Session of the General Assembly, enacted into Law 65-A, creating the Home Teaching Services of the State Council for the Blind; House Bill 878, introduced in the 1943 Session of the General Assembly and enacted into Law 356, creating the Employment Fund for the Blind in the State Council for the Blind; House Bill 958, introduced in the 1943 Session of the General Assembly, enacted into Law 66-A, improving the Prevention of Blindness and Remedial Eye Care service of the State Council for the Blind; House Bill 496, introduced in the 1945 Session, enacted into law as Act 75-A, creating the Vocational Rehabilitation service of the State Council for the Blind.

In respect to his unusual contribution to the welfare of the blind and in gratitude to him from his fellow blind, on behalf of the Pennsylvania Federation of the blind, and the blind of Pennsylvania, I have the pleasure and privilege to present in their behalf to my colleague the gentleman from Schuylkill, Mr. Wachhaus, this engraved photograph to be retained by him as a living symbol of his continuing faithful public service.

Mr. WACHHAUS. Mr. Speaker, I want to express my appreciation to the members of the Pennsylvania Federation of the Blind for this presentation. I knew a little about it but didn't expect this to take place in the Hall of the House.

And, Mr. Speaker, I ask you now to gaze on this photograph and ask the members of the House to do likewise, and ask in all sincerity, "who is the best man in the House, and why am I?"

But to be serious for a moment if I may—I realize the hour is getting late, the plight of the blind is not new; they have always been with us and will always remain. True it is that much has been done in recent years to improve the condition of the blind. Nevertheless much still remains to be done and I am happy to have been a part of the improvement that has been given my fellow blind.

The conditions as they are now are much better than they were twenty-five or fifty years ago. I know even in the thirty-five years that I have been totally blind myself the conditions have improved vastly due to legislation in these very Halls.

I have been very happy to have been a part of them and will continue to serve the blind to my utmost and to bring their conditions to even a higher level than at present. I want to thank those who have aided me and urged me on to bigger and better things for my fellow blind. I shall continue to operate in the same manner from now on. I thank you.

REPORTS FROM COMMITTEES

Mr. STOCKHAM from the Committee on Appropriations, reported as committed, Senate Bill No. 244, entitled:

An Act providing for the establishment of temporary college centers in cooperation with certain accredited colleges and universities to meet certain educational needs of veterans and others creating the Area College Center Commission a temporary departmental administrative commission in the Department of Public Instruction and defining its powers and duties providing for the creation of certain local committees and defining their powers and duties and making certain appropriations.

Mr. BRUNNER from the Committee on Rules reported as committed House Resolution No. 40.

COMMITTEE MEETINGS

Agriculture and Dairy Industries, Room No. 331, Tuesday, April 15, at 11:00 a. m.

Banking and Building and Loan Association, Room No. 330, Tuesday, April 15, at 11:30 a. m.

Boroughs, Room 522, Tuesday, April 15, at 10:30 a. m.

City and County—First Class, Room 521, Tuesday, April 15, at 12:00 noon.

Education, Room 324, Tuesday, April 15, at 11:00 a. m.

Elections and Apportionment, Room 329, Tuesday, April 15, at 11:00 a. m.

Judiciary, Room 438, Tuesday, April 15, at 11:00 a. m.

Law and Order, Room 325, Tuesday, April 15, at 11:30 a. m.

Military Affairs, Room 329, Tuesday, April 15, at 10:30 a. m.

Mines and Mining, Room 323, Tuesday, April 15, at 9:30 a. m.

Motor Vehicles, Room 522, Tuesday, April 15, at 10:00 a. m.

Municipal Corporations, Room 521, Tuesday, April 15, at 10:30 a. m.

Public Utilities, Room 323, Tuesday, April 15, at 10:00 a. m.

Townships, Room 522, Tuesday, April 15, at 11:00 a. m.

Welfare, Room 330, Tuesday, April 15, at 9:45 a. m.

There will be a Public Hearing before the Committee on City and County—First Class, on House Bill No. 987 on April 22 at 11:00 a. m. in minority caucus room.

ADJOURNMENT

Mr. AARONSON. Mr. Speaker, I move that this House do now adjourn until Tuesday, April 15, 1947 at 1:00 p. m.

The motion was agreed to, and (at 7:08 p. m.) the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1947. 137th of the General Assembly.

Vol. 30. HARRISBURG, PA., TUESDAY, APRIL 15, 1947. No. 39.

SENATE

TUESDAY, April 15, 1947

The Senate met at 2:30 o'clock, p. m., Eastern Standard Time.

The PRESIDENT (Lieutenant-Governor Daniel B. Strickler) in the Chair.

PRAYER

The Chaplain, Rev. W. MURRAY YOUNG offered the following prayer:

Blessed be the Lord God of Israel from everlasting to everlasting. May the words of our mouth and the meditations of our heart be acceptable in Thy sight, O Lord, our Strength and our Redeemer. Clory Thyself by our labors, by our sacrifices, and by our faithfulness. We pray Thee to crown us with the riches of pure thought, with high aspirations, and self-denial. We thank Thee heartily for noble souls in every age who fought a good fight against evil; who kept the faith and finished the course of life with honor and dignity. Of these it must be said, "Well done, good and faithful servants, you have been faithful over a few things, now you shall be ruler over many things; enter thou into the kingdom of Thy Lord."

We, therefore, O God, dedicate this brief devotional period, at the beginning of another legislative day, to the sacred memory of good men and women of our State and Nation who left us an heritage, undefiled, incorruptible, and that fadeth not away. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. TALLMAN and Mr. DONLAN, further reading was dispensed with, and the Journal was approved.

ANNOUNCEMENT BY THE CHAIR

The PRESIDENT. The Chair would like to announce at this time, on behalf of the Rules Committee, certain matters which those in this room and those who are responsible for the rules of the Senate should keep in mind:

The floor of the Senate is reserved for the use of the Senators and such former members of the Legislature and other state officials as prescribed by the rules.

All persons will keep away from the rails of the Senate enclosure and the sergeants-at-arms are instructed to see to it that people do not loiter on or around the rails.

Secondly, the sergeants-at-arms are instructed by the Rules Committee to see to it that the Senators are not interrupted on the floor by people asking that Senators come out and talk to them.

The sergeants-at-arms are further instructed that they will not, at the request of somebody outside the railed enclosure, come in and tap a Senator or call his attention to the fact that he is wanted outside. The business of the Senate must proceed with dispatch. These rules are called to your attention at the request of the Senators themselves.

WOMEN'S CLUB OF CATASAUQUA INTRODUCED TO SENATE

Mr. TALLMAN. Mr. President, I call to the attention of the Senate a group of very fine ladies from Lehigh County who are civic minded and who have come here to spend a day in the Capitol, representing the Women's Club of Catasauqua of Pennsylvania.

The PRESIDENT. The Chair, on behalf of the Senate, welcomes to the Senate the women from the Women's Club of Catasauqua, Pennsylvania, and hopes they will enjoy the session this afternoon.

NINTH GRADE CAMPUS JUNIOR HIGH SCHOOL, KUTZTOWN STATE TEACHERS COLLEGE, INTRODUCED TO SENATE

Mr. RUTH. Mr. President and members of the Senate, I take pleasure at this time in presenting to the Senate a group of fine young people, of the ninth grade of the Campus Junior High School of the Kutztown State Teachers College, under the leadership of Professor Rex Dimmick. They are seated in the balcony.

The PRESIDENT. The Chair also welcomes the visitors from Berks County who are seated in the gallery, from the Kutztown State Teachers College, and hopes also that you may enjoy your visit.

Mr. FRAZIER. Mr. President, I have had the privilege of talking to some of these charming constituents of the distinguished Senator from Lehigh County and I want

to say that I sponsor and second everything he has said—they are a very fine and charming type of women; I call them girls.

The PRESIDENT. The remarks of the Senator from Philadelphia will be noted in the Journal.

NOMINATIONS BY THE GOVERNOR

NOTARY PUBLIC

The Secretary to the Governor being introduced, presented in writing from His Excellency, the Governor of the Commonwealth, nominations for appointment as Notaries Public.

CONSIDERATION OF NOTARIES PUBLIC

Mr. KEPHART. Mr. President, I move that the Senate do now proceed to the consideration of nominations for appointment as Notaries Public, sent to the Senate, by His Excellency, the Governor of the Commonwealth, on April 15, 1947.

Mr. GELTZ. Mr. President, I second the motion.

The motion was agreed to.

The nominations were read as follows:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 15, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as Notaries Public, for terms of four years to compute from the dates set opposite their names:

CRAWFORD COUNTY

Charles R. Church, Titusville, April 17, 1947.

BERKS COUNTY

Earl N. Schmehl, Reading, April 22, 1947.

WASHINGTON COUNTY

J. M. Colaizzo, Canonsburg, April 22, 1947.

ALLEGHENY COUNTY

William H. Leonard, Robinson Twp., Groveton, May 3, 1947.

PHILADELPHIA COUNTY

Miss Jean E. Scharer, Phila., 21 N. 5th St. (5), May 5, 1947.

NORTHAMPTON COUNTY

James W. Johnson, Pen Argyl, May 6, 1947.

PHILADELPHIA COUNTY

P. J. Merrigan, Phila., 5316 Kingsessing Ave. (43), May 6, 1947.

WARREN COUNTY

Miss Hazel M. Thurston, Conewango Twp., Warren, State Hospital, North Warren, May 6, 1947.

BERKS COUNTY

Mrs. Marguerite Murphy Kase, Reading, May 7, 1947.

SCHUYLKILL COUNTY

Mrs. Margaret A. O'Rourke, West Mahanoy Twp., 313 Indiana Ave., "Heights," Shenandoah, May 7, 1947.

JAMES H. DUFF.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 15, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Ira W. Boyle, Pittsburgh, Frick Bldg.
Stanley S. McGuire, Elizabeth.

CAMBRIA COUNTY

Michael F. Krajac, Johnstown.

CRAWFORD COUNTY

Mrs. Margaret L. Kulczycke, Meadville.

DAUPHIN COUNTY

Frederick Patterson, Harrisburg.

FAYETTE COUNTY

Mrs. Ida Maria Rumancik, Masontown.

FOREST COUNTY

James E. Flynn, Tionesta.

LANCASTER COUNTY

Miss Madeline Kohl, Ephrata.

MERCER COUNTY

Mrs. Dorothy M. Bell, Grove City.

NORTHUMBERLAND COUNTY

Miss Miriam E. Stitely, Milton.

PHILADELPHIA COUNTY

Mrs. Dorothy E. D'Allesandro, Phila., 5429 Whitby Ave.
Mrs. Celia A. Mahony, Phila., 2460 76th Ave. (38).

WASHINGTON COUNTY

Miss Marge M. Kline, Charleroi.
Mrs. Jean M. Tomsic, Canonsburg.

WESTMORELAND COUNTY

Walter S. Marr, Irwin.

JAMES H. DUFF.

NOMINATIONS FOR NOTARIES PUBLIC

A motion was made by Mr. KEPHART and Mr. GELTZ,

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Geltz,	Lord,	Tarr,
Berger,	Haluska,	Mahany,	Taylor,
Blass,	Hare,	Mallery,	Tyler,
Carr,	Heyburn,	Margie,	Wade,
Chapman,	Holland,	Rahauser,	Wagner,
Crider,	Homsher,	Rosenfeld,	Walker,
Crowe,	Jaspan,	Ruth,	Watson,
Dent,	Kephart,	Scarlett,	Wilson,
DiSilvestro,	Klein,	Snowden,	Wolfe,
Doehla,	Lane,	Stevenson,	Wood, L. H.,
Donlan,	Leader,	Stiefel,	Wood, T. N.,
Farrell,	Letzler,	Tallman,	Woodring,
Frazier,			

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

He also presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 15, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following:

Leroy S. Burkhart, Post Office Box 324, Johnstown, for appointment as Justice of the Peace in and for the Township of Conemaugh, Cambria County, until the first Monday of January, 1948, vice H. A. Malzi, resigned.

Harry L. Kennel, R. D. 2, Malvern, for appointment as Justice of the Peace in and for the Township of Willistown, Chester County, until the first Monday of January, 1948, vice Boyd M. Torelli, resigned.

JAMES H. DUFF.

HOUSE MESSAGES

HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives being introduced presented for concurrence bills of the House, as follows:

House Bill No. 15, entitled:

An Act to further amend section one of the act approved the eleventh day of May one thousand nine hundred eleven (P. L. 275) entitled "An act to provide for the appointment of county and city inspectors of weights and measures providing for their compensation and expenses prescribing their duties prohibiting vendors from giving false or insufficient weights and fixing the penalties for the violation of the provisions hereof" requiring inspectors of weights and measures to be appointed by council in third class cities.

Which was committed to the Committee on Local Government.

House Bill No. 41, entitled:

An Act to amend section five hundred five of the act approved the twenty-first day of May, one thousand nine hundred forty-three (P. L. 571), entitled "The Fourth to Eighth Class County Assessment Law," increasing the compensation of assessors.

Which was committed to the Committee on Local Government.

House Bill No. 173, entitled:

An Act to further amend the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "General County Law," by increasing the maximum amount of funeral expenses of deceased service persons and their widows to be contributed by counties.

Which was committed to the Committee on Local Government.

House Bill No. 206, entitled:

An Act to amend section two of the act approved the third day of May one thousand nine hundred twenty-three (P. L. 134) entitled "An act making the proceedings of the conventions of the Departments of Pennsylvania of the Grand Army of the Republic and the United Spanish War Veterans a part of the public records of the State and providing for their publication and distribution" by increasing the number of copies to be published.

Which was committed to the Committee on Military Affairs and Aeronautics.

House Bill No. 365, entitled:

An Act to further amend the first paragraph of section two hundred twenty and to add clause (n) to section two hundred eighty-five of the act, approved the second day of May, one thousand nine hundred twenty-five (P. L. 448), entitled "Fish Law of 1925," increasing the resident fishing license fee, and authorizing the expenditure of money for the clearance of streams and experiments in methods for controlling stream pollution.

Which was committed to the Committee on Forest and Waters, Game and Fish.

House Bill No. 558, entitled:

An Act to amend section four hundred nineteen of the act, approved the seventeenth day of May, one thousand nine hundred twenty-one, (P. L. 682), entitled "Insurance Company Law of 1921," by permitting certain additional insurance companies to come within the provisions thereof.

Which was committed to the Committee on Insurance.

House Bill No. 765, entitled:

An Act requiring persons elected or appointed as judges of any court of record to be residents of the judicial district for which they are elected or appointed two years prior to the time of such election or appointment

Which was committed to the Committee on Judiciary General.

House Bill No. 791, entitled:

An Act to amend or further amend the title and certain sections of the act, approved the third day of June, one thousand nine hundred thirty-three (P. L. 1449), entitled "Allegheny County Juvenile Court Law," establishing a separate juvenile court for Luzerne County.

Which was committed to the Committee on Judiciary General.

House Bill No. 878, entitled:

An Act to further amend sections twenty-one and thirty-one of the act approved the sixth day of August one thousand nine hundred forty-one (P. L. 861) entitled "An act to create a uniform and exclusive system for the administration of parole in this Commonwealth establishing the 'Pennsylvania Board of Parole' conferring and defining its jurisdiction duties powers and functions including the supervision of persons placed upon probation in certain designated cases providing for the method of appointment of its members regulating the appointment removal and discharge of its officers clerks and employes dividing the Commonwealth into administrative districts for purposes of parole fixing the salaries of members of the board and of certain other officers and employes thereof making violations of certain provisions of this act misdeameanors providing penalties therefor and for other cognate purposes and making an appropriation" further defining the jurisdiction duties powers and functions of the Pennsylvania Board of Parole.

Which was committed to the Committee on Judiciary General.

House Bill No. 983, entitled:

An Act to further amend clause (a) of section four hundred fifteen of the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 682), entitled "Insurance Company Law of 1921," changing the definition of group life insurance.

Which was committed to the Committee on Insurance.

House Bill No. 1013, entitled:

A Joint Resolution proposing an amendment to section one article nine of the Constitution of the Commonwealth of Pennsylvania.

Which was committed to the Committee on Constitutional Changes and Federal Relations.

House Bill No. 1053, entitled:

A Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Pennsylvania by adding thereto a new section authorizing the creation of an additional debt by the Commonwealth for the payment of compensation to certain veterans.

Which was committed to the Committee on Constitutional Changes and Federal Relations.

REPORTS FROM COMMITTEES

Mr. HOMSHER, from the Committee on Local Government, reported as committed, Senate Bill No. 419, entitled:

An Act validating county treasurers' sales for delinquent taxes where the reports and returns of such sales were not made to the court of common pleas and such sales were not confirmed by the court.

He also, from the Committee on Local Government, reported as committed, Senate Bill No. 532, entitled:

An Act to amend section twenty of the act, approved the twenty-fifth day of May, one thousand nine hundred forty-five (P. L. 1050), entitled "An act relating to the collection of taxes levied by counties, county institution districts, cities of the third class, boroughs, towns, townships, certain school districts and vocational school districts; conferring powers and imposing duties on tax collectors, courts and various officers of said political subdivisions; and prescribing penalties," making a husband liable for his wife's per capita, poll and occupation taxes and providing for the collection thereof.

Mr. FARRELL, from the Committee on Local Government, reported as committed, Senate Bill No. 238, entitled:

An Act to amend section seventy-two of the act, approved the second of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes, and revising, amending and consolidating the laws relating thereto," by increasing expenses to be paid by the county.

He also, from the Committee on Local Government, re-reported as committed, House Bill No. 317, entitled:

An Act to reenact and amend the title and the act, approved the second day of May, one thousand nine hundred forty-five, (P. L. 375), entitled "An act conferring upon the councils of cities of the first class the power and devolving upon them the duty of fixing and determining the salaries, wages and other compensation payable out of the treasury of such cities from and after the first day of January, one thousand nine hundred and forty-six of all public officers, clerks and other public employes, except the salaries of elected officers, whose salaries are fixed by law," and except the salaries, wages or other compensation of officers, clerks and employes of the courts, which are fixed by law, or by the courts," by vesting in city council of cities of the first class, the power to fix the salaries, wages or other compensation of employes of the courts.

Mr. FRAZIER, from the Committee on Corporations, reported as amended, Senate Bill No. 195, entitled:

An Act to further amend the act, approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 364), entitled "An act relating to business corporations; defining and providing for the organization, merger, consolidation, reorganization, winding up and dissolution of such corporations; conferring certain rights, powers, duties and immunities upon them and their officers and shareholders; prescribing the conditions on which such corporations may exercise their powers; providing for the inclusion of certain existing corporations of the second class within the provisions of this act; prescribing the terms and conditions upon which foreign business corporations may be admitted, or any continue, to do business within the Commonwealth; conferring powers and imposing duties on the courts of common pleas, and certain State departments, commissions, and officers; authorizing certain State departments, boards, commissions, or officers to collect fees for services required to be rendered by this act; imposing penalties, and repealing certain acts and parts of acts relating to

corporations; changing the time of the inception of corporate existence or authority to do business and the requirement and effect of notices to shareholders in certain cases; providing for cancellation of shares acquired by issuing corporation and limiting the rights of dissenting shareholders in certain cases.

Mr. CRIDER, from the Committitee on Local Government, reported as committed, Senate Bill No. 505, entitled:

An Act to further amend the act, approved the fourth day of June, one thousand nine hundred forty-three (P. L. 886), entitled "An act creating a Municipal Employes' System for the payment of retirement allowances to officers and employes of political subdivisions and institutions supported and maintained by them, and providing for the administration of the same by a board composed of certain state officers and others appointed by the Governor; imposing certain duties on the State Employes' Retirement Board and the actuary thereof; providing the procedure whereby political subdivisions may join such system, and imposing certain liabilities and obligations on such political subdivisions in connection therewith, and as to certain existing retirement and pension systems, and upon officers and employes of such political subdivisions and institutions supported and maintained by them; providing certain exemptions from taxation, execution, attachment, levy and sale; and making an appropriation," changing the provisions relating to prior service and defining prior salary; changing the superannuation retirement age; eliminating the requirement for joinder of system by twenty-five municipalities, reducing the amount of contributions by members; and changing provisions relating to retirement allowance.

He also, from the Committee on Local Government, reported as amended, House Bill No. 617, entitled:

An Act to further amend section four hundred one of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-one (P. L. 1206), entitled "An act concerning townships of the first class; amending, revising, consolidating, and changing the law relating thereto," further regulating the abolition of wards.

Mr. WAGNER, from the Committee on Law and Order, reported as committed, Senate Bill No. 527, entitled:

An Act to add (i) to section two hundred one of the act, approved the twenty-ninth day of November, one thousand nine hundred thirty-three (P. L. 15, 1933-34), entitled, as amended "An act to regulate and restrain the traffic in, and use of alcohol, and alcoholic and malt or brewed beverages; conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents, the Department of Public Instruction, other officers of the State government, courts, and district attorneys; authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises, and the granting of licenses, subject to local option, to sell such beverages for consumption on and off the premises; forbidding importation or bringing of such beverages into the State except as herein provided; prohibiting certain sales or practices in, connection with, and transactions in such beverages by licensees and others; providing for the forfeiture of certain property; making disposition of the receipts from State stores and of fees; and imposing penalties," empowering Liquor Control Board to warn licensees as to uncleanliness or unsanitary conditions existing on licensed premises and prescribing manner of regulation in such cases.

He also, from the Committee on Insurance, reported as committed, Senate Bill No. 563, entitled:

An Act to amend clause (a) and the first paragraph of clause (b) of section three hundred twenty-four of the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 682), entitled "An act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," by further regulating the notice of meetings required to be given stockholders in certain cases.

Mr. DOEHLA, from the Committee on Local Government, reported as committed, Senate Bill No. 487, entitled:

An Act to amend the act, approved the twenty-fifth day of May, one thousand nine hundred forty-five (P. L. 1050), entitled "An act relating to the collection of taxes levied by counties county institution districts, cities of the third class, boroughs, towns, townships, certain school districts and vocational school districts; conferring powers and imposing duties on tax collectors, courts and various officers of said political subdivisions; and prescribing penalties," changing the method of furnishing notices of taxes.

He also, from the Committee on Elections, reported as amended, Senate Bill No. 284, entitled:

An Act to further amend the act, approved the thirtieth day of March, one thousand nine hundred thirty-seven (P. L. 115), entitled "An act to provide for the permanent personal registration of electors in cities of the first class as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens, parties, bodies of electors, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commission, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, real estate brokers, rental agents, certain public service companies, persons, firms, and corporations operating vehicles for moving furniture and household goods, and boards of school directors; and imposing penalties," by imposing an additional penalty.

Mr. MAHANY, from the Committee on Local Government, reported as amended, House Bill No. 532), entitled:

An Act regulating the sale and resale for profit and the carrying on of the business of selling or reselling tickets or other devices for admission to places of amusement; providing for the licensing of persons reselling such tickets for profit; providing for the suspension and revocation of such licenses; imposing duties on licensees and owners or operators of places of amusement; imposing powers and duties on the Department of Revenue, county treasurers, district attorneys, and the receiver of taxes and city solicitors in cities of the first class; making disposition of moneys collected; and providing penalties.

Mr. CARR, from the Committee on Labor and Industry, reported as amended, Senate Bill No. 280, entitled:

An Act relating to relations between employers and employes; creating a Division of Conciliation in the Department of Labor and Industry; defining its powers and duties; providing procedures for collective bargaining, conciliation and arbitration; providing for the conducting of hearings by a Commission in disputes in industries affecting the public interest; limiting right to strikes and lockouts; providing procedures for taking a secret ballot before a strike is instituted; providing for the determination of jurisdictional disputes; establishing financial responsibility of labor organizations, and their liability for suits for breach of contract.

He also, from the Committee on Labor and Industry, reported as amended, Senate Bill No. 361, entitled:

An Act to further amend the act, approved the first day of June, one thousand nine hundred thirty-seven (P. L. 1168), entitled "An act to protect the right of employes to organize and bargain collectively; creating the Pennsylvania Labor Relations Board; conferring powers and imposing duties upon the Pennsylvania Labor Relations Board, officers of the State government, and courts; providing for the right of employes to organize and bargain collectively; declaring certain labor practices by employers to be unfair; further providing that representatives of a majority of the employes be the exclusive representatives of all the employes; authorizing the board to conduct hearings and elections, and certify as to representatives of employes for purposes of collective bargaining; empowering the board to prevent any person from engaging in any unfair labor practice, and providing a procedure for such cases, including the issuance of a complaint, the conducting of a hearing, and the making of an order; empowering the board to petition a court of common pleas for the enforcement of its order, and providing a procedure for such cases; providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order, and establishing a procedure for such cases; providing for an appeal from the common pleas court to the Supreme Court; providing the board with investigatory powers, including the power to issue subpoenas and the compelling of obedience to them through application to the proper court; providing for service of papers and process of the board; prescribing certain penalties," further defining certain terms: declaring certain additional labor practices of employers and employes to be unfair; authorizing the Pennsylvania Labor Relations Board to conduct strike votes and votes to return to work by secret ballot, and further defining the scope of collective bargaining.

He also, from the Committee on Labor and Industry, reported as committed, Senate Bill No. 427, entitled:

An Act to amend section five of the act, approved the second day of June, one thousand nine hundred thirty-seven (P. L. 1198), entitled "An act relating to employes and organizations thereof; defining labor disputes; prescribing the procedure by which and the conditions under which injunctions may be granted in such disputes, and the scope thereof; declaring certain undertakings and promises between employers and employes contrary to public policy and void; prescribing the nature of proof necessary in actions arising out of labor disputes against persons or associations; prescribing the terms and conditions for bonds to be furnished prior to the issuance of injunctions; prescribing the procedure in case of appeal from granting injunctions; limiting the duration of temporary and permanent injunctions in case of labor disputes; and providing for the payment of costs; and repealing all acts or parts of acts inconsistent herewith," including among provisions of contracts which are unenforceable in law or equity agreements to become or remain a member of labor or employer organizations.

He also, from the Committee on Labor and Industry, reported as committed, Senate Bill No. 426, entitled:

An Act to amend section five and to further amend section six and subsection (c) of section eight of the act, approved the first day of June, one thousand nine hundred thirty-seven (P. L. 1168), entitled "An act to protect the right of employes to organize and bargain collectively; creating the Pennsylvania Labor Relations Board; conferring powers and imposing duties upon the Pennsylvania Labor Relations Board, officers of the State government, and courts; providing for the right of employes to organize and bargain collectively; declaring certain labor practices by employers to be unfair; further providing that representatives of a majority of the employes be the exclusive representatives of all the employes; authorizing the board to conduct hearings and elections, and certify as to representatives of employes for purposes of collective bargaining; empowering the board to prevent any person from engaging in any unfair labor practice, and providing a procedure for such cases, including the issuance of a complaint, the conducting of a hearing, and the making of an order; empowering the board to petitoin a court of common pleas for the enforcement of its order, and providing a procedure for such cases; providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order, and establishing a procedure for such cases; providing for an appeal from the common pleas court to the Supreme Court; providing the board with investigatory powers, including the power to issue subpoenas and the compelling of obedience to them through application to the proper court; providing for service of papers and process of the board; prescribing certain penalties," making it an unfair labor practice to require membership or non-membership in a labor organization a condition of employment establshing the right to join or refrain from joining such organizations as a right of employes and providing for the enforcement thereof.

He also, from the Committee on Labor and Industry, reported as committed, House Bill No. 35, entitled:

An Act to further amend the act approved the twenty-fifth day of July, one thousand nine hundred thirteen (P. L. 1024) entitled "An act to protect the public health and welfare by regulating the employment of females in certain establishments with respect to their hours of labor and the conditions of their employment by establishing certain sanitary regulations in the establishments in which they work by requiring certain abstracts and notices to be posted by providing for the enforcement of this act by the Commissioner of Labor and Industry and others by prescribing penalties for violations thereof by defining the pocedure in prosecutions and by repealing all acts and parts of acts inconsistent with the provisions thereof" providing for payment of time and one-half for overtime changing hours of labor and restrictions relative to age in certain employments and extending provisions to include additional persons.

Mr. HARE, from the Committee on Law and Order, reported as committed, House Bill No. 640, entitled:

An Act authorizing cities of the first and second classes to enact ordinances prohibiting smoking or the carrying of lighted cigarettes, cigars, pipes or matches or using matches or other fire producing devices in certain retail stores within such cities, and to provide penalties therefor.

He also, from the Committee on Elections, reported as committed, Senate Bill No. 219, entitled:

An Act to add section eight hundred twelve to the act, approved the third day of June, one thousand nine hun-

dred thirty-seven (P. L. 1333), entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," providing that where members of a political party are appointed or elected to represent the members of such party in an election district, said members shall constitute a political committee for such district.

He also, from the Committee on Elections, reported as amended, Senate Bill No. 218, entitled:

An Act to further amend the first paragraph of section nine hundred seventy-six of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333), entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," by further providing procedure for rejection of nomination petitions, papers or certificates.

Mr. DENT, from the Committee on Law and Order, reported as committed, House Bill No. 389, entitled:

An Act to amend section two of the act, approved the seventh day of June, one thousand nine hundred eleven (P. L. 668, No. 261), entitled "An act to restrain and regulate the use of billiard-tables, pool-tables, and bagatelle-boards or tables, kept and maintained for the use of the general public, for hire or reward, in cities of the first class in this Commonwealth; providing for the granting of licenses, and providing for punishments for the violations of the provisions of this act," by requiring applicant for license to have been a resident of the city in which he desires a license, for a period of two years immediately preceding the filing of his petition for a license.

Mr. LANE, from the Committee on Law and Order, reported as committed, House Bill Na. 715, entitled:

An Act to amend the act approved the second day of July one thousand nine hundred thirty-five (P. L. 599) entitled "An act relating to motion picture exhibitions and sound motion picture exhibitions together with orchestral or other instrumental musical or mechanical musical accompaniment prelude playing or selection in connection with or incidental thereto on Sunday prohibiting motion picture exhibitions and sound motion picture exhibitions and orchestral or other instrumental musical or mechanical musical accompaniment prelude playing or selection incidental thereto on Sunday on certain hours and also during other hours unless the electors of a municipality approve thereof regulating the employment of persons in conducting such exhibitions on Sunday providing for referendums to ascertain the will of the electors and providing penalties and repealing inconsistent laws" by exempting the exhibition of religious motion pictures by churches from the provisions of this act.

Mr. KLEIN, from the Committee on Local Government, reported as committed, House Bill Na. 646, entitled:

An Act to further amend clause two of section nine of the act approved the twenty-fifth day of May one thousand nine hundred thirty-three (P. L. 1050) entitled "An act creating and establishing a fund for the care maintenance and relief of aged retired and disabled employes of the bureau of fire in cities of the second class creating a board for the management thereof providing the mode and manner of payment to beneficiaries and for the care and disposition of its funds and providing for the transfer and payment of all moneys and securities in existing funds in similar boards superseded by the fund and board herein created" by changing the method of distributing dues paid into the fund in cases of deceased firemen

He also, from the Committee on Local Government, reported as committed, Senate Bill No. 453, entitled:

An Act to amend Section fourteen of Article XIX of the Act approved the twenty-fifth day of June one thousand nine hundred nineteen (P. L. 581) entitled "An act for the Better Government of Cities of the First Class of the Commonwealth of Pennsylvania" by extending the time for posting of eligible lists after examinations held by the Civil Service Commission when more than one thousand applicants are examined.

He also, from the Committee on Local Government, reported as amended, Senate Bill No. 536, entitled:

An Act regulating the discharge of police officers in townships of the second class and in boroughs and townships of the first class having police forces of less than three members.

Mr. WOODRING, from the Committee on Local Government, reported as committed, Senate Bill No. 506, entitled:

An Act to further amend the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An Act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending, and consolidating the laws relating thereto," providing for fixing the number and compensation of all appointed officers, deputies, assistants, clerks and other persons whose compensation is paid out of the county treasury, whether employed by the county, the courts or by any judge thereof; creating a salary board in each county; defining its powers and duties; providing for appeals and repealing inconsistent acts.

He also, from the Committee on Local Government, reported as committed, Senate Bill No. 507, entitled:

An Act abolishing all existing county salary boards; and providing for the transfer of their books, records and property.

Mr. BARR, from the Committee on Local Government, reported as committed, Senate Bill No. 528, entitled:

An Act to add section four hundred fifty-one to the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," providing for training of volunteer fire companies by counties of the second class.

He also, from the Committee on Local Government, reported as amended, Senate Bill No. 41, entitled:

An Act to further amend section eight of the act approved the nineteenth day of July, one thousand nine hundred thirty-five (P. L. 1356), entitled "An act to regulate the sale and delivery of solid fuel, as herein defined; providing for appointment of licensed weighmasters; prescribing their powers and duties; authorizing substitute licensed weighmasters; imposing certain duties on the Department of Internal Affairs; and providing penalties," increasing the penalties for violations thereof

REPORT FROM COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. KEPHART from the Committee on Executive Nominations reported with a favorable recommendation the following nominations, made by His Excellency the Governor which were laid on the table:

JUSTICES OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, Apriil 14, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following:

S. Elmore Haag, Main Street, Newfoundland, for appointment as Justice of the Peace in and for the Township of Dreher, Wayne County, until the first Monday of January, 1948, to succeed hiimself.

Frederick A. Holbert, 1240 Overlook Avenue, Honesdale, for appointment as Justice of the Peace in and for the Borough of Honesdale, Wayne County, until the first Monday of January, 1948, vice Robert B. Matthews, resigned.

JAMES H. DUFF.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 7, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Floyd Marsh, Route 3, Corry, Erie County, for appointment as Justice of the Peace in and for the Township of Wayne, Erie County, until the first Monday of January, 1948, to fill a vacancy.

JAMES H. DUFF.

MEMBERS OF THE COUNTY BOARDS OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 31, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Members of County Boards of Assistance:

ALLEGHENY COUNTY

Rev. Francis X. Foley (Democrat), Mt. Mercy College, 3333 Fifth Avenue, Pittsburgh, to serve until December 31, 1947. (Reappointment)

S. Leo Ruslander (Republican), 5301 Fair Oaks Street, Pittsburgh, to serve until December 31, 1947. (Reappointment)

Hunter Wharton (Democrat), 318 Onyx Avenue, Pittsburgh, to serve until December 31, 1949, (Reappointment)

Roy G. Bostwick, Esq. (Republican), 120 Ruskin Avenue, Pittsburgh, to serve until December 31, 1948, and until his successor is duly appointed and qualified. (Reappointment)

Frank C. McLaughlin (Republican), 230 North Dithridge Street, Pittsburgh, to serve until December 31, 1948, and until his successor is duly appointed and qualified. (Reappointment)

Frank W. Brooke (Republican), 5744 Solway Street, Pittsburgh, to serve until December 31, 1949, and until his successor is duly appointed and qualified. (Reappointment)

William Howell (Republican), 2243 Monticello Street Pittsburgh, to serve until December 31, 1948, and until his successor is duly appointed and qualified. (Reappointment)

Mrs. Mayme Hubbard (Republican), 702 Parker Avenue, Verona, to serve until December 31, 1947, and until her successor is duly appointed and qualified. (Reappointment)

Mrs. Rosina Parfitt (Republican), 211 East 7th Avenue, Tarentum, to serve until December 31, 1949, and until her successor is duly appointed and qualified. (Reapment)

Richard F. Watson (Republican), 3220 Grover Street, McKeesport, to serve until December 31, 1948, and until his successor is duly appointed and qualified. (Reappointment)

ARMSTRONG COUNTY

Earl D. Artman (Democrat), Ford City, to serve until December 31, 1947, and until his successor is duly appointed and qualified. (Reappointment)

Rev. Wilford O. Cross (Republican), North Water Street, Kittanning, to serve until December 31, 1949. (Reappointment)

R. J. Caretti (Republican), Kittanning, to serve until December 31, 1947, and until his successor is duly appointed and qualified. (Reappointment)

Mrs. Elizabeth Whitman (Democrat), Ford City, to serve until December 31, 1949, and until her successor is duly appointed and qualified. (Reappointment)

Todd K. Glenn (Republican), Penn-Glenn Oil Company, Leechburg, to serve until December 31, 1948, and until his successor is duly appointed and qualified. (Reappointment)

C. N. Hanner (Republican), Kittanning, to serve until December 31, 1948, and until his success is duly appointed and qualified, vice Dr. C. M. Long, Kittanning, resigned.

BEAVER COUNTY

Mrs. Rebecca R. Brown (Republican), 228 Jefferson Street, Rochester, to serve until December 31, 1947. (Reappointment)

Charles L. Wright (Republican), Mercer Road, R. F. D., New Brighton, to serve until December 31, 1949. (Reappointment)

Harold C. O'Brien (Republican), Beaver, to serve until December 31, 1949, and until his successor is duly appointed and qualified. (Reappointment)

Mrs. Hazel Kenny Lucas (Democrat), Beaver Falls, to serve until December 31, 1947, and until her successor is duly appointed and qualified. (Reappointment)

Harry J. Garmen (Republican), New Brighton, to serve until December 31, 1948, and until his successor is duly appointed and qualified. (Reappointment)

BLAIR COUNTY

Mrs. Eva M. Montgomery (Republican), 5411 Fifth Avenue, Altoona, to serve until December 31, 1947. (Reappointment)

Mrs. Mary Clementine Malone (Republican), 112 Newry

Street, Gaysport, Hollidaysburg, to serve until December 31, 1949. (Reappointment)

Mrs. Maude Colvin Lotz (Republican), 811 Washington Avenue, Tyrone, to serve until December 31, 1947. (Reappointment)

John B. McCullough (Republican), 1619—21st Street, Altoona, to serve until December 31, 1949. (Reappointment)

Mrs. Mary M. Morgart (Republican), 311 Main Street, Roaring Spring, to serve until December 31, 1949, and until her successor is duly appointed and qualified. (Reappointment)

CAMERON COUNTY

C. A. Casperson (Republican), Fourth Street, Emporium, to serve until December 31, 1947, and until his successor is duly appointed and qualified. (Reappointment)

V. Dale Crum (Democrat), Sinnemahoning, to serve until December 31, 1948, and until his successor is duly appointed and qualified. (Reappointment)

Dr. Gerald V. Burns (Republican), 5th Street, Emporium, to serve until December 31, 1947, and until his successor is duly appointed and qualified. (Reappointment)

Carl R. Zimmer (Republican), R. D. 1, Emporium, to serve until December 31, 1948, and until his successor is duly appointed and qualified. (Reappointment)

Meredith Barton (Republican), R. D., Emporium, to serve until December 31, 1949, and until his successor is duly appointed and qualified. (Reappointment)

Mrs. Maime Riley (Democrat), Driftwood, to serve until December 31, 1949, and until her successor is duly appointed and qualified. (Reappointment)

CHESTER COUNTY

Mrs. Eugenia Cassatt Davis (Republican), Berwyn, to serve until December 31, 1947, and until her successor is duly appointed and qualified. (Reappointment)

Mrs. Ellen W. Krauss (Republican), 421 Price Street, West Chester, to serve until December 31, 1949, and until her successor is duly appointed and qualified. (Reappointment)

Dr. J. Elmer Gotwals (Republican), 500 Gay Street, Phoenixville, to serve until December 31, 1949, and until his successor is duly appointed and qualified. (Reappointment)

CRAWFORD COUNTY

Mrs. Esta Fleming (Republican), Cochranton, to serve until December 31, 1948, and until her successor is duly appointed and qualified. (Reappointment)

Robert W. Byham (Republican), R. D. 2, Guys Mills, to serve until December 31, 1948, and until his successor is duly appointed and qualified. (Reappointment)

George R. Wright (Republican), Linesville, to serve until December 31, 1947, and until his successor is duly appointed and qualified. (Reappointment)

Gerald Prather, Esq. (Republican), Masonic Biulding, Meadville, to serve until December 31, 1949, and until his successor is duly appointed and qualified. (Reappointment)

CUMBERLAND COUNTY

G. R. Fogelsonger (Republican), 104 North Earl Street, Shippensburg, to serve until December 31, 1947. (Reappointment)

Mrs. Louise Bentz Carroll (Republican), 54 South Pitt Street, Carlisle, to serve until December 31, 1947. (Reappointment)

James G. Haggerty (Republican), 433 Hummel Avenue, Lemoyne, to serve until December 31, 1948, and until his successor is duly appointed and qualified. (Reappointment)

Frank T. Adams (Democrat), 410 South Hanover Street, Carlisle, to serve until December 31, 1948, and until his successor is duly appointed and qualified. (Reappointment)

Mrs. Lila Landis (Republican), 430 West Main Street, Mechanicsburg, to serve until December 31, 1949, and until her successor is duly appointed and qualified. (Reappointment)

Mrs. Dorothy R. A. Rearich (Republican), 42 South Pitt Street, Carlisle, to serve until December 31, 1949, and until her successor is duly appointed and qualified. (Reappointment)

DAUPHIN COUNTY

Mrs. Mary S. Bless (Republican), 4102 Walnut Street, Colonial Park, to serve until December 31, 1948, and until her successor is duly appointed and qualified. (Reappointment)

Mrs. Bessie M. Poorman (Republican), 2d and Railroad Streets, Highspire, to serve until December 31, 1949, and until her successor is duly appointed and qualified. (Reappointment)

Fred Margerum (Republican), Elizabethville, to serve until December 31, 1948, and until his successor is duly appointed and qualified. (Reappointment)

ERIE COUNTY

John W. English, Esq. (Republican), Manchester Beach, R. D. 1, North Girard, to serve until December 31, 1948, and until his successor is duly appointed and qualified. (Reappointment)

Rev. Walter B. Ohman (Non-partisan), 3819 Sassafras Street, Erie, to serve until December 31, 1949, and until his successor is duly appointed and qualified. (Reappointment)

MONTOUR COUNTY

Rev. Russell A. Pavy (Republican), 206 East Front Street, Danville, to serve until December 31, 1948, and until his successor is duly appointed and qualified. (Reappointment)

PERRY COUNTY

Edward S. Glass (Republican), Duncannon, to serve until December 31, 1947. (Reappointment)

H. R. Patterson (Republican), Landisburg, to serve until December 31, 1947, and until his successor is duly appointed and qualified. (Reappointment)

G. A. Robb (Republican), New Bloomfield, to serve until December 31, 1948, and until his successor is duly appointed and qualified. (Reappointment)

Walter D. Byers (Democrat), R. D., Duncannon, to serve until December 31, 1948, and until his successor is duly appointed and qualified. (Reappointment)

John Hench (Republican), Blain, to serve until December 31, 1949, and until his successor is duly appointed and qualified, vice Mrs. Ella M. Gray, Blain, whose term expired.

Kermit M. Stover (Republican), Marysville, to serve until December 31, 1949, and until his successor is duly appointed and qualified, vice Miss Marion Shull, Newport, whose term expired.

PHILADELPHIA COUNTY

Gordon A. Hardwick (Republican), Fidelity-Philadelphia Trust Building, Philadelphia, to serve until Decem-

ber 31, 1947, and until his successor is duly appointed and qualified, to fill a vacancy.

George Spoerhase (Republican), Fairfax Apartments, 43d and Locust Street, Philadelphia, to serve until December 31, 1948, and until his successor is duly appointed and qualified, to fill a vacancy.

Glendon T. Tongue (Republican), 987 Harrison Street, Philadelphia, to serve until December 31, 1949, and until his successor is duly appointed and qualified, to fill a vacancy.

PIKE COUNTY

Frank D. Heller (Democrat), Bushkill, to serve until December 31, 1948, and until his successor is duly appointed and qualified. (Reappointment)

George V. Thompson (Republican), Milford, to serve until December 31, 1948. (Reappointment)

SNYDER COUNTY

Charles F. Wagner (Republican), McClure, to serve until December 31, 1947. (Reappointment)

G. A. Rhoads (Republican), Shamokin Dam, to serve until December 31, 1947. (Reappointment)

J. Barner Rine (Democrat), Beavertown, to serve until December 31, 1949. (Reappointment)

Harry R. Ritter (Republican), Middleburg, to serve until December 31, 1948, and until his successor is duly appointed and qualified. (Reappointment)

Fred G. VanKirk (Republican), R. D., Selinsgrove, to serve until December 31, 1948, and until his successor is duly appointed and qualified. (Reappointment)

JAMES H. DUFF.

MEMBERS OF COUNTY BOARDS OF ASSISTANCE

Commonwaelth of Pennsylvania,
Governor's Office, Harrisburg, April 14, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Members of County Boards of Assistance:

ADAMS COUNTY

William Sneeringer (Democrat), Littlestown, to serve until December 31, 1947, and until his successor is duly appointed and qualified, vice J. Hayes Beard, Gettysburg, deceased.

BLAIR COUNTY

Mrs. Virgie M. Cowan (Republican), Claysburg, to serve until December 31, 1948, and until her successor is duly appointed and qualified, vice Mrs. Lucretia Lingenfelter Black, Claysburg, deceased.

BUCKS COUNTY

Mrs. Lillian Williams (Republican), Bellevue and Fairview Avenues, Langhorne, from January 3, 1946, until December 31, 1947.

Mrs. Marion G. Hartzel (Republican), Chalfont, from January 1, 1947, until December 31, 1949.

Mrs. Adele Warden Paxson (Republican), Holicong, from January 3, 1946, until December 31, 1948.

Mrs. Esther Foellner (Democrat), Revere, from August 12, 1946, until December 31, 1948, and until her successor is duly appointed and qualified.

Raymond D. Bitzer (Republican), Doylestown, from October 28, 1946, until December 31, 1947, and until his successor is duly appointed and qualified.

Mrs. Elizabeth N. Lynch (Republican), Davisville, from January 1, 1947, until December 31, 1949, and until her successor is duly appointed and qualified.

Mrs. Violet Hunsberger (Republican), 19 South 6th Street, Quakertown, from January 1, 1947, until December 31, 1949, and until her successor is duly appointed and qualified.

BUTLER COUNTY

R. J. Ferguson (Republican), 330 East Pearl Street, Butler, from May 8, 1945, until December 31, 1947.

Mrs. Rebekah Cypher (Republican), 530 East Brady Street, Butler, from May 8, 1945, until December 31, 1947, and until her successor is duly appointed and qualified.

Finley J. Hawk (Democrat), Petrolia, from January 1, 1947, until December 31, 1949.

Gerald E. McCandless (Republican), R. D. No. 1, Butler, from October 14, 1946, until December 31, 1948, and until his successor is duly appointed and qualified.

Mrs. Madge S. McMichael Republican), 514 North Main Street, Butler, from October 14, 1946, until December 31, 1948, and until her successor is duly appointed and qualified.

Glenn D. Cramer (Republicna), R. D. 1, Sarver, from January 1, 1947, until December 31, 1949, and until his successor is duly appointed and qualified.

CARBON COUNTY

Roy Remaley (Republican), 10 South Pine Street, Summit Hill, from January 3, 1946, until December 31, 1948, and until his successor is duly appointed and qualified.

George M. D. Richards, Esq., (Republican), 107 East Patterson Street, Lansford, to serve until December 31, 1949, and until his successor is duly appointed and qualified, vice George H. Mitten, Lansford, whose term expired.

John A. Marzen (Democrat), East Mauch Chunk, to serve until December 31, 1948, and until his successor is duly appointed and qualified, vice Michael E. McGinley, East Mauch Chunk, deceased.

CENTRE COUNTY

Newton Hartswick (Republican), 523 North Allen Street, State College, from November 18, 1946, until December 31, 1947.

James H. Holmes (Republican), 805 West College Avenue, State College, from November 18, 1946, until December 31, 1947.

Rev. Charles W. Maclay (Republican), 509 Presqueisle Street, Philipsburg, from November 18, 1946, until December 31, 1948.

George Vonada (Democrat), Zion, Bellefonte, from April 15, 1946, until December 31, 1948, and until his successor is duly appointed and qualified.

J. M. Curtin (Republican), West Curtin Street, Bellefonte, from January 1, 1947, until December 31, 1949, and until his successor is duly appointed and qualified.

Rev. J. S. Shannon (Republican), Millheim, from January 1, 1947, until December 31, 1949, and until his successor is duly appointed and qualified.

CLARION COUNTY

Evans Jay Miller (Democrat), Knox, from January 7, 1946, until December 31, 1948, and until his successor is duly appointed and qualified.

William Clair Elliot (Republican), Sligo, from January 7, 1946, until December 31, 1948, and until his successor is duly appointed and qualified.

Dr. H. M. Wellman (Republican), St. Petersburg, from January 1, 1947, until December 31, 1949, and until his successor is duly appointed and qualified.

Mrs. Edna M. Seifert (Republican), New Bethlehem, from January 1, 1947, until December 31, 1949, and until her successor is duly appointed and qualified.

Mrs. Lula A. Walley (Republican), Crown, from January 1, 1947, until December 31, 1949, and until her successor is duly appointed and qualified.

CLEARFIELD COUNTY

T. R. McCracken (Democrat), Mahaffey, from January 3, 1946, until December 31, 1948.

S. T. McClure (Republican), 11 West Front Street, Clearfield, from December 27, 1945, until December 31, 1947, and until his successor is duly appointed and qualified.

M. L. Silberblatt (Republican), 105 South 2d Street, Clearfield, from December 27, 1945, until December 31, 1947, and until his successor is duly appointed and qualified.

Mrs. Letitia Good (Republican), 609 Lingle Street, Osceola Mills, from January 1, 1947, until December 31, 1949, and until her successor is duly appointed and qualified.

Raymond J. Swallow (Republican), Day Apartments, South Brady Street, DuBois, from January 3, 1946, until December 31, 1948, and until his successor is duly appointed and qualified.

Rev. Ezra Floyd Pearce (Republican), Burnside, from January 1, 1947, until December 31, 1949, and until his successor is duly appointed and qualified.

Glenn H. Flickinger (Republican), Coalport, from January 1, 1947, until December 31, 1949, and until his successor is duly appointed and qualified.

CLINTON COUNTY

John A. Frey (Democrat), 445 Church Street, Lock Haven, from January 8, 1946, until December 31, 1948, and until his successor is duly appointed and qualified.

Mrs. Dorothy F. Kephart (Republican), Main Street, Mill Hall, to serve until December 31, 1948, and until her successor is duly appointed and qualified, vice Ralph Welshans, Loganton, whose term expired.

DELAWARE COUNTY

Howard R. Palmer (Democrat), 303 East 19th Street, Chester, to serve until December 31, 1949, and until his successor is duly appointed and qualified, vice Harry Deakyne, Chester, deceased.

ERIE COUNTY

Miss Laura Jane Linnell (Republican), 3944 Wood Street, Erie, to serve until December 31, 1949, and until her sucessor is duly appointed and qualified, vice Mrs. Rachel Spencer, Erie, whose term expired.

FAYETTE COUNTY

John Farrell (Republican), Uniontown Hospital, Uniontown, from March 21, 1946, until December 31, 1947.

Mrs. Louise L. Whipp, (Republican), 319 Railroad Street, Point Marion, from March 21, 1946, until December 31, 1948.

J. Alfred Baer (Republican), Masontown, from March 21, 1946, until December 31, 1947, and until his successor is duly appointed and qualified.

Mrs. Elizabeth B. Hood (Republican), 173 South Beeson Avenue, Uniontown, from January 1, 1947, until December 31, 1949, and until her successor is duly appointed and qualified.

Homer Wolford (Republican), 120 Angle Street, Brownsville, from March 21, 1946, until December 31, 1948, and until his successor is duly appointed and qualified.

Stewart M. DeHuff (Republican), 1206 Race Street, Connellsville, from January 1, 1947, until December 31, 1949, and until his successor is duly appointed and qualified.

FULTON COUNTY

Roy W. Layton (Republican), Warfordsburg, from February 13, 1946, until December 31, 1947, and until his successor is duly appointed and qualified.

Wilson Nace (Republican), McConnellsburg, from February 13, 1946, until December 31, 1947, and until his successor is duly appointed and qualified.

J. Campbell Patterson (Republican), McConnellsburg, from February 13, 1946, until December 31, 1948, and until his successor is duly appointed and qualified.

Miss Martha Lodge (Democrat), McConnellsburg, from January 1, 1947, until December 31, 1949, and until her successor is duly appointed and qualified.

Rev. David Hoover (Republican), McConnellsburg, from May 6, 1946, until December 31, 1948, and until his successor is duly appointed and qualified.

S. Logue Wink (Republican), Needmore, from January 1, 1947, until December 31, 1949, and until his successor is duly appointed and qualified.

Ralph Fraker (Republican), Fort Littleton, from January 1, 1947, until December 31, 1949, and until his successor is duly appointed and qualified.

LACKAWANNA COUNTY

Dr. John M. Maloney (Democrat), 1614 Jefferson Avenue, Dunmore, from July 29, 1946, until December 31, 1948, and until his successor is duly appointed and qualified.

LANCASTER COUNTY

Mrs. Irene Weidman (Republican), 113 East Main Street, Ephrata, from January 3, 1946, until December 31, 1948.

Francis P. Sharpless (Republican), 585 School Lane, Lancaster from December 17, 1945, until December 31, 1947, and until his successor is duly appointed and qualified.

Clifford B. Wightman (Republican), 977 Pleasure Road, Lancaster, from December 17, 1945, until December 31, 1947, and until his successor is duly appointed and qualified.

Mrs. Carey Foltz (Democrat), Kinzers, from December 18, 1946, until December 31, 1948, and until her successor is duly appointed and qualified.

Douglas W. Darmstetter (Republican), 1311 Clayton Road, Lancaster, from January 1, 1947, until December 31, 1949, and until his successor is duly appointed and qualified.

Mrs. Anna G. Hicks (Republican), Maytown, from January 1, 1947, until December 31, 1949, and until her successor is duly appointed and qualified.

LEBANON COUNTY

Lloyd W. Boyer (Republican), 340 South 8th Street, Lebanon, from May 8, 1946, until December 31, 1947.

Earnest Williams (Republican), Annville, from May 8, 1946, until December 31, 1947, and until his successor is duly appointed and qualified.

Rev. David Lockart (Republican), 304 West Main Street, Myerstown, from January 1, 1947, until December 31, 1949.

Clayton R. Boltz (Democrat), Lancaster Street, Jonestown, from May 8, 1946, until December 31, 1948, and until his successor is duly appointed and qualified.

Mrs. Merle Albert (Republican), 204 High Street, Lebanon, from May 8, 1946, until December 31, 1948, and until her successor is duly appointed and qualified.

Raymond J. Coleman (Republican), 302 Park Avenue, Lebanon, from January 1, 1947, until December 31, 1949, and until his successor is duly appointed and qualified.

Mrs. Margaret M. Walter (Republican), 1800 West Cumberland Street, Lebanon, to serve until December 31, 1949, and until her successor is duly appointed and qualified, vice Mrs. Mabel G. Seltzer, Palmyra, resigned.

LUZERNE COUNTY

John A. Carroll (Democrat), 144 East State Street, Larksville, Wilkes-Barre, from November 26, 1946, until December 31, 1948, and until his successor is duly appointed and qualified.

Hyman Landau (Republican), 470 South Franklin Street, Wilkes-Barre, from November 26, 1946, until December 31, 1948, and until his successor is duly appointed and qualified.

Edward J. Evans (Republican), 59 Pierce Street, Kings-

ton, from November 26, 1946, until December 31, 1947, and until his successor is duly appointed and qualified.

Mrs. Kate Jenkins (Republican), 66 South Meade Street, Wilkes-Barre, from January 1, 1947, until December 31, 1949, and until her successor is duly appointed and qualified.

LYCOMING COUNTY

Dr. Stuart B. Gibson (Republican), 416 Pine Street, Williamsport from January 3, 1946, until December 31, 1947.

Rev. J. Ray Houser (Democrat), 28 Huffman Avenue, Williamsport, from January 1, 1947, until December 31, 1949.

Dr. John E. Whittaker (Republican), 334 Lincoln Avenue, Williamsport, from January 3, 1946, and December 31, 1947, and until his successor is duly appointed and qualified.

Mrs. Mary Fisher Gleason (Republican), 348 Washington Avenue, Jersey Shore, from January 3, 1946, until December 31, 1948, and until her successor is duly appointed and qualified.

Berton C. Hunsinger (Republican), 607 Poplar Street, Williamsport, from January 3, 1946, until December 31, 1948, and until his successor is duly appointed and qualified.

Mrs. Grace M. Soars (Republican), 229 West Penn Street, Muncy, from January 1, 1947, until December 31, 1949, and until her successor is duly appointed and qualified.

Mrs. Clarinda P. Reighard (Republican), 409 Hawthorne Avenue, Williamsport, to serve until December 31, 1949, and until her successor is duly appointed and qualified, vice William H. Hough, Williamsport, resigned.

MIFFLIN COUNTY

John D. Tyson (Republican), Burnham, from January 8, 1946, until December 31, 1948, and until his successor is duly appointed and qualified.

Jay M. Riden (Republican), 515 Lindbergh Way, Lewistown, from January 1, 1947, until December 31, 1949, and until his successor is duly appointed and qualified.

Mrs. Catherine Saxton (Republican), 218 North Grand Street, Lewistown, to serve until December 31, 1949, and until her successor is duly appointed and qualified, vice Mrs. Gertrude Silcox, Lewistown, resigned.

NORTHAMPTON COUNTY

Hon. Henry A. Miller (Republican), 2012 Main Street, Northampton, from May 9, 1945, until December 31, 1947.

Arthur Stoddard (Republican), 60 North 3d Street, Bangor, from May 9, 1945, until December 31, 1947.

Mrs. Emilie Walls (Democrat), 50 East Market Street, Bethlehem, from January 21, 1946, until December 31, 1948, and until her successor is duly appointed and qualified.

Rabbi Joshua Trachtenberg (Independent), 110 Parker Avenue, Easton, from January 21, 1946, until December 31, 1948, and until his successor is duly appointed and qualified.

Roy D. Hassler (Republican), 1465 Main Street, Bethlehem, from January 1, 1947, until December 31, 1949, and until his successor is duly appointed and qualified.

Harry J. Seyfried (Republican), 121 Belvidere Avenue, Nazareth, from January 1, 1947, until December 31, 1949, and until his successor is duly appointed and qualified.

Francis J. Gafford (Republican), 1504 Ferry Street, Easton, from January 1, 1947, until December 31, 1949, and his successor is duly appointed and qualified.

NORTHUMBERLAND COUNTY

Mrs. Natalie Swaboski (Republican), 327 South Poplar Street, Mt. Carmel, from January 15, 1946, until December 31, 1948, and until her successor is duly appointed and qualified.

Dr. Joseph T. Wasilewski (Democrat), 856 Chestnut Street, Kulpmont, from January 15, 1946, until December 31, 1948.

POTTER COUNTY

E. P. Huntington (Republican), Coudersport, from January 1, 1947, until December 31, 1949, and until his successor is duly appointed and qualified.

John Beckman (Democrat), Coudersport, from January 1, 1947, until December 31, 1949, and until his successor is duly appointed and qualified.

SULLIVAN COUNTY

Harry Haywood (Republican), Eagles Mere, to serve until December 31, 1949, and until his successor is duly appointed and qualified, vice J. H. Dieffenbach, Colley, whose term expired.

Miss Anne Yarosh (Republican), Lopez, to serve until December 31, 1949, and until her successor is duly appointed and qualified, vice Edward M. Williams, Wheelerville, whose term expired.

Mrs. Mary L. Hertz (Democrat), Sonestown, to serve until December 31, 1948, and until her successor is duly appointed and qualified, vice Mrs. Marie Hydock, Sonestown, whose term expired.

Mrs. Susan Morgan (Republican), Wheelerville, to serve until December 31, 1949, and until her successor is duly appointed and qualified, vice Edward B. Wright, Forksville, whose term expired.

Mrs. Marie Kanally (Republican), Hillsgrove, to serve until December 31, 1947, and until her successor is duly appointed and qualified, to fill a vacancy.

Frank J. Bendinsky (Republican), Mildred, from January 8, 1946, until December 31, 1948, and until his successor is duly appointed and qualified.

SUSQUEHANNA COUNTY

A. D. Kehren (Republican), 735 North Main Street, Forest City, from December 18, 1945, until December 31, 1947.

Byron Benninger (Republican), Dimock, from December 18, 1945, until December 31, 1947, and until his successor is duly appointed and qualified.

Mrs. Elizabeth Mack (Republican), Montrose, from January 3, 1946, until December 31, 1948, and until her successor is duly appointed and qualified.

Mrs. Elizabeth Shinners (Democrat), Franklin Street, Great Bend, from January 3, 1946, until December 31, 1948, and until her successor is duly appointed and qualified.

Mark B. Lake (Republican), South Montrose, to serve until December 31, 1949, and until his successor is duly appointed and qualified. (Reappointment.)

Edmund J. Tierney (Republican), 502 Jackson Avenue, Susquehanna, from January 1, 1947, until December 31, 1949, and until his successor is duly appointed and qualified.

Mrs. Cecile H. Coleman (Democrat), Rushville, from January 1, 1947, until December 31, 1949, and until her successor is duly appointed and qualified.

UNION COUNTY

Hon. Robert Smith (Republican), R. D., Millmont, from December 18, 1945, until December 31, 1947, and until his successor is duly appointed and qualified.

Alvah D. Campbell (Republican), Box 28, Allenwood, from December 18, 1945, until December 31, 1947, and until his successor is duly appointed and qualified.

Hon. Frank L. Dersham (Democrat), 222 Market Street, Lewisburg, from January 1, 1947, until December 31, 1949.

Mrs. Laura M. Von Neida (Republican), Laurelton, from January 3, 1946, until December 31, 1948.

Mrs. Mae Gardner (Republican), R. F. D. No. 2, Mifflinburg, from January 3, 1946, until December 31, 1948, and until her successor is duly appointed and qualified.

Robert V. Glover (Republican), Mifflinburg, from January 1, 1947, until December 31, 1949, and until his successor is duly appointed and qualified.

Mrs. Esther G. Sauvain (Republican), 1413 Market

Street, Lewisburg, from January 1, 1947, until December 31, 1949, and until her successor is duly appointed and qualified.

VENANGO COUNTY

H. Carl Wasson (Republican), 1528 Elk Street, Franklin, from February 25, 1946, until December 31, 1947.

E. H. Messer (Democrat), 23 Smedley Street, Oil City, from February 25, 1946, until December 31, 1947, and until his successor is duly appointed and qualified.

Mrs. Dorothy Koch Owens (Republican), 946 Elk Street, Franklin from January 1, 1947, until December 31, 1949, and until her successor is duly appointed and qualified.

Leo M. Brewster, Esq., (Republican), 103 Harriott Avenue, Oil City, from January 1, 1947, until December 31, 1949, and until his successor is duly appointed and qualified.

WARREN COUNTY

Mrs. Marjorie Finlan (Democrat), Youngsville, from November 18, 1946, until December 31, 1948, and until her successor is duly appointed and qualified.

Mrs. Anna Hertzel (Republican), 400 Fifth Avenue, Warren, from January 1, 1947, until December 31, 1949, and until her successor is duly appointed and qualified.

Henry McConnell (Republican), 606 Market Street, Warren, from January 1, 1947, until December 31, 1949, and until his successor is duly appointed and qualified.

R. Pierson Eaton, Esq., (Republican), Warren National Bank Building, Warren, from January 1, 1947, until December 31, 1949, and until his successor is duly appointed and qualified.

WAYNE COUNTY

Mrs. Gladys Herrman (Democrat), 108 Cliff Street, Honesdale, from January 1, 1947, until December 31, 1949.

Millard Transue (Republican), Orson, from November 26, 1946, until December 31, 1948, and until his successor is duly appointed and qualified.

Mrs. Catherine Hippensteel (Republican), Park Street, Honesdale from October 11, 1946, until December 31, 1948, and until her successor is duly appointed and qualified.

John E. Bigart (Republican), Lake Ariel, from January 1, 1947, until December 31, 1949, and until his successor is duly appointed and qualified.

Miles Young (Republican), Damascus Township, Wayne County. R. D., Narrowsburg, New York, from December 31, 1946, until December 31, 1947, and until his successor is duly appointed and qualified.

Mrs. Beulah Fortnam (Republican), Tyler Hill, from January 1, 1947, until December 31, 1949, and until her successor is duly appointed and qualified.

JAMES H. DUFF.

BILLS INTRODUCED AND REFERRED

Messrs. MALLERY and CROWE read in place and presented to the Chair Senate Bill No. 580, entitled:

An Act to further amend section twenty-one of the act, approved the first day of June, one thousand eight hundred eighty-nine (P. L. 420), entitled "A further supplement to an act, entitled 'An act to provide revenue by taxation', approved the seventh day of June, Anno Domini one thousand eight hundred seventy-nine," by establishing an exemption for capital actually and exclusively employed in coal mining or coal mining and preparation plant business with regard to the capital stock tax and franchise tax on domestic and foreign corporations, joint-stock associations, limited partnerships and companies.

Which was committed to the Committee on Finance.

Mr. LETZLER read in his place and presented to the Chair Senate Bill No. 581, entitled:

An Act to promote the education and educational facilities of the people of the Commonwealth of Pennsylvania; creating a State Public School Building Authority as a body corporate and politic, with power to construct, improve and operate projects, and to lease the same; and to fix and collect fees, rentals and charges for the use thereof; authorizing and regulating the issuance of bonds by said authority; and providing for the payment of such bonds and the rights of the holders thereof; granting the right of eminent domain; and providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted under this act.

Which was committed to the Committee on Education.

Mr. GELTZ read in his place and presented to the Chair Senate Bill No. 582, entitled:

An Act to regulate the practice of medicine and surgery as osteopathic physicians and surgeons in the Commonwealth of Pennsylvania; providing for the examination and licensing of osteopathic physicians and surgeons; conferring powers and imposing duties upon the State Board of Osteopathic Examiners, and prescribing penalties.

Which was committed to the Committee on Education.

He also read in his place and presented to the Chair Senate Bill No. 583, entitled:

An Act to further amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant-Governor, and certain other executive and administrative officers; providing for the appointment of certain administratiive officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescriibing the manner in which the number and compensatioini of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determinied," merging the Osteopathic Surgeon's Examining Board with the State Board of Osteopathiic Examiners.

Which was committed to the Committee on Education.

He also read in his place and presented to the Chair Senate Bill No. 584, entitled:

An Act establishing the "Pennsylvania Board of Juvenile Parole"; conferring and defining its jurisdiction, duties, powers and functions; providing for the method of appointment of its members and fixing their salaries; imposing certain duties on institutions of incarceration and making an appropriation.

Which was committed to the Committee on Judiciary General.

Mr. MAHANY (by request) read in his place and presented to the Chair Senate Bill No. 585, entitled:

An Act to amend the act approved the ninth day of April, one thousand nine hundred twenty-nine (Pamphlet Laws 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Depart-

ment thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant-Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by transferring certain institutions, boards, employes, functions, powers and duties from the Department of Welfare to the Department of Health.

Which was committed to the Committee on State Government.

Mr. LORD read in his place and presented to the Chair Senate Bill No. 586, entitled:

An Act to further amend section eight of the act approved the thirteenth day of May, one thousand nine hundred nine (P. L. 520) entitled "An act relating to food; defining food; providing for the protection of the public health, and the prevention of fraud and deception, by prohibiting the manufacture or sale, the offering for sale or exposing for sale, or the having in possession with intent to sell, of adulterated, misbranded, or deleterious foods; prescribing certain duties of the Dairy and Food Commissioner in reference thereto; and providing penalties for the violation thereof," empowering the Department of Agriculture to make rules and regulations for the branding or labeling of food.

Which was committed to the Committee on Agriculture.

He also read in his place and presented to the Chair Senate Bill No. 587, entitled:

An Act to further amend subsection (b) of section thirty of the act, approved the thirtieth day of March, one thousand nine hundred thirty-seven (P. L. 115), entitled "An act to provide for the permanent personal registration of electors in cities of the first class as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens, parties, bodies of electors, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commission, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, real estate brokers, rental agents, certain public service companies, persons, firms and corporations operating vehicles for moving furniture and household goods and boards of school directors; and imposing penalties," clarifying the provisions relating to the time for giving change of party enrollment notice.

Which was committed to the Committee on Elections.

Mr. HARE read in his place and presented to the Chair Senate Bill No. 588, entitled:

An Act to further amend section one thousand four hundred eighteen of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof, providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," requiring the furnishing of free transportation or board and lodging in certain cases.

Which was committed to the Committee on Education.

Mr. STEVENSON read in his place and presented to the Chair Senate Bill No. 589, entitled:

An Act to amend section five hundred twenty-three of the act, approved the first day of June, one thousand nine hundred forty-five (P. L. 1242), entitled "An act relating to roads, streets, highways and bridges; amending, revising, consolidating and changing the laws administered by the Secretary of Highways and by the Department of Highways relating thereto," providing for the sharing of the payment of the damages for changes of width, lines or grades of streets which are state highways in certain cities by the county and the Commonwealth where the city shall have limited its liability for damages.

Which was committed to the Committee on Highways.

Mr. JASPAN read in his place and presented to the Chair Senate Bill No. 590, entitled:

An Act to further amend section eight hundred two of the act, approved the twenty-eighth day of April, one thousand nine hundred thirty-seven (P. L. 417), entitled "An act relating to milk and the products thereof; creating a Milk Control Commission; establishing its jurisdiction, powers and duties; regulating the production, transportation, manufacturing, processing, storage, distribution, delivery and sale of milk and certain products thereof; providing for the licensing of milk dealers and the payment of fees therefore; requiring milk dealers to file bonds to secure payment for milk to producers and certain milk dealers; authorizing the holding of hearings and the issuance of subpoenas by the commission; conferring jurisdiction upon courts to punish contempts and to prohibit violations of this act and of rules, regulations and orders of the commission; authorizing the commission to adopt rules, regulations and orders, and to enter into interstate and Federal compacts; requiring persons who weigh, measure, sample or test milk to procure permits or certificates, to take examinations, to pay fees therefor, to furnish certain notices, records and statements, and to use certain methods of weighing, measuring, sampling and testing; authorizing the commission to examine the business, papers and premises of milk dealers and producers, requiring the keeping of records and the filing of reports by milk dealers, and permitting, with limitations, the use of information obtained thereby; authorizing the commission to fix prices for milk and certain milk products subject to the approval of the Governor, and conferring certain powers upon the Governor with respect thereto; providing for appeals to the courts from decisions of the commission, and for the burden of proof upon such appeals; prescribing penalties, fines and imprisonment for violations of this act and rules, regulations and orders of the commission; defining perjury; defining remedies; repealing legislation supplied and superseded by this act, and saving rights, duties and proceedings thereunder; and making appropriations," by requiring the commission to fix maximum prices for milk.

Which was committed to the Committee on Agriculture.

Mr. JASPAN on behalf of Messrs. BARR and FAR-

RELL read in his place and presented to the Chair Senate Bill No. 591, entitled:

An Act providing for appropriations by the Commonwealth to the Department of Health for payment to political subdivisions for the purpose of maintenance of and services to patients of tuberculosis hospitals; making certain regulations, and making an appropriations.

Which was committed to the Committee on Appropriations.

CONSIDERATION OF EXECUTIVE NOMINATIONS

UNAMINOUS CONSENT UNDER RULE 38

A motion was made by Mr. KEPHART and Mr. BERGER,

To grant unanimous consent to immediate consideration of the nominations just reported from the Committee on Executive Nominations, and the Senate do now resolve itself into Executive Session, for the purpose of acting upon the nominations reported at today's session.

Which was agreed to.

The nominations were read as follows:

JUSTICES OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 14, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following:

S. Elmore Haag, Main Street, Newfoundland, for appointment as Justice of the Peace in and for the Township of Dreher, Wayne County, until the first Monday of January, 1948, to succeed himself.

Frederick A. Holbert, 1240 Overlook Avenue, Honesdale, for appointment as Justice of the Peace in and for the Borough of Honesdale, Wayne County, until the first Monday of January, 1948, vice Robert B. Matthews, resigned.

JAMES H. DUFF.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 7, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Floyd Marsh, Route 3, Corry, Erie County, for appointment as Justice of the Peace in and for the Township of Wayne, Erie County, until the first Monday of January, 1948, to fill a vacancy.

JAMES H. DUFF.

MEMBERS OF COUNTY BOARDS OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 31, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Members of County Boards of Assistance:

ALLEGHENY COUNTY

Rev. Francis X. Foley (Democrat), Mt. Mercy College, 3333 Fifth Avenue, Pittsburgh, to serve until December 31, 1947. (Reappointment)

S. Leo Ruslander (Republican), 5301 Fair Oaks Street, Pittsburgh, to serve until December 31, 1947. (Reappointment)

Hunter Wharton (Democrat), 318 Onyx Avenue, Pittsburgh, to serve until December 31, 1949. (Reappointment)

Roy G. Bostwick, Esq. (Republican), 120 Ruskin Avenue, Pittsburgh, to serve until December 31, 1948, and until his successor is duly appointed and qualified. (Reappointment)

Frank C. McLaughlin (Republican), 230 North Dithridge Street, Pittsburgh, to serve until December 31, 1948, and until his successor is duly appointed and qualified. (Reappointment)

Frank W. Brooke (Republican), 5744 Solway Street, Pittsburgh, to serve until December 31, 1949, and until his successor is duty appointed and qualified. (Reappointment)

William Howell (Republican), 2243 Monticello Street, Pittsburgh, to serve until December 31, 1948, and until his successor is duly appointed and qualified. (Reappointment)

Mrs. Mayme Hubbard (Republican), 702 Parker Avenue, Verona, to serve until December 31, 1947, and until her successor is duly appointed and qualified. (Reappointment)

Mrs. Rosina Parfitt (Republican), 211 East 7th Avenue, Tarentum, to serve until December 31, 1949, and until her successor is duly appointed and qualified. (Reappointment)

Richard F. Watson (Republican), 3220 Grover Street, McKeesport, to serve until December 31, 1948, and until his successor is duly appointed and qualified. (Reappointment)

ARMSTRONG COUNTY

Earl D. Artman (Democrat), Ford City, to serve until December 31, 1947, and until his successor is duly appointed and qualified. (Reappointment)

Rev. Wilford O. Cross (Republican), North Water Street, Kittanning, to serve until December 31, 1949. (Reappointment)

R. J. Caretti (Republican), Kittanning, to serve until December 31, 1947, and until his successor is duly appointed and qualified. (Reappointment)

Mrs. Elizabeth Whitman (Democrat), Ford City, to serve until December 31, 1949, and until her successor is duly appointed and qualified. (Reappointment)

Todd K. Glenn (Republican), Penn-Glenn Oil Company, Leechburg, to serve until December 31, 1948, and until his successor is duly appointed and qualified. (Reappointment)

C. N. Hanner (Republican), Kittanning, to serve until December 31, 1948, and until his successor is duly appointed and qualified, vice Dr. C. M. Long, Kittanning, resigned.

BEAVER COUNTY

Mrs. Rebecca R. Brown (Republican), 228 Jefferson Street, Rochester, to serve unitl December 31, 1947. (Reappointment)

Charles L. Wright (Republican), Mercer Road, R. F. D., New Brighton, to serve until December 31, 1949. (Reappointment)

Harold C. O'Brien (Republican), Beaver, to serve until December 31, 1949, and until his successor is duly appointed and qualified. (Reappointment)

Mrs. Hazel Kenny Lucas (Democrat), Beaver Falls, to serve until December 31, 1947, and until her successor is duly appointed and qualified. (Reappointment)

Harry J. Garmen (Republican), New Brighton, to serve until December 31, 1948, and until his successor is duly appointed and qualified. (Reappointment)

BLAIR COUNTY

Mrs. Eva M. Montgomery (Republican), 5411 Fifth Avenue, Altoona, to serve until December 31, 1947. (Reappointment)

Mrs. Mary Clementine Malone (Republican), 112

Newry Street, Gaysport, Hollidaysburg, to serve until December 31, 1949. (Reappointment)

Mrs. Maude Colvin Lotz (Republican), 811 Washington Avenue, Tyrone, to serve until December 31, 1947. (Reappointment)

John B. McCullough (Republican), 1619—21st Street, Altoona, to serve until December 31, 1949. (Reappointment)

Mrs. Mary M. Morgart (Republican), 311 Main Street, Roaring Spring, to serve until December 31, 1949, and until her successor is duly appointed and qualified. (Reappointment)

CAMERON COUNTY

C. A. Casperson (Republican), Fourth Street, Emporium, to serve until December 31, 1947, and until his successor is duly appointed and qualified. (Reappointment)

V. Dale Crum (Democrat), Sinnemahoning, to serve until December 31, 1948, and until his successor is duly appointed and qualified. (Reappointment)

Dr. Gerald V. Burns (Republican), 5th Street, Emporium, to serve until December 31, 1947, and until his successor is duly appointed and qualified. (Reappointment)

Carl R. Zimmer (Republican), R. D. 1, Emporium, to serve until December 31, 1948, and until his successor is duly appointed and qualified. (Reappointment)

Meredith Barton (Republican), R. D., Emporium, to serve until December 31, 1949, and until his successor is duly appointed and qualified. (Reappointment)

Mrs. Maime Riley (Democrat), Driftwood, to serve until December 31, 1949, and until her successor is duly appointed and qualified. (Reappointment)

CHESTER COUNTY

Mrs. Eugenia Cassatt Davis (Republican), Berwyn, to serve until December 31, 1947, and until her successor is duly appointed and qualified. (Reappointment)

Mrs. Ellen W. Krauss (Republican), 421 Price Street, West Chester, to serve until December 31, 1949, and until her successor is duly appointed and qualified. (Reappointment)

Dr. J. Elmer Gotwals (Republican), 500 Gay Street, Phoenixville, to serve until December 31, 1949, and until his successor is duly appointed and qualified. (Reappointment)

CRAWFORD COUNTY

Mrs. Esta Fleming (Republican), Cochranton, to serve until December 31, 1948, and until her successor is duly appointed and qualified. (Reappointment)

Robert W. Byham (Republican), R. D 2, Guys Mills, to serve until December 31, 1948, and until his successor is duly appointed and qualified. (Reappointment)

George R. Wright (Republican), Linesville, to serve until December 31, 1947, and until his successor is duly appointed and qualified. (Reappointment)

Gerald Prather, Esq. (Republican), Masonic Building, Meadville, to serve until December 31, 1949, and until his successor is duly appointed and qualified. (Reappointment)

CUMBERLAND COUNTY

G. R. Fogelsonger (Republican), 104 North Earl Street, Shippensburg, to serve until December 31, 1947. (Reappointment)

Mrs. Louise Bentz Carroll (Republican), 54 South Pitt Street, Carlisle, to serve until December 31, 1947. (Reappointment)

James G. Haggerty (Republican), 433 Hummel Avenue, Lemoyne, to serve until December 31, 1948, and until his successor is duly appointed and qualified. (Reappointment)

Frank T. Adams (Democrat), 410 South Hanover Street, Carlisle, to serve until December 31, 1948, and until his successor is duly appointed and qualified. (Reappointment)

Mrs. Lila Landis (Republican), 430 West Main Street, Mechanicsburg, to serve until December 31, 1949, and until her successor is duly appointed and qualified. (Reappointment)

Mrs. Dorothy R. A. Rearich (Republican), 42 South Pitt Street, Carlisle, to serve until December 31, 1949, and until her successor is duly appointed and qualified. (Reappointment)

DAUPHIN COUNTY

Mrs. Mary S. Bless (Republican), 4102 Walnut Street, Colonial Park, to serve until December 31, 1948, and until her successor is duly appointed and qualified. (Reappointment)

Mrs. Bessie M. Poorman (Republican), 2d and Railroad Streets, Highspire, to serve until December 31, 1949, and until her successor is duly appointed and qualified. (Reappointment)

Fred Margerum (Republican), Elizabethville, to serve until December 31, 1948, and until his successor is duly appointed and qualified. (Reappointment)

ERIE COUNTY

John W. English Esq. (Republican), Manchester Beach, R. D. 1, North Girard, to serve until December 31, 1948 and until his successor is duly appointed and qualified. (Reappointment)

Rev. Walter B. Ohman (Non-partisan), 3819 Sassafras Street, Erie, to serve until December 31, 1949, and until his successor is duly appointed and qualified. (Reappointment)

MONTOUR COUNTY

Rev. Russell A. Pavy (Republican), 206 East Front Street, Danville, to serve until December 31, 1948, and until his successor is duly appointed and qualified. (Reappointment)

PERRY COUNTY

Edward S. Glass (Republican), Duncannon, to serve until December 31, 1947. (Reappointment)

H. R. Patterson (Republican, Landisburg, to serve until December 31, 1947, and until his successor is duly appointed and qualified. (Reappointment)

G. A. Robb (Republican), New Bloomfield, to serve until December 31, 1948, and until his successor is duly appointed and qualified. Reappointment)

Walters D. Byers (Democrat), R. D., Duncannon, to serve until December 31, 1948 and until his successor is duly appointed and qualified. (Reappointment)

John Hench (Republican), Blain, to serve until December 31, 1949, and until his successor is duly appointed and qualified, vice Mrs. Ella M. Gray, Blain, whose term expired.

Kermit M. Stover (Republican), Marysville, to serve until December 31, 1949, and until his successor is duly appointed and qualified, vice Miss Marion Shull, Newport, whose term expired.

PHILADELPHIA COUNTY

Gordon A. Hardwick (Republican), Fidelity- Philadelphia Trust Building, Philadelphia, to serve until December 31, 1947, and until his successor is duly appointed and qualified, to fill a vacancy.

George Spoerhase (Republican), Fairfax Apartments, 43rd and Locust Streets, Philadelphia, to serve until December 31, 1948, and until his successor is duly appointed and qualified, to fill a vacancy.

Glendon T. Tongue (Republican), 987 Harrison Street, Philadelphia, to serve until December 31, 1949, and until his successor is duly appointed and qualified, to fill a vacancy.

PIKE COUNTY

Frank T. Heller (Democrat), Bushkill, to serve until December 31, 1948, and until his successor is duly appointed and qualified. (Reappointment)

George V. Thompson (Republican), Milford, to serve until December 31, 1948. (Reappointment)

SNYDER COUNTY

Charles F. Wagner (Republican, McClure, to serve until December 31, 1947. (Reappointment)

G. A. Rhoads (Republican), Shamokin Dam, to serve until December 31, 1947. (Reappointment)

J. Barner Rine (Democrat), Beavertown, to serve until December 31, 1949. (Reappointment)

Harry R. Ritter (Republican), Middleburg, to serve until December 31, 1948, and until his successor is duly appointed and qualified. (Reappointment)

Fred G. VanKirk (Republican), R. D., Selinsgrove, to serve until December 31, 1948, and until his successor is duly appointed and qualified. (Reappointment)

JAMES H. DUFF.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 14, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Members of County Boards of Assistance:

ADAMS COUNTY

William Sneeringer (Democrat), Littlestown, to serve until December 31, 1947, and until his successor is duly appointed and qualified, vice J. Hayes Beard, Gettysburg, deceased.

BLAIR COUNTY

Mrs. Virgie M. Cowan (Republican), Claysburg, to serve until December 31, 1948, and until her successor is duly appointed and qualified, vice Mrs. Lucretia Lingenfelter Black, Claysburg, deceased.

BUCKS COUNTY

Mrs. Lillian Williams (Republican), Bellevue and Fairview Avenues, Langhorne, from January 3, 1946, until December 31, 1947.

Mrs. Marion G. Hartzel (Republican), Chalfont, from January 1, 1947, until December 31, 1949.

Mrs. Adele Warden Paxson (Republican), Holicong, from January 3, 1946, until December 31, 1948.

Mrs. Esther Foellner (Democrat), Revere, from August 12, 1946, until December 31, 1948, and until her successor is duly appointed and qualified.

Raymond D. Bitzer (Republican), Doylestown, from October 28, 1946, until December 31, 1947, and until his successor is duly appointed and qualified.

Mrs. Eligabeth N. Lynch (Republican), Davisville from January 1, 1947, until December 31, 1949, and until her successor is duly appointed and qualified.

Mrs. Violet Hunsberger (Republican), 19 South 6th Street, Quakertown, from January 1, 1947, until December 31, 1949, and until her successor is duly appointed and qualified.

BUTLER COUNTY

R. J. Ferguson (Republican), 330 East Pearl Street, Butler, from May 8, 1945, until December 31, 1947.

Mrs. Rebekah Cypher (Republican), 530 East Brady Street, Butler, from May 8, 1945, until December 31, 1947, and until her successor is duly appointed and qualified.

Finley J. Hawk (Democrat), Petrolia, from January 1, 1947, until December 31, 1949.

Gerald E. McCandless (Republican), R. D. No. 1, Butler, from October 14, 1946, until December 31, 1948, and until his successor is duly appointed and qualified.

Mrs. Madge S. McMichael (Republican), 514 North Main Street, Butler, from October 14, 1946, until December 31, 1948, and until her successor is duly appointed and qualified.

Glenn D. Cramer (Republican), R. D. 1, Sarver, from January 1, 1947, until December 31, 1949, and until his successor is duly appointed and qualified.

CARBON COUNTY

Roy Remaley (Republican), 10 South Pine Street, Summit Hill, from January 3, 1946, until December 31, 1948, and until his successor is duly appointed and qualified.

George M. D. Richards, Esq., (Republican), 107 East Patterson Street, Lansford, to serve until December 31, 1949, and until his successor is duly appointed and qualified, vice George H. Miten, Lansford, whose term expired.

John A. Marzen (Democrat), East Mauch Chunk, to serve until December 31, 1948, and until his successor is duly appointed and qualified, vice Michael E. McGinley, East Mauch Chunk, deceased.

CENTRE COUNTY

Newton Hartswick (Republican), 523 North Allen Street, State College, from November 18, 1946, until December 31, 1947.

James H. Holmes (Republican), 805 West College Avenue, State College, from November 18, 1946, until December 31, 1947.

Rev. Charles W. Maclay (Republican), 509 Presqueisle Street, Philipsburg, from November 18, 1946, until December 31, 1948.

George Vonada (Democrat), Zion, Bellefonte, from April 15, 1946, until December 31, 1948, and until his successor is duly appointed and qualified.

J. M. Curtin (Republican), West Curtin Street, Bellefonte, from January 1, 1947, until December 31, 1949, and until his successor is duly appointed and qualified.

Rev. J. S. Shannon (Republican), Millheim, from January 1, 1947, until December 31, 1949, and until his successor is duly appointed and qualified.

CLARION COUNTY

Evans Jay Miller (Democrat), Knox, from January 7, 1946, until December 31, 1948, and until his successor is duly appointed and qualified,

William Clair Elliot (Republican), Sligo, from January 7, 1946, until December 31, 1948, and until his successor is duly appointed and qualified.

Dr. H. M. Wellman (Republican), St. Petersburg, from January 1, 1947, until December 31, 1949, and until his successor is duly appointed and qualified.

Mrs. Edna M. Seifert (Republican), New Bethlehem, from January 1, 1947, until December 31, 1949, and until her successor is duly appointed and qualified.

Mrs. Lulu A. Walley (Republican), Crown, from January 1, 1947, until December 31, 1949, and until her successor is duly appointed and qualified.

CLEARFIELD COUNTY

T. R. McCracken (Democrat), Mahaffey, from January 3, 1946, until December 31, 1948.

S. T. McClure (Republican), 11 West Front Street, Clearfield, from December 27, 1945, until December 31, 1947, and until his successor is duly appointed and qualified.

M. L. Silberblatt (Republican), 105 South 2d Street, Clearfield, from December 27, 1945, until December 31, 1947, and until his successor is duly appointed and qualified.

Mrs. Letita Good (Republican), 609 Lingle Street, Osceola Mills, from January 1, 1947, until December 31, 1949, and until her successor is duly appointed and qualified.

Raymond J. Swallow (Republican), Day Apartments, South Brady Street, DuBois, from January 3, 1946, until December 31, 1948, and until his successor is duly appointed and qualified.

Rev. Ezra Floyd Pearce (Republican), Burnside, from January 1, 1947, until December 31, 1949, and until his successor is duly appointed and qualified.

Glenn H. Flickinger (Republican), Coalport, from January 1, 1947, until December 31, 1949, and until his successor is duly appointed and qualified.

CLINTON COUNTY

John A. Frey (Democrat), 445 Church Street, Lock Haven, from January 8, 1946, until December 31, 1948, and until his successor is duly appointed and qualified.

Mrs. Dorothy F. Kephart (Republican), Main Street, Mill Hall, to serve until December 31, 1948, and until her successor is duly appointed and qualified, vice Ralph Welshans, Loganton, whose term expired.

DELAWARE COUNTY

Howard R. Palmer (Democrat), 303 East 19th Street, Chester, to serve until December 31, 1949, and until his successor is duly appointed and qualified, vice Harry Deakyne, Chester, deceased.

ERIE COUNTY

Miss Laura Jane Linnell (Republican), 3944 Wood Street, Erie to serve until December 31, 1949, and until her successor is duly appointed and qualified, vice Mrs. Rachel Spencer, Erie, whose term expired.

FAYETTE COUNTY

John Farrell (Republican), Uniontown Hospital, Uniontown, from March 21, 1946, until December 31, 1947.

Mrs. Louise L. Whipp (Republican), 319 Railroad Street, Point Marion, from March 21, 1946, until December 31, 1948.

J. Alfred Baer (Republican), Masontown, from March 21, 1946, until December 31, 1947, and until his successor is duly appointed and qualified.

Mrs. Elizabeth B. Hood (Republican), 173 South Beeson Avenue, Uniontown, from January 1, 1947, until December 31, 1949, and until her successor is duly appointed and qualified.

Homer Wolford (Republican), 120 Angle Street, Brownsville, from March 21, 1946, until December 31, 1948, and until his successor is duly appointed and qualified.

Stewart M. DeHuff (Republican), 1206 Race Street, Connellsville, from January 1, 1947, until December 31, 1949, and until his successor is duly appointed and qualified.

FULTON COUNTY

Roy W. Layton (Republican), Warfordsburg, from February 13, 1946, until December 31, 1947, and until his successor is duly appointed and qualified.

Wilson Nace (Republican), McConnellsburg, from February 13, 1946, until December 31, 1947, and until his successor is duly appointed and qualified.

J. Campbell Patterson (Republican), McConnellsburg, from February 13, 1946, until December 31, 1948, and until his successor is duly appointed and qualified.

Miss Martha Lodge (Democrat), McConnellsburg, from January 1, 1947, until December 31, 1949, and until her successor is duly appointed and qualified.

Rev. David Hoover (Republican), McConnellsburg, from May 6, 1946, until December 31, 1948, and until his successor is duly appointed and qualified.

S. Logue Wink (Republican), Needmore, from January 1, 1947, until December 31, 1949, and until his successor is duly appointed and qualified.

Ralph Fraker (Republican), Fort Littleton, from January 1, 1947, until December 31, 1949, and until his successor is duly appointed and qualified.

LACKAWANA COUNTY

Dr. John M. Maloney (Democrat), 1614 Jefferson Avenue, Dunmore, from July 29, 1946, until December 31, 1948, and until his successor is duly appointed and qualified.

LANCASTER COUNTY

Mrs. Irene Weidman (Republican), 113 East Main Street, Ephrata, from January 3, 1946, until December 31, 1948.

Francis P. Sharpless (Republican), 585 School Lane, Lancaster, from December 17, 1945, until December 31, 1947, and until his successor is duly appointed and qualified.

Clifford B. Wightman (Republican), 977 Pleasure Road, Lancaster, from December 17, 1945, until December 31, 1947, and until his successor is duly appointed and qualified.

Mrs. Carey Foltz (Democrat), Kinzers, from December 18, 1946, until December 31, 1948, and until her successor is duly appointed and qualified.

Douglas W. Darmstetter (Republican), 1311 Clayton Road, Lancaster, from January 1, 1947, until December 31, 1949, and until his successor is duly appointed and qualified.

Mrs. Anna G Hicks (Republican), Maytown, from January 1, 1947, until December 31, 1949, and until her successor is duly appointed and qualified.

LEBANON COUNTY

Lloyd W. Boyer (Republican), 340 South 8th Street, Lebanon, from May 8, 1946, until December 31, 1947.

Earnest Williams (Republican), Annville, from May 8, 1946, until December 31, 1947, and until his successor is duly appointed and qualified.

Rev. David Lockart (Republican), 304 West Main Street, Myerstown, from January 1, 1947, until December 31, 1949.

Clayton R. Boltz (Democrat), Lancaster Street, Jonestown, from May 8, 1946, until December 31, 1948, and until his successor is duly appointed and qualified.

Mrs. Merle Albert (Republican), 204 High Street, Lebanon, from May 8, 1946, until December 31, 1948, and until her successor is duly appointed and qualified.

Raymond J. Coleman (Republican), 302 Park Avenue, Lebanon, from January 1, 1947, until December 31, 1949, and until his successor is duly appointed and qualified.

Mrs. Margaret M. Walter (Republican), 1800 West Cumberland Street, Lebanon, to serve until December 31, 1949, and until her successor is duly appointed and qualified, vice Mrs. Mabel G. Seltzer, Palmyra, resigned.

LUZERNE COUNTY

John A. Carroll (Democrat), 144 East State Street, Larksville, Wilkes-Barre, from November 26, 1946, until December 31, 1948, and until his successor is duly appointed and qualified.

Hyman Landau (Republican), 470 South Franklin Street, Wilkes-Barre from November 26, 1946, until December 31, 1948, and until his successor is duly appointed and qualified.

Edward J. Evans (Republican), 59 Pierce Street, Kingston, from November 26, 1946, until December 31, 1947, and until his successor is duly appointed and qualified.

Mrs. Kate Jenkins (Republican), 66 South Meade Street, Wilkes-Barre, from January 1, 1947, until December 31, 1949, and until her successor is duly appointed and qualified.

LYCOMING COUNTY

Dr. Stuart B. Gibson (Republican), 416 Pine Street, Williamsport, from January 3, 1946, until December 31, 1947.

Rev. J. Ray Houser (Democrat), 28 Huffman Avenue, Williamsport, from Jenuary 1, 1947, until December 31, 1949.

Dr. John E. Whittaker (Republican), 334 Lincoln Avenue, Williamsport, from January 3, 1946, until December 31, 1947, and until his successor is duly appointed and qualified.

Mrs. Mary Fisher Gleason (Republican), 348 Washington Avenue, Jersey Shore, from January 3, 1946, until December 31, 1948, and until her successor is duly appointed and qualified.

Berton C. Hunsinger (Republican), 607 Poplar Street, Williamsport, from January 3, 1946, until December 31, 1948, and until his successor is duly appointed and qualified.

Mrs. Grace M. Soars (Republican), 229 West Penn

Street, Muncy, from January 1, 1947, until December 31, 1949, and until her successor is duly appointed and qualified.

Mrs. Clarinda P. Reighard (Republican), 409 Hawthorne Avenue, Williamsport, to serve until December 31, 1949, and until her successor is duly appointed and qualified, vice William H. Hough, Williamsport, resigned.

MIFFLIN COUNTY

John D. Tyson (Republican), Burnham, from January 8, 1946, until December 31, 1948, and until his successor is duly appointed and qualified.

Jay M. Riden (Republican), 515 Lindbergh Way, Lewistown, from January 1, 1947, until December 31, 1949, and until his successor is duly appointed and qualified.

Mrs. Catherine Saxton (Republican), 218 North Grand Street, Lewistown, to serve until December 31, 1949, and until her successor is duly appointed and qualified, vice Mrs. Gertrude Silcox, Lewistown, resigned.

NORTHAMPTON COUNTY

Hon. Henry A. Miller (Republican), 2012 Main Street, Northampton, from May 9, 1945, until December 31, 1947.

Arthur Stoddard (Republican), 60 North 3d Street, Bangor, from May 9, 1945, until December 31, 1947.

Mrs. Emilie Walls (Democrat), 50 East Market Street, Bethlehem, from January 21, 1946, until December 31, 1948, and until her successor is duly appointed and qualified.

Rabbi Joshua Trachtenberg (Independent), 110 Parker Avenue, Easton, from January 21, 1946, until December 31, 1948, and until his successor is duly appointed and qualified.

Roy D. Hassler (Republican), 1465 Main Street, Bethlehem, from January 1, 1947, until December 31, 1949, and until his successor is duly appointed and qualified.

Harry J. Seyfried (Republican), 121 Belvidere Avenue, Nazareth, from January 1, 1947, until December 31, 1949, and until his successor is duly appointed and qualified.

Francis J. Gafford (Republican), 1504 Ferry Street, Easton, from January 1, 1947, until December 31, 1949, and until his successor is duly appointed and qualified.

NORTHUMBERLAND COUNTY

Mrs. Natalie Swaboski (Republican), 327 South Poplar Street, Mt. Carmel, from January 15, 1946, until December 31, 1948, and until her successor is duly appointed and qualified.

Dr. Joseph T. Wasilewski (Democrat), 856 Chestnut Street, Kulpmont, from January 15, 1946, until December 31, 1948.

POTTER COUNTY

E. P. Huntington (Republican), Coudersport, from January 1, 1947, until December 31, 1949, and until his successor is duly appointed and qualified.

John Beckman (Democrat), Coudersport, from January 1, 1947, until December 31, 1949, and until his successor is duly appointed and qualified.

SULLIVAN COUNTY

Harry Haywood (Republican), Eagles Mere, to serve until December 31, 1949, and until his successor is duly appointed and qualified, vice J. H. Dieffenbach, Colley, whose term expired.

Miss Anne Yarosh (Republican), Lopez, to serve until December 31, 1949, and until her successor is duly appointed and qualified, vice Edward M. Williams, Wheelerville, whose term expired.

Mrs. Mary L Hertz (Democrat), Sonestown, to serve until December 31, 1948, and until her successor is duly appointed and qualified, vice Mrs. Marie Hydock, Sonestown, whose term expired.

Mrs. Susan Morgan (Republican), Wheelerville, to serve until December 31, 1949, and until her successor is duly appointed and qualified, vice Edward B. Wright, Forksville, whose term expired.

Mrs. Marie Kanally (Republican), Hillsgrove, to serve until December 31, 1947, and until her successor is duly appointed and qualified, to fill a vacancy.

Frank J. Bendinsky (Republican), Mildred, from January 8, 1946, until December 31, 1948, and until his successor is duly appointed and qualified.

SUSQUEHANNA COUNTY

A. D. Kehren (Republican), 735 North Main Street, Forest City, from December 18, 1945, until December 31, 1947.

Byron Benninger (Republican), Dimock, from December 18, 1945, until December 31, 1947, and until his successor is duly appointed and qualified.

Mrs. Elizabeth Mack (Republican), Montrose, from January 3, 1946, until December 31, 1948, and until her successor is duly appointed and qualified.

Mrs. Elizabeth Shinners (Democrat), Franklin Street, Great Bend, from January 3, 1946, until December 31, 1948, and until her successor is duly appointed and qualified.

Mark B. Lake (Republican), South Montrose, to serve until December 31, 1949, and until his successor is duly appointed and qualified. (Reappointment)

Edmund J. Tierney (Republican), 502 Jackson Avenue, Susquehanna, from January 1, 1947, until December 31, 1949, and until his successor is duly appointed and qualified.

Mrs. Cecile H. Coleman (Democrat), Rushville, from January 1, 1947, until December 31, 1949, and until her successor is duly appointed and qualified.

UNION COUNTY

Hon. Robert Smith (Republican), R. D. Millmont, from December 18, 1945, until December 31, 1947, and until his successor is duly appointed and qualified.

Alvah D. Campbell (Republican), Box 28, Allenwood, from December 18, 1945, until December 31, 1947, and until his successor is duly appointed and qualified.

Hon. Frank L. Dersham (Democrat), 222 Market Street, Lewisburg from January 1, 1947, until December 31, 1949.

Mrs. Laura M. Von Neida (Republican), Laurelton, from January 3, 1946, until December 31, 1948.

Mrs. Mae Gardner (Republican), R. F. D. No. 2, Mifflinburg, from January 3, 1946, until December 31, 1948, and until her successor is duly appointed and qualified.

Robert V. Glover (Republican), Mifflinburg, from January 1, 1947, until December 31, 1949, and until his successor is duly appointed and qualified.

Mrs. Esther G. Sauvain (Republican), 1413 Market Street, Lewisburg, from January 1, 1947, until December 31, 1949, and until her successor is duly appointed and qualified.

VENANGO COUNTY

H. Carl Wasson (Republican), 1528 Elk Street, Franklin, from February 25, 1946, until December 31, 1947.

E. H. Messer (Democrat), 23 Smedley Street, Oil City, from February 25, 1946, until December 31, 1947, and until his successor is duly appointed and qualified.

Mrs. Dorothy Koch Owens (Republican), 946 Elk Street, Franklin, from January 1, 1947, until December 31, 1949, and until her successor is duly appointed and qualified.

Leo M. Brewster, Esq., (Republican), 103 Harriott Avenue, Oil City, from January 1, 1947, until December 31, 1949, and until his successor is duly appointed and qualified.

WARREN COUNTY

Mrs. Marjorie Finlan (Democrat), Youngsville, from November 18, 1946, until December 31, 1948, and until her successor is duly appointed and qualified.

Mrs. Anna Hertzel (Republican), 400 Fifth Avenue, Warren, from January 1, 1947, until December 31, 1949, and until her successor is duly appointed and qualified.

Henry McConnell (Republican), 606 Market Street,

Warren, from January 1, 1947, until December 31, 1949, and until his successor is duly appointed and qualified.

R. Pierson Eaton, Esq., (Republican), Warren National Bank Building, Warren, from Jenuary 1, 1947, until December 31, 1949, and until his successor is duly appointed and qualified.

WAYNE COUNTY

Mrs. Gladys Herrman (Democrat), 108 Cliff Street, Honesdale, from January 1, 1947, until December 31, 1949.

Millard Transue (Republican), Orson, from November 26, 1946, until December 31, 1948, and until his successor is duly appointed and qualified.

Mrs. Catherine Hippensteel (Republican), Park Street, Honesdale, from October 11, 1946, until December 31, 1948, and until her successor is duly appointed and qualified.

John E. Bigart (Republican), Lake Ariel, from January 1, 1947, until December 31, 1949, and until his successor is duly appointed and qualified.

Miles Young (Republican), Damascus Township, Wayne County, R. D., Narrowsburg, New York, from December 31, 1946, until December 31, 1947, and until his successor is duly appointed and qualified.

Mrs. Beulah Fortnam (Republican), Tyler Hill, from January 1, 1947, until December 31, 1949, and until her successor is duly appointed and qualified.

JAMES H. DUFF.

Whereupon,

A motion was made by Mr. KEPHART and Mr. BERGER,

That the Senate do advise and consent to the nominations reported.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Geltz,	Lord,	Tarr,
Berger,	Haluska,	Mahany,	Taylor,
Blass,	Hare,	Mallery,	Tyler,
Carr,	Heyburn,	Margie,	Wade,
Chapman,	Holland,	Rahauser,	Wagner,
Crider,	Homsher,	Rosenfeld,	Walker,
Crowe,	Jaspan,	Ruth,	Watson,
Dent,	Kephart	Scarlett,	Wilson,
DiSilvestro	Klein,	Snowden,	Wolfe,
Doehla,	Lane,	Stevenson,	Wood, L. H.,
Donlan,	Leader,	Stiefel,	Wood, T. N.,
Farrell,	Letzler,	Tallman,	Woodring,
Frazier,			

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

EXECUTIVE SESSION RISES

Mr. KEPHART. Mr. President, I move that the Executive Session do now rise.

Mr. BERGER. Mr. President, I second the motion.

The motion was agreed to.

CALENDAR

BILLS ON FINAL PASSAGE CALENDAR

BILLS ON FINAL PASSAGE

Agreeably to order,

The Senate resumed the consideration of House Bill No. 237, as follows:

An Act to amend sections one thousand seventeen and one thousand two hundred seven of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" removing the maximum and minimum limits on salaries of councilmen and mayors

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections one thousand seventeen and one thousand two hundred seven of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" are hereby amended to read as follows

Section 1017 Salaries Councilmen shall receive for their services during their term of service annual salaries to be fixed by ordinance payable in monthly or semi-monthly instalments Councils may by the ordinance fixing said salaries provide for the assessment and retention therefrom of reasonable fines for absence from regular or special meetings of council or councilmanic committees [The salary paid to any councilman shall not be less than two hundred and fifty dollars per year] [nor more than four thousand five hundred dollars per year] For the term of city councilmen in newly created cities and until thereafter changed by ordinance the salary of each councilman shall be as follows

In cities of fifteen thousand inhabitants or under by the last United States census each councilman shall receive a salary of four hundred and fifty-dollars per annum where said population is between fifteen thousand and thirty thousand eleven hundred and twenty-five dollars per annum in cities having a population above thirty thousand and not exceeding fifty thousand three thousand dollars per annum in cities having a population of over fifty thousand and not exceeding seventy thousand three thousand seven hundred and fifty dollars per annum in cities having a population of over seventy thousand four thousand five hundred dollars per annum The compensation to be received by councilmen shall not be increased or diminished after their election but succeeding councils may change all compensation said change to take effect as to councilmen elected after such change of salaries has been made

Section 1207 Salary The mayor of each city shall receive for his services during the term of service an annual salary to be fixed by ordinance payable in monthly instalments The council shall by ordinance fix the amount of salary to be paid to the mayor for his services and may provide for the assessment and retention therefrom of reasonable fines for absence from regular or special meetings of council or councilmanic committees [The amount of salary in cities shall not be less than five hundred dollars] [nor more than five thousand two hundred and fifty dollars per year] Until changed by ordinance the salary of mayors in newly created cities shall be as follows In cities having a population of fifteen thousand or under by the last United States census five hundred dollars per annum in cities having a population of over fifteen thousand and less than thirty thousand inhabitants one thousand two hundred dollars per annum in cities having a population exceeding thirty thousand and not exceeding fifty thousand inhabitants two thousand five hundred and fifty dollars per annum in cities having a population of over fifty thousand and not exceeding seventy thousand inhabitants three thousand dollars per annum in cities having a population of over seventy thousand inhabitants three thousand five hundred dollars per annum

The amount of compensation for the mayor in any of the said cities shall not be increased or diminished after his election Succeeding councils may change the amount of such compensation but such change shall not affect the compensation of the mayor then in office or elected and not inaugurated

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Geltz,	Lord,	Tarr,
Berger,	Haluska,	Mahany,	Taylor,
Blass,	Hare,	Mallery,	Tyler,
Carr,	Heyburn,	Margie,	Wade,
Chapman,	Holland,	Rahauser,	Wagner,
Crider,	Homsher,	Rosenfeld,	Walker,
Crowe,	Jaspan,	Ruth,	Watson,
Dent,	Kephart,	Scarlett,	Wilson,
DiSilvestro,	Klein,	Snowden,	Wolfe,
Doehla,	Lane,	Stevenson,	Wood, L. H.,
Donlan,	Leader,	Stiefel	Wood, T. N.,
Farrell,	Letzler,	Tallman,	Woodring,
Frazier,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 408, as follows:

An Act authorizing the Pennsylvania Historical and Museum Commission to accept on behalf of the Commonwealth certain real estate comprising the Crispin Cemetery in Philadelphia and providing for its restoration and maintenance as an historic shrine

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Pennsylvania Historical and Museum Commission is hereby authorized and empowered to accept on behalf of the Commonwealth the one acre or more or less of land on Holme Avenue Boulevard in the city of Philadelphia comprising the Crispin Cemetery in which lie buried the remains of the descendant of Thomas Holme and Captain William Crispin direct descendents of Captain Giles Penn the grandfather of William Penn Captain William Crispin was appointed by William Penn to head a commission of four for settling the Colony of Pennsylvania and as the first Chief Justice of the colony Thomas Holme as the first Surveyor General of the colony laid out the plan of the city of Philadelphia

Section 2 The title to said real estate shall be taken in the name of the Commonwealth and shall before its acquisition be approved by the Department of Justice

Section 3 Upon acquiring the property the Pennsylvania Historical and Museum Commission shall be charged with the restoration and maintenance thereof and shall have full control supervision and management thereof in accordance with the provisions of the Administrative Code of 1929

Section 4 The sum of five thousand dollars ($5000) or as much thereof as may be necessary is hereby appropriated to the Pennsylvania Historical and Museum Commission for the two fiscal years beginning the first day of June one thousand nine hundred forty-seven for the purpose of restoring and maintaining the Crispin Cemetery

Section 5 The provisions of this act shall become effective the first day of June one thousand nine hundred forty-seven

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Geltz,	Lord,	Tarr,
Berger,	Haluska,	Mahany,	Taylor,
Blass,	Hare,	Mallery,	Tyler,
Carr,	Heyburn,	Margie,	Wade,
Chapman,	Holland,	Rahauser,	Wagner,
Crider,	Homsher,	Rosenfeld,	Walker,
Crowe,	Jaspan,	Ruth,	Watson,
Dent,	Kephart,	Scarlett,	Wilson,
DiSilvestro,	Klein,	Snowden,	Wolfe,
Doehla,	Lane,	Stevenson,	Wood, L. H.,
Donlan,	Leader,	Stiefel,	Wood, T. N.,
Farrell,	Letzler,	Tallman,	Woodring,
Frazier,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS ON THIRD READING CALENDAR

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 72, on third reading, entitled

An Act to further amend section three hundred twenty of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," by providing for the payment of retirement allowances to widows of deceased county employes and for crediting employes with time spent in military service, in counties, of the second class.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 135, as follows:

An Act to amend sections one thousand three and one thousand one hundred ten of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" changing method of determining priority of political parties on ballot

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections one thousand three and one thousand one hundred ten of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general mu-

nicipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" are hereby amended to read as follows

Section 1003 Form of Official Election Ballot

(a) The official ballots for general municipal and special elections shall be in substantially the following form

Official Ballot

.....District .....Ward City of .....
County of .....State of Pennsylvania
.....Election held on the .....day of ..... 19....
A cross mark (X) in the square opposite the name of any candidate indicates a vote for the candidate

To vote a straight party ticket mark a cross (X) in the square in the Party Column opposite the name of the party of your choice To vote for an individual candidate of another party after making a mark in the party square mark a cross (X) opposite his name For an office where more than one candidate is to be voted for the voter after marking in the party square may divide his vote by marking a cross (X) to the right of each candidate for whom he or she desires to vote For such office votes shall not be counted for candidates not individually marked

To vote for a person whose name is not on the ballot write or paste his name in the blank space provided for that purpose A cross mark in the square opposite the names of the candidates of any party for President and Vice-President of the United States indicates a vote for all the candidates of that party for presidential elector To vote for individual candidates for presidential elector write or paste their names in the blank spaces provided for the purpose under the title "Presidential Electors" Use only pencil or indelible pencil

Party Column	Presidential Electors
To Vote a Straight Party Ticket Mark a Cross (X) in this Column	(Vote for the candidates of one party for President and Vice-President or inset the names of candidates)
Democratic	For John Stiles and Richard Doe Democratic .....
Republican	For John Doe and Richard Roe Republican .....
Socialist	For John Smith and William Jones Socialist .....
Citizens	

United States Senator
(Vote for one)

Richard Roe .....Democratic
John Doe .....Republican
Richard Stiles .....Socialist

Governor
(Vote for one)

Richard Roe .....Democratic
John Doe .....Republican
Richard Stiles .....Socialist

Representatives in Congress .....District
(Vote for one)

Richard Roe .....Democratic
John Doe .....Republican
Richard Stiles .....Socialist

Senator in the General Assembly
.....District
(Vote for one)

John Doe .....Democratic
Richard Roe .....Republican

(b) On the back of each ballot shall be printed in prominent type the words "Official Ballot" followed by the designation of the election district for which it is prepared the date of the election and the facsimile signatures of the members of the county board of elections The names of candidates shall be arranged under the title of the office for which they are candidates and shall be printed thereunder in the order of the votes obtained by [the presidential electors of] the parties or bodies [nominating] at the last [presidential] gubernatorial election beginning with the party obtaining the highest number of votes Provided however That in the case of parties or bodies not represented on the ballot at the last [presidential] gubernatorial election the names of the candidates of such parties shall be arranged alphabetically according to the party name or political appellation In the case of offices for which two or more candidates are to be voted for the candidates of each party shall be arranged together in the order of the number of votes obtained by them at the primary beginning with the candidates obtaining the highest number of votes and the candidates of each political body shall be arranged in the order in which their names were placed in their nomination paper Opposite or under the name of each candidate shall be printed the name or appellation of the political party or political body nominating him and at the right of such name or appellation there shall be a square of sufficient size for the convenient insertion of a cross mark

(c) When presidential electors are to be elected their names shall not be printed upon the ballot but in lieu thereof the names of the candidates of their respective parties or political bodies for President and Vice-President of the United States shall be printed together in pairs under the title "Presidential Electors" All ballots marked for the candidates for President and Vice-President of a party or political body shall be counted as votes for each candidate for presidential elector of such party or political body

(d) Whenever any candidate shall receive more than one nomination for the same office his name shall be printed once and the names of each political party so nominating him shall be printed opposite the name of such candidate arranged in the same order as candidates names are required to be arranged At the right of every name or appellation shall be a square of sufficient size for the convenient insertion of a cross mark

(e) There shall be left at the end of the group of candidates for President and Vice-President of the United States under the title "Presidential Electors" as many blank spaces as there are presidential electors to be elected in which spaces the elector may insert the names of any individual candidates for presidential electors for whom he desires to vote There shall also be left at the end of each group of candidates for each other office (or under the title of the office itself in case no candidates have been nominated therefor) as many blank spaces as there are persons to be voted for for such office in which space the elector may insert the name of any person or persons whose name is not printed on the ballot as a candidate for such office

(f) In order that each elector may have the opportunity of designating his choice for all the candidates nominated by one political party or political body there shall be printed on the extreme left of the ballot and separated from the rest of the ballot by a space of at least one-half inch a list of the names of all the political parties or

political bodies represented on such ballot which have nominated candidates to be voted for at such election Such names shall be arranged in the order of the votes obtained at the last [presidential] gubernatorial election by the [presidential electors] candidate for Governor of the parties or bodies nominating beginning with the party that received the highest number of votes cast Following the names of such political parties and political bodies shall be the names of the parties and bodies not represented on the ballot at the last [presidential] gubernatorial election arranged alphabetically according to the party name or appellation A square of sufficient size for the convenient insertion of a cross mark shall be placed at the right of each party name or appellation

(g) The official ballots shall vary in form only as the names of districts offices candidates or the provisions of this act may require When constitutional amendments or or other questions are submitted to a vote of the electors each amendment or other question so submitted may be printed upon the ballot below the groups of candidates for the various offices and when required by law shall be so printed Constitutional amendments so submitted shall be printed in brief form to be determined by the Secretary of the Commonwealth and other questions so submitted shall be printed in brief form to be determined by the Secretary of the Commonwealth in the case of questions to be voted on by the electors of the State at large and by the county boards in other cases To the right of each question there shall be placed the words "yes" and "no" together with appropriate squares to the right of each for the convenient insertion of a cross mark

Section 1110 Form of Ballot Labels on Voting Machines

(a) The papers cards or strips enclosed within the ballot frame or frames of any voting machine and containing the names of a candidate or candidates or political party or the statement of a question to be voted upon hereinafter referred to as ballot labels shall be printed in black ink upon clear white material of such size as will fit the ballot frame and in plain clear type so as to be easily readable by persons with normal vision

(b) If the construction of the machine shall require it the ballot label for each candidate group of candiates political party or question to be voted on shall bear the designating letter or number of the counter on the voting machine which will register or record votes therefor Each question to be voted on shall appear on the ballot labels in brief form of not more than seventy-five words to be determined by the Secretary of the Commonwealth in the case of constitutional amendments or other questions to be voted on by the electors of the State at large and by the county election board in other cases

(c) The ballot label for each candidate or group of candidates nominated or seeking nomination by a political party shall contain the name or designation of the political party

(d) The titles of office may be arranged horizontally or vertically with the names of candidates for an office arranged transversely under or opposite the title of the office

(e) The names of all candidates nominated or seeking nomination by a political party shall appear in adjacent rows or columns containing generally the names of candidates nominated or seeking nomination by such party provided that the names of individual candidates for presidential elector shall not appear upon the ballot labels but in lieu thereof the names of the candidates of said party for President and Vice-President shall be printed on a single ballot label together with the name of said party

(f) When the same person has been nominated for the same office by more than one political party his name shall appear in the rows or columns containing generally the names of candidates nominated by each such party his position in such rows or columns to be determined by the number of votes he received at the primary in the party entitled to priority on the ballot as determined by the votes obtained in the State at the last [presidential] gubernatorial election by the [candidates for presidential electors] candidate for Governor

(g) The form and arrangement of ballot labels shall be prepared by the county election board and submitted by said board to the Secretary of the Commonwealth for approval If the Secretary of the Commonwealth shall approve the form and arrangement submitted the county election board shall procure such further copies of the same as may be necessary at the cost of the county If the Secretary of the Commonwealth shall disapprove the form and arrangement of ballot labels submitted he shall indicate the changes to be made and the county election board after having made the changes indicated by the Secretary of the Commonwealth shall procure further copies of the same as may be necessary at the cost of the county

(h) The names of all candidates of a political party shall appear in the same row or column and no other name shall appear in the same row or column to the left or top of which shall be a straight party lever by means of which an elector may in one operation vote for all the candidates of that political party for every office to be voted for The names of such candidates shall be arranged under or opposite the title of the office for which they are candidates and shall appear in the order of the votes obtained by the [presidential electors] candidate for Governor of the party nominated at the last [presidential] gubernatorial election beginning with the party obtaining the highest number of votes Provided however That in the case of parties or bodies not represented on the ballot at the last [presidential] gubernatorial election the names of the candidates of such parties shall be arranged alphabetically according to the party or body name The names of all candidates of a political body shall appear in the same row or column and if the number of parties and bodies permits each political body shall be entitled exclusively to a separate row or column with a straight party lever If however the number of political parties and political bodies renders it impossible or impracticable to so arrange the political bodies in such case said bodies shall not be entitled to a separate row or column and a straight party lever but shall be listed by political appellations on the first left hand or top row with the designating letter and number of the ballot label where their candidates may be found together with the political appellations of other political bodies whose candidates may be interspersed on the same row or column Subject to the aforesaid limitations the form and arrangement of ballot labels as to the placing thereon of political bodies shall be within the discretion of the county board

(i) In primary elections the ballot labels containing the names of candidates seeking nomination by a political party shall be segregated on the face of the machine in adjacent rows or columns by parties the priority of such political parties on the ballot labels to be determined in the same manner as provided for determining priority on paper ballots in section 1003 (f) herein

(j) In primary elections if it shall be impossible or impracticable to place on the ballot labels of one machine the names of all candidates seeking nomination in all political parties the county election board may arrange for each district the names of the candidates on separate voting machines Provided however That the names of all the candidates seeking nomination in any one political party shall appear on one machine

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

Mr. WOODRING. Mr. President, I have seen a lot of good and bad legislation on the calendar of the Senate of Pennsylvania and for the most part I sit back and vote "aye" or "nay", as the case may be, to express my pleasure or displeasure.

I do not think many votes have ever been changed in debate on the Senate floor and I do not expect to gain any votes by my remarks on this particular bill, House Bill 135, but I do think this type of legislation is worthy of some comment, so that the people of the state of Pennsylvania may know what is going on in this 1947 session of the Legislature.

Last week I had the pleasure of attending a banquet and that gathering was addressed by a Congressman, who informed the audience that in the Eightieth Session of the Congress, in more than three months of activities down there, only one bill of major importance had been passed, and that bill had to do with the prohibiting of the presidential succession to not more than two terms.

When I heard that revelation made I was surprised at the Congress of the United States and I was proud that I was a member of the 1947 Session of the Pennsylvania Legislature, because I knew that could not happen here; it could not be that we would limit ourselves to one piece of important legislation such as we have on the calendar today.

As a matter of fact, we have had a lot of very fine legislation in this session thus far—we have had bills pertaining to garbage, we have had bills pertaining to garbage disposal, we have had bills pertaining to sewer construction, we have had bills pertaining to sewage disposal; we have had several dog bills passed, that is, pertaining to the planting of trees; we have had a lot of run-of-the-mill legislation, such as validating acts and other bills to correct mistakes of lawyers we have had some bank and insurance bills.

But now, Mr. President, we come to the piece-de-resistance, as my colleague from Philadelphia, Senator Di-Silvertro would say. This is the dessert following a fine meal, a fine meal of former legislation such as the gerrymandering of congressional districts in the county of Allegheny in the 1943 session; the discontinuance of the State Authority to deplete the state treasury of an unlawfully acquired surplus in order to thwart the just and honest demands of school teachers of our Commonwealth; we have had ripper bills, such as the tearing out of the Auditor General's office as a watchdog in the collection of inheritance taxes, in order to remove a few Democratic employes; we have successfully shifted the tax burden from those who can best pay to those who can least afford to pay.

And now we come to House Bill 135. In the birth of this bill I am reminded of that old piece of music that was brought out in one of George White's Scandals, called "The Birth of the Blues."

I say this is a birthday. This bill was conceived by my colleague from Northampton County, a vigorous little gentleman in the full flower of youth, serving his first term in the House; he has not been worn down by the labor pains of former sessions and he is the daddy of this bill. But you have to have a midwife for a successful birth, and this bill has been midwifed by the Majority Leaders of the House and Senate, the Honorable Franklin H. Lichtenwalter and the Honorable Oscar J. Tallman. By their untiring and devoted service and loving care we are priviledged to attend the birth of an infant baby, somewhat of a political monstrosity but an infant baby nevertheless. The medical attendants for the birth are the eminent physicians, Dr. Evans Kephart, Chairman of the Committee on Elections, and the Chief Surgeon, Harvey Taylor. These men, devoted to their science of bigger and better politics at any price, are performing a stalwart job of delivering and spanking the baby.

It was pointed out, when this bill was voted on in the House, that legislation of this subject matter is not new. The subject matter of this bill, in case there are any members of the Senate that do not know, merely has to do with the changing of the method by which first place on the election ballot is determined.

In 1892 first place was determined by the result of presidential elections but in 1892 something happened in the United States—Grover Cleveland was elected president—so that in 1893 the Pennsylvania Legislature enacted a law, 1893, P. L. 25, by which first place on the ballot should be determined by the result of the state elections.

In 1931 the Pennsylvania Legislature changed that law. Now, mind you, they then did abide the result of the state election, but in 1931 they changed that and they put it over to the presidential election but in 1932 something else happened—Franklin Delano Roosevelt was elected President—and first place on the ballot was still presidential determination.

In 1937 the Pennsylvania Legislature codified the election laws and, in a very good job of codification, they permitted the first place on the ballot to abide by the results of the presidential election.

Now we come up to 1947, on the eve of the coming presidential election next year and now the Republican Legislature of Pennsylvania, apparently fearful of the outcome of this election, proposes a change to fix the first place ballot according to the state election.

I do not know how good you are at guessing; you have not guessed well in past years, as is shown by that record that I have given you. Perhaps you are guessing better this time and perhaps you know that you are not going to elect a president next year and therefore this change today is necessary.

I do think there are bigger and better things in the state of Pennsylvania to which we could be giving our time and consideration. Here we are in almost the end of the fourth month of this session and we have not yet had a school teacher's bill, either had a hearing on a school teacher's bill or had such a bill on the calendar of either the House or the Senate. We have not yet considered very much about the Crippled Children's Hospital that I happened to mention casually yesterday. We have not yet done anything for the people who are in our asylums in the state of Pennsylvania, the conditions in which are so terrible and about which we read so much in Life Magazine and other magazines of national importance last fall.

Mr. President, it does not seem that we are turning to small things when we have to resort to passage of a bill of this type and I, for one, am going to vote "no" and suggest and recommend to the reasonable minds of all of you Senators that you join me in that negative vote on this type of legislation.

Mr. SCARLETT. Mr. President, I desire at this time to call to the attention of the members of the Senate the fact

that we have some visitors from Chester County, some of whom are at the right and some of whom are in the gallery.

The PRESIDENT. The Chair, on behalf of the Senators, welcomes to the Senate the visitors from Chester County and hopes they will enjoy their visit at the Capitol.

Mr. DENT. Mr. President, frankly I was disappointed in the statement of the gentleman from Chester—not in the statement as to the presence of the ladies, of course, because we all welcome the ladies here, but we over on this side thought we were going to hear a defense of this piece of legislation and really, I suppose, the gentleman from Chester gave about the only defense that he could give to this piece of legislation. Since the gentleman, my colleague from Northampton, Senator Woodring, said today is a birthday, it is always nice to have ladies present when a new baby is born.

What I started to come up to the microphone for was that we do not want the opposition to get any cock-eyed idea as to why we are fighting this bill. We are fighting it merely as a matter of principle. Ever since I was a little kid out in a coal mining town, playing baseball, I have always borne in mind certain rudiments of the game and these principles have stood with me all through my life, in business, civic political and in my religious life. I have always felt that when you enter any kind of a contest and rules are made for the management of that contest, that you carry the contest to its conclusion before anybody has a right to change the rules. I do not believe that any American boy would like to have set before him this example that we are witnessing this afternoon, changing the rules in the middle of the game

There are times, of course, when political expediency necessitates bold action on the part of a political party, but this political party that is now moving in such fashion just won a victory by a very handsome majority of over 600,000. I think the Lieutenant-Governor knows that I remember that election very well, and I am not objecting to you trying to gather a few more bewildered votes by getting first place on the ballot.

However, it does not make that much difference. Winning elections is not the only thing in life. Why, I would rather keep my sense of balance and know that I would go through life playing the game as prescribed by the rules of the game than to win any victory within the giving of the people in a political campaign.

You can have first place on the ballot, and we do hope you have the same fortune we had when we had first place on the ballot. The people of Pennsylvania know who they want to vote for and you can put yourselves first, or anywhere else that you want on the ballot, but when the people finally catch up to the kind of legislation you are promoting here in Harrisburg they will seek you out and destroy you. They have done it to us. In 1935 and 1937 we thought we were following the dictates of the mandates of the people but we were only whistling in the dark; we did not know just what the people in Pennsylvania wanted but I know this, they do not want any majority to trample the minority under foot; they do not want any majority to take advantage of their voting strength in a legislative body to deliberately do that which they would not attempt to do unless they were ruthless and arrogant in their position.

I say to you the rules of the game have been prescribed; we come into the game on opposite sides; you have been to bat and you have won and now, because you have won, you want to change the rules so that those who are on the bench waiting their turn to bat do not get the same fair crack at the ball that you have had.

You can have the legislation but we will have the eternal satisfaction of voting against it.

Mr. DiSILVESTRO. Mr. President, I intend to vote against this piece of legislation.

However, I would like to look at this from a philosophical standpoint. I feel that tomorrow, when the generalissimos get together and they pick their candidates, if the Democratic party is fortunate enough to pick someone who has no communistic leanings or Fascist leanings but who is really an American, then we can be proud of our candidate, pitted against the candidate of the opposite party, so why should we worry about it because if we have put up the right kind of candidate the people will understand—they are intelligent, good Americans and they will know what they should do.

Mr. HALUSKA. Mr. President, they say coming events always cast their shadows and the dark shadow of 1948 is now being cast.

Certainly I felt that the Republicans thought they were quite secure in their position, but from all indications they are very fearful of what might happen this year and next year. Taking this position at this time, and changing the ballot and placing your names in first place, will not cover up the type of legislation you are placing on our statutes in 1947, your tax program, your anti-labor bills. The people of the Commonwealth will find our names, no matter where you may place them, they will find our names this year and next year.

Mr. KLEIN. Mr. President, I am afraid my distinguished colleagues from Cambria and Westmoreland are making much ado about nothing, and I feel the same way about the sponsor of the bill and the Republican majority who will vote for this bill.

I understand that the Democratic caucus has taken caucus action and decided to oppose this piece of legislation. I am at this time going to request my colleagues to excuse me from voting against this bill and the reason I am going to make this request is because I believe the American people today know extectly what they are going to do when election day comes, and whether the Democrats have first place or second place on the ballot, it seems to me that it makes no difference.

I still have a great deal of confidence in the American people and regardless of position, I think when election day comes they will be very able to determine what choice they desire to make.

For this reason, and for the reason that I have a great deal of confidence in the American system of government and in the American voter, I am joining with the Republican Majority in casting my vote for this bill.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—34

Berger,	Frazier,	Mahany,	Wade,

Blass,	Geltz,	Mallery,	Wagner,
Carr,	Hare,	Scarlett,	Walker,
Chapman,	Heyburn,	Snowden,	Watson,
Crider,	Homsher,	Stevenson,	Wilson,
Crowe,	Kephart,	Tallman,	Wolfe,
Doehla,	Klein,	Taylor,	Wood, L. H.,
Donlan,	Letzler,	Tyler,	Wood, T. N.,
Farrell,	Lord,		

NAYS—13

Barr,	Holland,	Rahauser,	Stiefel,
Dent,	Jaspan,	Rosenfeld,	Tarr,
DiSilvestro,	Lane,	Ruth,	Woodring,
Haluska,			

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 234, as follows:

An Act to amend section fifteen of the act approved the seventeenth day of July one thousand nine hundred thirty-five (P. L. 1092) entitled "An act defining fraternal benefit societies and their status authorizing such societies to create subordinate lodges and to pay benefits to members and their beneficiaries from funds collected and regulating such benefits and collections providing for the organization and incorporation of such societies and for their supervision regulation and examination by the Insurance Commissioner and for the admission of foreign societies designating tables of mortality as a basis for rates of contribution requiring all societies to make annual and other reports and appointing the Insurance Commissioner as attorney for service of process providing penalties for any violations of the act exempting such societies from taxation and certain other societies from its provisions and requiring beneficial associations other than fraternal benefit societies to report to and be supervised by the Insurance Commissioner and repealing extsting laws" by further providing for the investment of funds by domestic societies.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section fifteen of the act approved the seventeenth day of July one thousand nine hundred thirty-five (P. L. 1092) entitled "An act defining fraternal benefit societies and their status authorizing such societies to create subordinate lodges and to pay benefits to members and their beneficiaries from funds collected and regulating such benefits and collections providing for the organization and incorporation of such societies and for their supervision regulation and examination by the Insurance Commissioner and for the admission of foreign societies designating tables of mortality as a basis for rates of contribution requiring all societies to make annual and other reports and appointing the Insurance Commissioner as attorney for service of process providing penalties for any violations of the act exempting such societies from taxation and certain other societies from its provisions and requiring beneficial associations other than fraternal benefit societies to report to and be supervised by the Insurance Commissioner and repealing existing laws" is hereby amended to read as follows

Section 15 Funds Securities The funds from which benefits shall be paid and the funds from which expenses of the society shall be defrayed shall be derived from regular monthly or other periodical rates or contributions paid by the members of the society and accretions of said funds as apportioned in accordance with the constitution and laws of the society and no part of any funds set aside for the payment of benefits shall be used for expenses or other purposes that would impair the valuation of certificates herein provided Except as herein otherwise allowed every domestic society shall invest its funds only in securities permitted by the laws of this Commonwealth for the investment of the [reserves] funds of life insurance companies and in securities of Federal Savings and Loan Associations or of other institutions to the extent that such investment is guaranteed by the United States Government or any instrumentality thereof Unless the approval of the Insurance Commissioner shall first be obtained in writing no domestic society shall keep or maintain at a place outside this Commonwealth any securities or other assets except such as are necessary for the collection of current dues and to enable it to comply with the laws of any other state or foreign country for the purpose of transacting business therein

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	Frazier,	Letzler,	Tarr,
Berger,	Geltz,	Lord,	Taylor,
Blass,	Haluska,	Mahany,	Tyler,
Carr,	Hare,	Mallery,	Wade,
Chapman,	Heyburn,	Margie,	Wagner,
Crider,	Holland,	Rahauser,	Walker,
Crowe,	Homsher,	Ruth,	Watson,
Dent,	Jaspan,	Scarlett,	Wilson,
DiSilvestro,	Kephart,	Snowden,	Wolfe,
Doehla,	Klein,	Stevenson,	Wood, L. H.,
Donlan,	Lane,	Stiefel,	Wood, T. N.,
Farrell,	Leader,	Tallman,	Woodring,

NAYS—1

Rosenfeld,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence,

BILLS OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimons consent that Senate Bill No. 337, on third reading, entitled:

An Act to further amend the act, approved the seventh day of June, one thousand nine hundred seventeen (P. L. 447), entitled, as amended, "An act relating to the administration and distribution of the estates of decedents and of minors, and of trust estates; including the appointment, bonds, rights, powers, duties, liabilities, accounts, discharge and removal of executors, administrators, guardians, and trustees herein designated as fiduciaries; the administration and distribution of the estates of presumed decedents; widow's and children exemptions; debts of decedents; rents of real estate as assets for payment thereof, the lien thereof, sales and mortgages of real estate for the payment thereof, judgments and executions therefor, and the discharge of real estate from the lien thereof; contracts of decedents for the sale or purchase of real estate; legacies, including legacies charged on land; the discharge of residuary estates and of real estate from the lien of legacies and other charges; the appraisement of real estate devised at a valuation; the ascertainment of the curtilage of dwelling houses or other buildings devised; the abatement and survival of actions, and the substitution of executors and administrators therein; the survival of causes of action and suits thereupon by or against fiduciaries; investments by fiduciaries; the organization of corporations to carry on the business of decedents; the audit and review of accounts of fiduciaries; refunding bonds; transcripts to the court of common

pleas of balances due by fiduciaries; the rights, powers, and liabilities of nonresident and foreign fiduciaries; the appointment, bonds, rights, powers, duties, and liabilities of trustees durante absentia; the recording and registration of decrees, reports, and other proceedings, and the fees therefor; appeals in certain cases; and also generally dealing with the jurisdiction powers, and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents", by permitting the investment of trust funds by fiduciaries in municipality authority bonds.

go over in order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 341, on third reading, entitled;

An Act to amend section ten of the act approved the twenty-fifth day of May, one thousand nine hundred forty-five, (P. L. 1050), entitled "An act relating to the collection of taxes levied by counties, county institution districts, cities of the third class, boroughs, towns, townships, certain school districts and vocational school districts; conferring powers and imposing duties on tax collectors, courts and various officers of said political subdivisions; and prescribing penalties," providing for interest on unpaid taxes.

go over in order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 342 as follows:

An Act making an appropriation to the Senate and the House of Representatives to pay the expenses of their committees directed to visit State institutions under the supervision of the Department of Welfare

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of three thousand five hundred dollars ($3500) or as much thereof as may be necessary is hereby appropriated to the Senate and the House of Representatives as follows

For the purpose of paying the expenses of the members of the Senate Committee on Public Health and Welfare in visiting the State institutions under the supervision of the Department of Welfare as directed by Senate Resolution Serial Number twenty-five adopted February seventeen one thousand nine hundred forty-seven the sum of one thousand seven hundred fifty dollars ($1750) and for the purpose of paying the expenses of the members of the House of Representatives Committee on Welfare in visiting said institutions as directed by House Resolution Number twenty-four Serial Number twenty-nine adopted March one thousand nine hundred forty-seven the sum of one thousand seven hundred fifty dollars ($1750)

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Geltz,	Lord,	Tarr,
Berger,	Haluska,	Mahany,	Taylor,
Blass,	Hare,	Mallery,	Tyler,
Carr,	Heyburn,	Margie,	Wade,
Chapman,	Holland,	Rahauser,	Wagner,
Crider,	Homsher,	Rosenfeld,	Walker,
Crowe,	Jaspan,	Ruth,	Watson,
Dent,	Kephart,	Scarlett,	Wilson,
DiSilvestro,	Klein,	Snowden,	Wolfe,
Doehla,	Lane,	Stevenson,	Wood, L. H.,
Donlan,	Leader,	Stiefel,	Wood, T. N.,
Farrell,	Letzler,	Tallman,	Woodring,
Frazier,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence,

BILL POSTPONED

Mr. TALLMAN. Mr. President, I move that further consideration of Senate Bill No. 366, on third reading, entitled:

An Act to amend section five of the act, approved the sixteenth day of May, one thousand nine hundred forty-five (P. L. 577), entitled "An act for the prevention, control and cure of venereal diseases by requiring certain persons to submit to physical examination and blood tests providing for the treatment of certain persons; requiring reports to be made to the State Department of Health; imposing duties upon and authorizing and directing the Secretary of Health to make rules and regulations, and to disseminate certain information; regulating the advertisement and restricting the sale of certain drugs and remedies; and imposing penalties," authorizing county jails to receive persons under quarantine; and providing for reimbursement by the Commonwealth.

be placed on Postponed Calendar.

Mr. TAYLOR. Mr. PRESIDENT, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 369, as follows:

An Act to authorize railroad corporations incorporated in this Commonwealth to hold directors' meetings at such place within this Commonwealth or elsewhere as appointed by a majority of the direectors

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The meetings of the board of directors of railroad corporations incorporated in this Commonwealth may be held at such place within this Commonwealth or elsewhere as the majority of directors may from time to time appoint

Section 2 All acts and parts of acts inconsistent with this act are hereby repealed to the extent of such inconsistency

Section 3 This act shall take effect immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Geltz	Lord,	Tarr,
Berger,	Haluska	Mahany,	Taylor,

Blass,	Hare,	Mallery,	Tyler,
Carr,	Heyburn	Margie,	Wade,
Chapman,	Holland	Rahauser,	Wagner,
Crider,	Homsher	Rosenfeld,	Walker,
Crowe,	Jaspan.	Ruth,	Watson,
Dent,	Kephart,	Scarlett,	Wilson,
DiSilvestro,	Klein,	Snowden,	Wolfe,
Doehla,	Lane,	Stevenson,	Wood, L. H.,
Donlan,	Leader,	Stiefel,	Wood, T. N.,
Farrell,	Letzler,	Tallman,	Woodring,
Frazier,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence,

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 371, as follows:

An Act to amend section six and section thirteen of the act approved the twenty-third day of May one thousand nine hundred forty-five (P. L. 926) entitled "An act for the protection of the public health by regulating the conduct and operation of public eating and drinking places within this Commonwtalth requiring their licensing imposing certain duties on the Department of Health of this Commonwealth and on the local health authorities and providing penalties" by conferring on local health authorities power to suspend or revoke licenses and making fines collected in cities boroughs and townships of the first class payable to these political subdivisions

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections six and thirteen of the act approved the twenty-third day of May one thousand nine hundred forty-five (P. L. 926) entitled "An act for the protection of the public health by regulating the conduct and operation of public eating and drinking places within this Commonwealth requiring their licensing imposing certain duties on the Department of Health of this Commonwealth and on the local health authorities and providing penalties" is hereby amended to read as follows

Section 6 Powers of the [Department] Health Authorities

(a) The [department] Health Authorities or Licensor shall make such reasonable rules and regulations as may be deemed necessary for carrying out the provisions and intent of this act

(b) The [department] licensor may [on its own motion or on complaint] after investigation and hearing at which the license shall be afforded an opportunity to be heard suspend or revoke any license for any violation by the licensee his partner agent servant or employee of the provisions of this act or of any other act relating to the public health and being applicable to such public eating or drinking place or of the rules and regulations of the Health Authorities [department] or of any of the terms conditions or provisions of the license by the licensee or any of the agents servants or employees of such licensee Notice of suspension or revocation and the reasons therefor as well as any required notice of hearing shall be given in writing to the licensee at the address contained in the license Suspension of license shall be terminated when the violation for which it was imposed has been found upon inspection to have been corrected Whenever a license is suspended or revoked no part of the fee paid therefor shall be returned to the holder

Section 13 Any proprietor who shall violate any of the provisions of this act shall upon conviction thereof in a summary proceeding before any justice of the peace alderman or magistrate in the county in which the offense was committed be sentenced to pay a fine of not less than ten dollars ($10.00) nor more than fifty dollars ($50.00) to be paid to [said county] the city borough or township of the first class in which the violation occurred and in all other instances to the county and the costs of prosecution Upon each subsequent conviction he shall be fined not less than twenty-five dollars ($25.00) and costs of prosecution and in default of payment of each fine and costs shall be confined in the county jail for a period of not more than thirty (30) days

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

Mr. HALUSKA. Mr. President, I desire to interrogate the sponsor of Senate Bill 371, Mr. Lloyd H. Wood.

The PRESIDENT. Will the gentleman from Montgomery permit himself to be interrogated?

Mr. LLOYD H. WOOD. I will, Mr. President.

Mr. HALUSKA. Mr. President, on page 2, line 10 of this bill there appears the wording "health authorities." Do you mean by that the Department of Health or the local health authorities.

Mr. LLOYD H. WOOD. Local health authorities, I assume that is what that means.

Mr. HALUSKA, It is not quite clear. I do not know whether that means the Department of Health or the local health authorities in our counties.

Mr LLOYD H. WOOD Mr. President, I should say, by the process of elimination, we only have two types of authorities in Pennsylvania, and as the bill now exists we have the State Health Department, so that must mean local health authorities.

Mr. HALUSKA. Of course, Mr. President, the gentleman is assuming that; is that right?

Mr WOOD. Yes, Mr President.

Mr. HALUSKA. I think we are going quite far afield in passing such legislation. Under this bill, if passed, we are giving the local health authorities the right to make their own rules and regulations governing the lives of one of the largest industries in our Commonwealth, the eating and drinking places of this Commonwealth; you are definitely putting the liquor industry into politics. Just as long as we have one uniform rule set up by the Department of Health at Harrisburg, it applies to all eating and drinking places, and up until the present time it has been a fair rule handed down but now, under this bill, each and every political subdivision may and will set up its own rules, and if they so see fit they can make such rules as to drive out of business anybody they want to. I am sure that the majority on the other side does not have that in mind, but if you pass this bill you certainly are asking for trouble. This is a very bad bill and I think the bill should be defeated.

Mr. HOLLAND. Mr. President, will the sponsor of this bill permit himself to be interrogated.

The PRESIDENT. Will the gentleman from Montgomery permit himself to be interrogated?

Mr. LLOYD H. WOOD. I will, Mr President.

Mr. HOLLAND. Mr. President, I wonder of the gentelman from Montgomery could make clear whether or not by this bill the local authorities can put themselves above the Liquor Control Board.

Mr. LLOYD H. WOOD. Mr. President, I should say in the first instance I fail to catch the connection between the provisions in this measure and the Pennsylvania Liquor Control Board.

I should like to say in reply to the Senator from

Allegheny that this bill originally was passed in 1945, and under this measure the State Department of Health has charge of the enforcement; you had the local authorities doing the investigating and you had enforcement primarily vested in the Department of Health.

Mr. President, I feel that a person who believes in home rule may be consistent in voting for this measure. I have discusssed the matter with some of the Senators on the minority side and they were apprenhensive, soon after this bill was placed on the calendar, as to just what might be the outcome, but let me say publicly here what I said to them privately, that I am not interested in setting up a log-rolling situation in any political subdivision. I am in favor of home rule. I refuse to believe the people back home are going to abuse this measure and if they do and I am in the happy position of being back here in 1949, I will join them in helping to repeal it. I certainly can not be any fairer than that.

Mr. HOLLAND. Mr. President, in the opinion of the gentleman from Montgomery, if the Liquor Control Board gives a license, can the local health people come in and take the license away? Is that possible under the bill?

Mr. LLOYD H. WOOD. I Should say that if that is possible under this bill, we are not now making it possible—it was possible in 1945 or after the bill became effective.

Mr. HOLLAND. Not for the local health authorities, Mr. President.

Mr. LLOYD H. WOOD. It is just a question of degree, Mr. President. All we are doing with this measure is just bringing enforcement of it back home. I can not understand why there should be this objection to having the local authorities administer legislation that, among other things, provides for regulatory measures locally. That is what this gets down to.

Mr. HOLLAND. I do not suscribe to those very sacred words "home rule." Anybody in politics knows that when they speak of home rule all they are talking about is getting a little power back to their own organization and shaking down somebody. That is about the best expression I know of for home rule.

If these health authorities are going to use that power honestly, I would be for it, but we have the inspection by the state health authorities right along and what worries me is that some unscrupulous health authority in a local community, on the home rule level, may use it as a means of going around and doing a little bit of shaking down. We all know a lot of that is being done in the state and I do not see why we need it. The Liquor Control Board has not asked for it, and I do not see why we need this bill, because we are getting along very nicely under the other arrangement.

Mr. LLOYD H. WOOD. Mr. President, I have no desire to get into a protracted debate, where it becomes a contest as to who is going to say the last word, but it seems to me it is grossly unfair to say on the floor of this Senate that just because a measure is going to be placed in the hands of the local authorities for enforcement, that it is going to be abused.

The gentleman from Allegheny has certainly introduced no conclusive evidence that would justify one in drawing the inference that just because people back home who happen to be in public office at the moment charged with enforcement of this measure, that they are going to shake somebody down. If the design of this bill is to shake somebody down, it is only a question of degree. What difference does it make.

I have already been afoul of this bill locally myself. I do not want to go into the details, but we are put to a terrible lot of inconvenience trying to get adjustments through the Department of Health and, to be honest with you, they want to get rid of it as it is a headache to them.

This bill has the approval and consent of the Department of Health. I do not think it is fair—I am talking about the people in Senator Holland's district the same as in my own—I do not think we ought to get up here and criticize people that hold public office back home. There is a remedy—if they are unscrupulous, kick them out.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—34

Berger,	Frazier,	Mallery,	Wade,
Blass,	Geltz,	Ruth,	Wagner,
Carr,	Hare,	Scarlett,	Walker,
Chapman,	Heyburn,	Snowden,	Watson,
Crider,	Homsher	Stevenson,	Wilson,
Crowe,	Kephart,	Tallman,	Wolfe,
Doehla,	Lane,	Taylor,	Wood, L. H.,
Donlan,	Letzler,	Tyler,	Wood, T. N.,
Farrell,	Lord,		

NAYS—11

Dent,	Holland,	Rahauser,	Tarr,
DiSilvestro,	Jaspan,	Rosenfeld,	Woodring,
Haluska,	Klein,	Stiefel,	

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 393, as follows:

An Act authorizing certain existing beneficial or protective societies heretofore incorporated to reincorporate or to merge and reincorporate as limited life insurance companies for the purpose of making insurance upon the health of individuals and against personal injury and disablement and death including endowment insurance regulating such corporations and limiting the amounts for which such corporations may issue policies

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Any corporation or any two corporations now formed or organized under the provisions of the ninth paragraph section two of the act approved the twenty-ninth day of April one thousand eight hundred and seventy-four (P. L. 73) entitled "An act to provide for the incorporation and regulation of certain corporations" namely "The maintenance of a society for beneficial or protective purposes to its members from funds collected therein" except fraternal benevolent charitable or secret societies issuing beneficial certificates and paying benefits to their membership through the lodge system and insurance or relief associations formed by or for the exclusive benefit of employes of corporations or firms or formed by or for the exclusive benefit of members of any religious corporation or association may be reincorporated or merged and reincorporated as the case may be as a life insurance company of the class known

as limited life insurance companies for the purpose of making insurance either upon the stock or mutual principle upon the health of individuals and against personal injury or disablement and against death resulting from natural or accidental causes including endowment insurance in such amounts and upon such conditions as is now or hereafter may be provided by law in the case of limited life insurance companies

Section 2 Any corporation or any two corporations desiring to reincorporate or to merge and reincorporate as the case may be under the provisions of this act shall proceed in the following manner A meeting of the members of such corporation or of each such corporation shall be held and if a majority of the members of such corporation or corporations shall vote or authorize a vote in favor of the reincorporation or merger and reincorporation a resolution or resolutions to that effect shall be adopted and upon the recording of such resolution or resolutions in the office for the recording of deeds in the county where such corporation or each such corporation has its principal office the directors of such corporation or the respective directors of such two corporations acting jointly as the case may be may make articles of association as provided by law for the incorporation of insurance companies upon which articles shall be had and the same proceedings as provided by law for the incorporation of new insurance companies and upon the approval of said articles such corporation or corporations shall become a corporation under this act and all the estate and property real and personal rights of action liabilities and obligations of such former corporation or corporations shall be deemed and taken to be transferred to and vested in or attached to the corporation formed under this act without further act or deed Any corporation formed under this act shall be authorized to transact the business of insurance in the same manner and upon the same conditions as insurance companies are by law authorized to do in so far as not inconsistent with the provisions of law relating to limited life insurance companies

Section 3 Any corporation formed under the provisions of this act shall place reserves on the life portion contained in all policies issued based upon a standard table of mortality with interest at three and one-half per cent (3-½%) as approved by the Insurance Department of the Commonwealth and reserves shall be carried on the disability feature of fifty per centum of the actual weekly monthly or annual premiums in force and reserves shall be charged on all definite and outstanding incurred claims

Section 4 Capital stock of a joint stock company formed under this act shall not be less than twenty-five thousand dollars and shall be divided into shares of not less than ten dollars each payment of which shall be made in lawful money ten per centum on each share at the time of subscribing and the balance at such times as the company may direct not exceeding one year from the time of subscription and the company may provide such rules with regard to forfeiture of partial payments on subscriptions as they may deem advisable which rules shall be binding upon the subscribers provided they are made known at the time of subscription Every such company shall in addition thereto have a surplus paid in at least equal to the amount of the capital stock

Section 5 The annual meeting for election of directors or any company formed under this act shall be held at such time on or before the first day of May as the by-laws of the company may direct and such notice of the time and place of meeting shall be given to the stockholders or members as may be provided in the by-laws and at such annual meeting the stockholders or members shall elect by ballot not less than five nor more than thirteen directors to serve for one year and until their successors are duly chosen Provided That at any annual meeting of the stockholders or members it may and shall be lawful to divide the directors which are to be chosen into two three or four classes and to elect the first class to serve for the term of one year and the second third and fourth to serve two three and four years respectively and at all ensuing elections of said company the stockholders or members shall only elect the number of directors necessary to take the place of those whose terms of office shall then expire and such directors shall be elected as hereinbefore provided And in case a vacancy or vacancies shall happen in the number of said directors the board of directors shall choose and elect a proper person or proper persons to fill such vacancy or vacancies during the remainder of the term or terms for which the person or persons in whose place or places such vacancy or vacancies shall have happened shall have been elected

Section 6 Any mutual company formed under this act shall be authorized to do the business of insurance when it shall have received from not less than two thousand persons applications for insurance against death amounting to not less than two hundred fifty thousand dollars upon which applications one-twelfth of the annual premium shall have been paid Provided That no such company shall be authorized to do the business of insurance until it shall have a guarantee capital of at least twenty-five thousand dollars and a surplus of at least twenty-five thousand dollars and until it shall have deposited with the Insurance Commissioner the sum of twenty-five thousand dollars in cash or approved securities which sum the Insurance Commissioner is hereby authorized and empowered to receive and it shall be his duty to hold the same for the benefit of the members of such corporation and its creditors preference being given thereto in the following order to wit first claims under policies second salaries of employes third general creditors

Section 7 This act shall become effective immediately upon final enactment and shall expire the thirty-first day of December one thousand nine hundred fifty Provided however that the expiration of this act shall not affect the corporate existence of any corporation formed under its provisions

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Geltz,	Lord,	Tarr,
Berger,	Haluska,	Mahany,	Taylor,
Blass,	Hare,	Mallery,	Tyler,
Carr,	Heyburn,	Margie,	Wade,
Chapman,	Holland,	Rahauser,	Wagner,
Crider,	Homsher	Rosenfeld,	Walker,
Crowe,	Jaspan,	Ruth,	Watson,
Dent,	Kephart,	Scarlett,	Wilson,
DiSilvestro,	Klein,	Snowden,	Wolfe,
Doehla,	Lane,	Stevenson,	Wood, L. H.,
Donlan,	Leader,	Stiefel,	Wood, T. N.,
Farrell,	Letzler,	Tallman,	Woodring,
Frazier,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 394, as follows:

An Act to further amend section four hundred nineteen of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds assocations reciprocal and inter-insurance ex-

changes and fire insurance rating bureaus and the regulaton and supervsion of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by permitting certain additional stock insurance companies to come within the provisions thereof

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section four hundred nineteen of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" as added thereto by the act approved the twenty-sixth day of April one thousand nine hundred twenty-nine (P. L. 789) and as further amended by the act approved the sixteenth day of May one thousand nine hundred forty-five (P. L. 585) is hereby further amended to read as follows

Section 419 Certain Companies Heretofore Organized May Come within Provisions of Act Stock companies incorporated or reincorporated under the act of April twenty-eighth one thousand nine hundred and three (P. L. 329) entitled "An act to provide for the incorporation and regulation of corporations for the purpose of making insurance upon the health of individuals and against personal injury and disablement and death therein limiting the amount for which such corporations may issue policies and providing the manner in which certain existing corporations may become reincorporated under this act" or under the act of April twentieth one thousand nine hundred twenty-seven (P. L. 317) entitled "An act authorizing certain existing beneficial or protective societies heretofore incorporated to reincorporate for the purpose of making insurance upon the health of individuals and against personal injury and disablement and death regulating such corporations and limiting the amount for which corporations may issue policies and imposing a tax on gross premums of companies reincorporated under the provisions of this act" or under the act of June twenty-fourth one thousand nine hundred thirty-nine (P. L. 686) entitled "An act authorizing certain existing beneficial or protective societies heretofore incorporated to reincorporate as limited life insurance companies for the purpose of making insurance upon the health of individuals and against personal injury and disablement and death regulating such corporations and limiting the amount for which such corporations may issue policies" or under any subsequent act authorizing certain existing incorporated beneficial or protective societies to reincorporate or to merge and reincorporate as limited life insurance companies having a paid up capital of not less than three hundred thousand dollars ($300,000) and a paid-in surplus at least equal to fifty per centum of the subscribed capital may issue policies insuring the lives of persons and every insurance appertaining thereto may grant and dispose of annuities and may insure against personal injury disablement or death resulting from traveling or general accidents and against disablement resulting from sickness and every insurance appertaining thereto as specified in subdivision (a) clause one (1) of section two hundred and two (202) of this act

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the queston,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Geltz,	Lord,	Tarr,
Berger,	Haluska,	Mahany,	Taylor,
Blass,	Hare,	Mallery,	Tyler,
Carr,	Heyburn,	Margie,	Wade,
Chapman,	Holland,	Rahauser,	Wagner,
Crider,	Homsher	Rosenfeld,	Walker,
Crowe,	Jaspan,	Ruth,	Watson,
Dent,	Kephart,	Scarlett,	Wilson,
DiSilvestro,	Klein,	Snowden,	Wolfe,
Doehla,	Lane,	Stevenson,	Wood, L. H.,
Donlan,	Leader,	Stiefel,	Wood, T. N.,
Farrell,	Letzler,	Tallman,	Woodring,
Frazier,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 402, as follows:

An Act to amend section three of the act approved the fifteenth day of June one thousand nine hundred thirty-seven (P. L. 1743 Number 368) entitled "An act relating to magistrates and magistrates' courts in the city of Philadelphia imposing certain duties upon and prohibiting certain practices by magistrates imposing certain duties on the city controller in regard thereto authorizing the employment by him of additional clerks and fixing their compensation regulating the practice in magistrates' courts the entering of bail and the issuance of discharges in criminal cases in the county of Philadelphia conferring certain powers over magistrates and magistrates' courts and imposing certain duties in connection therewith upon the judges of the courts of common pleas of the county of Philadelphia providing for the appointment and employment of stenographers to report proceedings in certain cases heard by magistrates fixing salaries of persons employed by authority of this act providing penalties for violations of the provisions thereof and repealing certain prior acts" by removing the restrictions against magistrates participating in political activities

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section three of the act approved the fifteenth day of June one thousand nine hundred thirty-seven (P. L. 1743 Number 368) entitled "'An act relating to magistrates and magistrates' courts in the city of Philadelphia imposing certain duties upon and prohibiting certain practices by magistrates imposing certain duties on the city controller in regard thereto authorizing the employment by him of additional clerks and fixing their compensation regulating the practice in magistrates' courts the entering of bail and the issuance of discharges in criminal cases in the county of Philadelphia conferring certain powers over magistrates and magistrates' courts and imposing certain duties in connection therewith upon the judges of the courts of common pleas of the county of Philadelphia providing for the appointment and employment of stenographers to report proceedings in certain cases heard by magistrates fixing salaries of persons employed by authority of this act providing penalties for violations of the provisions thereof and repealing certain prior acts" is hereby amended to read as follows

Section 3 No magistrate shall personally engage in any other business or profession or hold any other public

office [or serve as a representative of any political party in any assembly district senatorial district or congressional district or on the executive committee or any other governing body of any political party organization] Each of the magistrates shall devote his entire time and attention to the duties of his office and no magistrate clerk stenographer or other officer or employe provided for herein shall demand or receive any money or other thing of value for the performance or nonperformance of any of the duties pertaining to his office other than fees and compensation allowed by law

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

Mr. DiSILVESTRO. Mr. President and gentlemen of the Senate, I rise, like Don Quixote, to tilt with the windmill, and, like Don Quixote, I know that the windmills are going to win, but my conscience would not rest if I did not make the fight for what I consider the right.

For the benefit of certain newspaper men, this is the same conscience that revolted during the parking bill fight last week. A week ago the magistrates opposed this bill, at least according to the Philadelphia Inquirer. I read from the Philadelphia Inquirer of Wednesday, April 2—the day after April Fool's Day, and this is from the breezy column of Frank Bookhauser "It's Happening Here," and I quote:

"Most of the city's magistrates are opposed to a bill now in the Legislature, which would scrap the 1937 Magistrate's Court Act prohibiting them from engaging in political activities.

"The new measure would restore their right to be ward leaders and to hold office in political organizations. The Board of Magistrates, consisting of 28 members headed by Chief Magistrate John J. O'Malley, was 'emancipated' from political control ten years ago.

"The magistrates—or a definite majority of them—are hoping that Governor James H. Duff will block the current bill or use his power to have it thrown out of the legislative body."

Mr. President, I assume that the Inquirer is an authority on this matter. Its pontifical column about my speech here last week sounded that way.

What happened during that week to change the minds of the magistrates. The temper of the people of Philadelphia is strongly against magistrates being in policies. The desire of some politicians is to have the magistrates back in politics.

Justice must always—always, I say—be divorced from politics. You see, oil and water will not mix, it never mixes, and justice and politics is the same way, they can not mix. Never, as long as I have a vote anywhere, will I vote to contaminate justice with politics.

About eleven years ago in the city of Philadelphia it was the practice, sometimes weekly, other times monthly, for the Common Pleas Courts of Philadelphia to indict or call before the Board of Judges this magistrate or that magistrate. This was all before the 1937 magistrate's bill was passed under the Earle administration. It seemed that some of our good boys, those magistrates who tried to be nice fellows with their constituents, would go overboard, and would do so unreasonably, and there would be complaints from disgruntled citizens of Philadelphia, so that the Board of Judges in Philadelphia was constantly annoyed by complaints and they had to reprimand here and there.

But I fail to recollect, and if my memory serves me well, I fail to remember, since the magistrate's bill of 1937 was passed, where the Board of Judges of the Common Pleas Courts of Philadelphia has ever been annoyed again as they were before the passage of this measure.

I do not want to burden you members of this Senate with any more arguments but, as I have said before, I feel that politics and justice are not mixers and I therefore intend to vote against this bill, and I hope that Governor Duff will use the same judgment that one of our preceding Governors used and veto this bill if it receives a constitutional majority in this chamber.

Mr. STIEFEL. Mr. President, I am going to do some encroaching upon Drew Pearson, because I am going to make two predictions. I am going to go further than Senator DiSilvestra. I predict that his Excellency, Governor Duff, will veto this bill. From my observations, although I belong to the opposite party, Governor Duff is a political scientist par excellence and, as such, he will not allow the passage of this bill, or the enactment of this bill. My second prediction will be made later.

The French pilosopher, Voltaire, said that he would rather have Mephisto legislate and Gabriel enforce the law, than vice versa, than have Gabriel legislate and Mephisto enforce the law.

In this bill you create in Philadelphia a Mephisto and the people of Philadelphia will have to be aware of that.

My opposition to House Bill 402 is both an admonition against and a defense of our minor judiciary. The passage of this bill, removing restrictions against participation of magistrates in political activities, is pregnant with many dangers to our minor judiciary.

I respectfully submit that the passage of this bill will degrade in the eyes of our citizenry the minor judiciary and will hasten the day when it will be completely abolished.

The minor judiciary has two important functions in our judicial system. First, it ascertains whether or not a prima facie case has been established against an alleged criminal and decides upon the amount of the bail.

This function of the minor judiciary, if properly administered, can become a powerful weapon against criminals. It is in the magitsrates' courts that law violators attempt to deflate their offenses or completely escape trial in courts of record.

It is clear and self-evident that stern and swift justice in the magistrates' courts will instill in the hearts of criminals a respect for the law and will thus act as a deterrent against the recurrence of infractions. Laxity on the part of the magistrates will, on the other hand be conducive to the breeding of criminals.

Setting the bail is another important function of the magistrate. Inadequate bail allows a criminal to remain free to continue in his nefarious practices and delay the day of trial in the criminal courts of record.

I respectfully submit that allowing magistrates to participate in political activities will expose them to such crushing pressures that will interfere with their swift and stern administration of our criminal procedure.

A resolution was recently introduced by the gentleman from Franklin, Senator Crider, asking for a study

of our criminal procedure by the Joint State Government Commission.

Now I shall make my second prediction. I predict that if you pass this measure today you will hear mighty voices throughout the entire Commonwealth clamoring for the abolition of the magistrates' courts as the initial phase of criminal procedure, and the substitution in lieu thereof of scientific and effective methods for the ascertainment of a prima facie criminal offense.

The obsolescence of the magistrate's court as a "poor man's" court is self-evident. It has been an established practice to enter judgment for the plaintiff and advise the defendent, if he chooses to appeal his case to a court of record. How then can magistrates' courts justify their existence unless they serve society in a proper manner.

This bill, if it passes, will no doubt degrade the minor judiciary and turn the wrath of the citizenry of Pennsylvania upon them, and for that reason, defending the minor judiciary, I intend to cast my vote in the negative.

Mr. JASPAN. Mr. President and members of the Senate, this bill represents a radical departure from the general trend of things and a definite reversal of the movement to free various branches of our government, particularly the judicial branch, from the influence of politics. It definitely pushes the political clock back rather than forward. The magistrate's court, a minor judiciary, is known as the "Poor Man's Court," and the present law was designed to protect the minor judiciary against the ravages of cheap, petty politics. The magistrate, being free from politics, could think clearly and act impartially on all matters that came up before him, and it naturally followed that even-handed justice would be administered in a poor man's court, and to a large extent since 1937 it was so administered. Hence we can see a decided improvement in the administration of justice as far as the public is concerned, and after all we are interested in the public.

Under the present law, the magistrate, free from politics, his opinions and conceptions of law are not colored. He is obviously free from the prejudice and influence that would attend his participation in politics.

The present bill puts the magistrate in a strong, but dangerous position of stampeding voters into voting against their better judgment, would interfere considerably with the administration of justice, make a mockery of the law, and further, make the magistrate's court a rendezvous of runners and professional bondsmen who have political connections, to say nothing of the ward healers.

Our judicial branch of government is a sacred one, and all its members should be free to dispense justice impartially, fairly, and squarely. It has often been said that the best politics is good government. How then can you have good government when the politics is unwise and poor? Our courts should at all tmes be clean and free from evil influences and sinister elements. I know from my own experience what takes place at magistrates' offices, and frankly, I am not very proud of it. At least the Act of 1937 put them on their good behavior, and there was a decided improvement in the administration of justice.

The present bill undoubtedly was hatched in the minds of ward healers and petty politicians who are not interested in good government. Further, I dare say that magistrates who are actuated by selfish and dishonest motives, are behind this particular bill. These ward healers and petty politicians and selfish magistrates are not interested in our people. They are simply out to get as much as they possibly can without any regard for the needs and wants of our people.

This bill is a political decision, and today, mind you, political decisions no longer represent individual expressions of our people. The right of the individual to an equal voice in the affairs of the government is the guiding force of our political structure. A democracy ,today is totally dependent upon public opinion. It has, therefore, been suggested: "There ought to be in every nation a method of occasionally ascertaining the state of public opinion with respect to government." Such things are rendered impossible by the avarice and greed and control of factions by the politicians. Frankly, do you know when, if ever, the politicians have sought the advice and an expression of opinion by our people? They are simply eager to perpetuate their position by their dictation and lust for power.

If this matter were put to a vote before the people today, I dare say they would definitely vote against participation by the magistrates in politics.

The enforcement of the law the administration of justice—is the most important task confronting an organized society. A law may be defined as a rule of conduct which the members of a community are determined to see enforced even at the cost of time, money, and inconvenience to themselves, but such enforcement can hardly be expected at the hands of politically-ridden magistrates.

The task of the judiciary is to determine what is right and just for all. How can you possibly have the judiciary determine what is right and just when they are prejudiced and influenced and their opinions colored in the administration of justice? Cheap politics brings about this very condition. The courts, I take it, have the task of meting out equality and justice. Equality is the basis of our government. But how can there be equality without even-handed administration of justice?

Let me now read to you in this connection one of the canons of judicial ethics to bear out my contention in this matter, and this is for the benefit of the attorneys, parteularly from Philadelphia, and I now quote: Sec. 28, Partisan Politics, P. 98:

"While entitled to entertain his personal views of political questions, and while not required to surrender his rights or opinions as a citizen, it is inevitable that suspicion of being warped by political bias will attach to a judge who becomes the active promoter of the interests of one political party as against another. He should avoid making political speeches, making or soliciting payment of assessments or controbutions to party funds, the public endorsement of candidates for political office and participation in party conventions."

This is the result of the wisdom and intelligence of the best lawyers in the land.

This sounds like good common sense to me and should apply to our magistrates' courts where we get our first conception of justice and law.

The act of 1937, having freed the magistrates' courts from the yoke of politics, let them stay emancipated once and for all. And I say to you with all the emphasis at

my command, vote down this bill, and in so doing inflict a sharp rebuke on those who are not interested in good and decent government.

Mr. WALKER. Mr. President, I have no special desire to get involved in this donegal concerning the squires in Philadelphia. The cloak of righteousness has been wrapped around the magistrates in Philadelphia and they are taken out of politics and I am a little confused by the argument of the learned gentlemen from Philadelphia as to why they should continue to stay out of politics.

A Philadelphia magistrate on a judiciary plane rises no higher than a squire in Westmoreland County; the jurisdiction is about the same. Every alderman in the city of Pittsburgh, every squire in the county of Allegheny, is not appointed or annointed to public office; he is elected by the people.

I do not know what kind of politics they have in Philadelphia that these gentlemen are referring to, that would destroy the character and the fitness of a magistrate if he dares get within touching distance of the political life of that fair community.

I do not see any reason why a squire should not be in politics in Philadelphia, when he has to run for office; I can not understand why they should be removed from the judiciary that is in the other sixty-six counties of the state. There is nothing about politics that will destroy the effectiveness of justice, whether the individual involved is a member of the Supreme Court of the Commonwealth of Pennsylvania, or a squire in one of our rural counties, or an alderman or a magistrate in the city of Philadelphia.

I think it would be beneficial to those who hold public office, by virtue of election, if they do make a contribution to politics and if they have the right type of candidates for magistrates in Philadelphia, those magistrates can make a contribution to the improvement of the political life of Philadelphia. Nowhere else in Pennsylvania do we screen our aldermen or squires from active participation in the elections in the cities or the boroughs or the townships and I yet have not heard any arguments from the other side, except a lot of verbiage about the horror of politics and the fact that this would destroy justice.

One of the things we complain about the most is the fact that our judges are not in politics, because we do not want them to have their justice affected by perhaps political observations but at the same time there is hardly a member of this Senate who has not publicly or privately criticized his judge or judges because the only time you ever hear from them politically is when they get ready to run for re-election; you never see them anywhere, is the complaint I hear repeatedly, until it is time for them to run for office, and then out they come, dusting off the glove and giving you a cold clammy handshake.

The gentlemen from Philadelphia want to wrap this cloak around a bunch of squires and say they can not run for office except on a higher plane than any other person who seeks public office. I still would like to have the gentlemen from Philadelphia explain to me, and to the members of this Senate, if they are interested, why the magistrates in the city of Philadelphia, who are nothing but squires as far as the judicial plane is concerned, why they are in any different position or should be in any different position than the squires in Allegheny county, Armstrong county, Westmoreland county or any other county.

Mr. DiSILVESTRO. Mr. President, I can readily understand my friend from the smoky city—he reminds me of the old saying that a man is the product of his environment. Naturally we are more senstive to this proposition because in Philadelphia we have the sitting judge proposition, where the judges carry their chairs around with them for ten years—the sitting judge proposition—and it makes the judges divorced from politics. If I read correctly, when I read some of the newspapers from the western part of the state, I notice that there is quite a fanfare in Pittsburgh when it comes to electing judges, and they really have it out good and hard in their elections, and the best man wins and he is judge, if I am correct.

In Philadelphia you can not touch the toga because they say that it would contaminate justice, and that is what makes us sensitive; we feel like chancellors on this side, where our sensibilities are sort of touched up a little bit and we feel that they should not mix in politics.

I can understand how my good friend from Allegheny, Senator Walker, cannot get into this groove, so to speak, and enjoy this kind of atmosphere—we have lived in it for years in Philadelphia—that thou shalt not touch a judge in Philadelphia. If there is an outstanding man that we would like to advance to a judgeship; not a chance, because that is a sacred place.

I am sorry if we are so sensitive and my good friend from Pittsburgh does not feel the sensitiveness that we feel in Philadelphia.

Mr. FRAZIER. Mr. President, I would like to be heard on this subject and I may approach it with a little circumlocution, in the first place, by saying that I feel a little sensitive of some of the criticism that I had from the other side for being what they said was a little too caustic in my criticism. There is no more even-tempered man in the Senate than I. I was once in court before Judge Audenreid and he said to me "Senator, won't you please stop losing your temper and be a little more even-tempered." I said, "Judge, there is no more even-tempered man than I am; I am always angry." I am a little angry at these fellows today that take the stand that they do, and I am going to, in a circumlocution, touch a little bit on the criticism of putting the Republicans at the head of the column on the bill that was recently passed and I hope will be finally approved.

I noticed that one of the distinguished Senators said it was a very good move which was made in 1937, when they decided in this Senate and in the Legislature to put the Democrats at the head of the ticket because of a Democrat being president and—

POINT OF ORDER

Mr. WOODRING. Mr. President, I rise on a point of order.

The PRESIDENT. The gentleman from Northampton will state his point of order.

Mr. WOODRING. Mr. President, I might point out first of all that—

Mr. FRAZIER. Mr. President, I still have the floor.

The President. The gentleman from Northampton has the right to state a point of order. Is the gentleman from Northampton raising a point of order?

Mr. WOODRING. Yes, Mr. President.

The PRESIDENT. State your point of order.

Mr. WOODRING. My point of order, Mr. President, is first, that the gentleman from Philadelphia is not talking on the bill before the Senate and, secondly, if I am to be quoted I would like to be properly quoted.

The PRESIDENT. The point of order of the gentleman from Northampton is well taken. The Senator from Philadelphia will confine his debate to the bill before the Senate.

Mr. FRAZIER. In regard to this bill, putting magistrates back on the American plane of life, the only criticism I see is from gentlemen who were elected to this Senate in 1936 and served here from that time on continuously.

I find that in 1937, not only was this wonderful bill passed that I am not permitted to discuss, but I find that at that time this bill taking magistrates out of politics was passed when we had in the Senate thirty-four Democrats and sixteen Republicans and in the House one hundred fifty-four Democrats and fifty-four Republicans. There was a host of very fine legislation passed at that time also, there was an attempt to take the succession of the mayor of Philadelphia from the President of Council to the Democratic Comptroller; there was an attempt to rip out of office the Receiver of Taxes; there was an attempt to rip out the Board of View; there was a restriction placed on the assessors; there was provision made that the Board of Revision of Taxes should be changed in their number from three to seven, three of them to be appointed by the Tresurer and three of them to be appointed by the Comptroller.

In other words, this very self-conscious body of Democrats who are now so determined that the cloak of righteousness shall be put upon the Republicans and those who are holding office as magistrates, at that time were determined by all means within their power to take from the city of Philadelphia the Republican administration. I am quoting only a few of those things, but now I am surprised at the gentlemen who feel that their consciences are affected by this attempt now to put magistrates back in public life.

Senator Walker has said that we in Philadelphia seem to be outside the line of Pennsylvania in so far as the other side of the Senate is concerned. They want to do things to the Republican city of Philadelphia, the only large Republican city, the only city of over 500,000 population in the United States which has a full Republican administration, and they want to do everything in their power, in a spirit of righteousness, to take away from us any power which we have.

This suggestion seems to me so ridiculous, that you put a robe on the devil and make a saint out of him. I never knew a man who was elevated to the bench, whether as a magistrate or as a judge, who overnight became an apostle of all the virtues, and anyone who attempts to advance the thought in this chamber that the magistrates in Philadelphia now, who have lost their Americanism by the Act of 1937, are saints and do not listen to the appeals of their friends, and I think there are eleven Democratic magistrates and they all listen to the appeals and requests of their friends, and the gentlemen on the other side object to the fact that we are now trying to do something which gives these men the right to uphold themselves and lift up their heads, as is the right of every American citizen, and I think it is most unjust and most unfair for anybody over there to say that this is a political maneuver to try and get a few more votes.

I for one say to you, Mr. President, that I think any attempt to do this is a proper thing and I am very much disposed to introduce in this legislature a bill to give our mayor of Philadelphia the right to be an American citizen again.

Mr. BARR. Mr. President, I presume the gentleman who just spoke never heard of the hatchet act. I call it the hatchet act, because the Republicans used the hatchet in the backs of the Democrats in Congress when they passed that bill.

I also want to say to my colleague from Philadelphia, Senator DiSilvestro, that in Allegheny County when a man runs for judge it is always may the best man win. Senator Walker ran for a judgeship and he was defeated, so do not pay too much attention to his speech this afternoon, because that was his opening campaign address for the office of Common Pleas judge in Allegheny County.

Mr. STIEFEL. Mr. President, Senator Frazier is a gracious host, and I would suggest that he should invite some of our up-state colleagues and take them on a tour of the various magistrates' courts in Philadelphia. I believe that would be first-hand information and then our up-state colleagues would be in a position to learn more about the minor judiciary in Philadelphia.

Let us bear in mind that in Philadelphia we have eleven Democratic magistrates, and this bill will affect them too. I am not holding any brief for the Democratic magistrates.

Mr. President, this situation in Philadelphia reminds me of an old story when polygamy was legitimate. A man had two wives, one was young and one was old. He was in his middle forties and he had a sprinkling of gray hair. What happened?

Whenever he would come to visit his young wife she would pluck a grey hair from his head in order that he should look younger, and whenever he would come to visit his older wife she would pluck a black hair from his head in order that he should look older, and between those two women he became bold-headed.

Mr. President, that is exactly what happened to the population of Philadelphia, and for that reason we needed some protection and the act of 1937 was adequate protection.

Of course, today I learned something. There was once upon a time a member of the Senate who was always thundering about the unholy alliance between Pittsburgh and Philadelphia, but Senator Walker put an end to that alliance and maybe now something good will be forthcoming.

POINT OF INQUIRY

Mr. WOODRING. Mr. President, I rise on a point of inquiry.

The PRESIDENT. The gentleman from Northampton will proceed.

Mr. WOODRING. Mr. President, is it possible, once a House Bill is on the Senate calendar, to have the number of that bill changed.

The PRESIDENT. It is not possible to have the number changed without proper action, no.

Mr. WOODRING. I thank the Chair. It just occurred to me that would be a very nice thing if this bill, House Bill 402, could be numbered House Bill 136, so that it could lie beside the first-place-on-the-ballot-bill, 135, and we could have a twin delivery.

The PRESIDENT. The Chair will not take judicial notice of the remarks of the Senator from Northampton.

Mr. FRAZIER. Mr. President, I would like to have this opportunity of declining the invitation of the distinguished Senator from Philadelphia to be host, but I suggest that Senator Jaspan take that job as he is much more virile and energetic than I am. In fact, he charged me with being a senile old man but I want to say this is no sign of senility, this hump on my back; that is from the weight of carrying 412,371 people on my back. Senator Jaspan comes from a district where there are only 75,096, so no wonder he is so volatile, no wonder he has so much time to make speeches and write speeches. I have more people in one ward than Senator Jaspan has in his entire district. Senator Jaspan had 34,000 votes cast in one district and I had in the 46th Ward 36,942 votes cast.

So, in order to properly represent my district, this senile old man has too much to do and therefore I can not play host, but Senator Jaspan, with his little vest-pocket district could take this job off my shoulders.

Mr. JASPAN. Mr. President, when I drive to New York or fly to New York, I do not go by way of London or Paris, I take the shortest distance, and I think it is approximately ninety miles from Philadelphia to New York, but that is not so in the roundabout fashion Senator Frazier has taken.

With respect to the number of people in my district, I take it there are about 75,000 people in my district, but the gentleman from Philadelphia forgets that the 75,000 people in my district are the lower type, very poor, poverty-stricken, under-nourished, through no fault of their own, and consequently the number of criminals and the number of people seeking redress in the magistrates' courts is much higher than in his district.

Frankly, I have been in magistrates' courts—getting down to brass tacks now—about five hundred times in my twenty-four years of experience as a lawyer, and I believe it to be a sad commentary on our judicial branch of government when you make your observations, when you have experienced the things I have in magistrates' courts. Yes, there are some fine men among them, but very few, you could count them. Unfortunately, as we have said, they are politically minded.

Let me go one step further. My friend, Senator Frazier, gets the impression that by not permitting magistrates to participate actively in politics you are denying them the rights of citizenship. In answer let me say they still have the right to vote, they still have the right to discuss politics at any time they see fit.

But what was the purpose of the act of 1937? Realizing what had taken place for years before the act was passed, it was absolutely necessary. I have heard it argued on the other side by Senator Walker and Senator Frazier as well, that they ought to be in politics.

When we come from meetings before the Judiciary General Committee and other committees, I see members of the Bar representing the American Bar Association, representing the State Bar Association and the Philadelphia Bar Association, who are very much interested in decent and honest legislation, and I am sure the chairman of the committee, having so much faith in them, certainly believes in the ethics as propounded by them, and above all and more important as respects this bill, may I repeat: one of the canons of judicial ethics, to bear out my contention in this matter, and I believe every lawyer in this body, and we have many lawyers, is willing to follow that which was laid down by the American Bar Association.

They certainly do not condemn what is taking place today in Philadelphia; they feel it is a proper thing that magistrates should not participate in politics and let me read again, for the information of my friend from Philadelphia, one of the canons of judicial ethics:

"While entitled to entertain his personal views of political questions, and while not required to surrender his rights or opinions as a citizen, it is inevitable that suspicion of being warped by political bias will attach to a judge who becomes the active promoter of the interests of one political party as against another." This is not my quotation, this was laid down by the American Bar Association, and I take it my friend, Senator Frazier, is a member of the American Bar Association. I quote again "He should avoid making political speeches."

How can you expect justice—let us get down to brass tacks and call a spade a spade—before any magistrate who is interested in politics? On the one hand you have one politician there rubbing him one way and on his left you have another politician rubbing him the other way, and he is caught in between the horns of a dilemma, so how can he possibly decide a case squarely and fairly? Then he has to run to his ward leader or city leader and what do you get? No justice at all, except in a few cases.

I could go on talking on this subject, my friends, because I have experience, but again and again I say, keep them out of politics, they do not belong there, if you want a fair and square deal for our people.

Mr. WILSON. Mr. President, it was with keen delight that I listened to the flow of oratory from the representatives from Philadelphia and, once in a while, Pittsburgh. It is also a delight to have them occasionally look across this way when a certain gentleman gets mad, and I want to call attention to the fact that the neighbors who came in to listen to us today must be very much exercised, to find out just what Philadelphia is, politically and otherwise. I had no idea they were so hungry; I had no idea there were so many bad people; I had no idea there were so many people unfit to fill the office of magistrate.

However, it so happens when a political party wins the majority and really asserts itself, to even a small extent, to come back in the city of Philadelphia and possibly Pittsburgh, that they are very bad men and the people behind it are very bad, and you must take advantage of the situation to say a word or put it in the record, so your consciences shall be clear.

Therefore, I am tired of it, and I move, Mr. President,

the previous question be put and we vote on it and see how it comes out.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—33

Berger,	Frazier,	Mahany,	Wade,
Blass,	Geltz,	Mallery,	Wagner,
Carr,	Hare,	Scarlett,	Walker,
Chapman,	Heyburn,	Snowden,	Watson,
Crider,	Homsher	Stevenson,	Wilson,
Crowe,	Kephart,	Tallman,	Wolfe,
Doehla,	Letzler,	Taylor,	Wood, L. H.,
Donlan,	Lord,	Tyler,	Wood, T. N.,
Farrell,			

NAYS—14

Barr,	Holland,	Rahauser,	Stiefel,
Dent,	Jaspan,	Rosenfeld,	Tarr,
DiSilvestro,	Klein,	Ruth,	Woodring,
Haluska,	Lane,		

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 433, entitled:

An Act authorizing the Secretary of Property and Supplies to sell and convey a tract of land in Limerick Township, Montgomery County, Pennsylvania, with the approval of the Governor.

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. TALLMAN. Mr. President, I ask unanimous consent to offer an amendment to this bill which will add one word merely correcting the description.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendment as follows:

Amend page 4, line 12, by adding at the end of the line after the word "original" the following word: "center".

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

It was agreed to.

And said bill having been read at length the third time, and agreed to, as amended.

Ordered, That the bill as amended, lie over for printing on final passage.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 434, as follows:

An Act to further amend section two of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 685) entitled "An act designating certain life insurance companies as limited life insurance companies and further describing the powers thereof" further describing the powers of limited life insurance companies under certain conditions

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 685) entitled "An act designating certain life insurance companies as limited life insurance companies and further describing the powers thereof" as last amended by the act approved the fifteenth day of May one thousand nine hundred forty-five (P. L. 566) is hereby further amended to read as follows

Section 2 Powers All limited life insurance companies are hereby specially empowered to issue policies agreeing to pay not more than twenty dollars ($20.00) per week in the event of disablement from sickness nor more than double that amount in the event of disability from accident nor more than five hundred dollars ($500.00) in the event of death from natural or accidental causes and to issue policies of endowment isurance subject to the condition hereinafter provided notwithstanding any limitation to the contrary established by the act of Assembly pursuant to which such corporation shall have been incorporated or reincorporated or by any other act of Assembly or by the provisions of its charter

Any such company may issue policies agreeing to pay in excess of five hundred dollars ($500.00) but not exceeding one thousand dollars ($1,000.00) in the event of death from natural and accidental causes provided it has

(a) In the case of stock companies a capital of fifty thousand dollars ($50,000.00) and in addition thereto has accumulated a surplus in the sum of at least twelve thousand five hundred dollars ($12,500.00) or

(b) In the case of mutual companies accumulated a surplus in the sum of at least fifty thousand dollars ($50,000.00)

Any such company may issue policies of endowment insurance agreeing to pay not more than one thousand dollars ($1,000.00) upon maturity thereof provided it has

(a) In the case of stock companies a capital of one hundred thousand dollars ($100,000.00) and in addition thereto has accumlated a surplus in the sum of at least twenty-five thousand dollars ($25,000.00) or

(b) In the case of mutual companies accumulated a surplus in the sum of at least one hundred thousand dollars ($100,000.00)

Any such company may issue policies agreeing to pay in excess of the weekly limitations herein prescribed but not exceeding forty-five dollars ($45) per week in the event of disablement from sickness or accident provided such policies limit payment of benefits to periods during which insured shall have been admitted as a patient into and as such be necessarily wholly and continuously confined within a duly licensed and incorporated hospital provided it has

(a) In the case of stock companies additional capital of twenty-five thousand dollars ($25,000.00) and has accumulated additional surplus in the sum of at least twenty-five thousand dollars ($25,000.00) or

(b) In the case of mutual companies accumulated additional surplus in the sum of at least twenty-five thousand dollars ($25,000.00)

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Geltz,	Lord,	Tarr,
Berger,	Haluska,	Mahany,	Taylor,
Blass,	Hare,	Mallery,	Tyler,
Carr,	Heyburn,	Margie,	Wade,
Chapman,	Holland,	Rahauser,	Wagner,
Crider,	Homsher	Rosenfeld,	Walker,
Crowe,	Jaspan,	Ruth,	Watson,
Dent,	Kephart,	Scarlett,	Wilson,
DiSilvestro,	Klein,	Snowden,	Wolfe,
Doehla,	Lane,	Stevenson,	Wood, L. H.,
Donlan,	Leader,	Stiefel,	Wood, T. N.,
Farrell,	Letzler,	Tallman,	Woodring,
Frazier,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 462, on third reading, entitled:

An Act relating to Federal aid to political subdivisions for the development of public airports

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 463, as follows:

An Act to add clause IL to section one thousand five hundred two of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" authorizing either alone or jointly with other political subdivisions or municipality authorities the acquisition of land for and the operation and leasing of airports airdromes landing fields and airport facilities

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one thousand five hundred two of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" is hereby amended by adding at the end thereof a new clause to read as follows

Section 1502 The corporate power of a township of the first class shall be vested in the board of township commissioners The board shall have power

* * * *

IL Airports To acquire by lease or purchase or by exercising the power of eminent domain in the manner provided in article nineteen of this act any land lying either within or without the limits of the township which in the judgment of the corporate authorities thereof may be necessary and desirable for the purpose of establishing and maintaining municipal airdromes aviation landing fields and airport facilities The title acquired by the township exercising the power of condemnation shall be a title in fee simple Any township having acquired land for such purposes may establish equip condition operate and maintain the same as a municipal airport airdrome landing field or intermediate landing field and may lease the same or any part thereof to any individual or corporation desiring to use the same for aviation purposes and may enter into a contract in the form of a lease providing for the use of said land or any part thereof by the Government of the United States for the use by said Government of said land for aviation purposes upon nominal rental or without consideration

Any township may acquire by lease or purchase land for aviation purposes as hereinbefore provided jointly with any county city borough township or political subdivision or municipality authority of this Commonwealth and is hereby authorized and empowered to operate and maintain said airport airdrome landing field or intermediate landing field jointly with any county city borough township or other political subdivision or municipality authority of this Commonwealth upon such terms and conditions as may be agreed upon between the proper authorities of the county city borough township or other political subdivision of this Commonwealth

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Geltz,	Lord,	Tarr,
Berger,	Haluska,	Mahany,	Taylor,
Blass,	Hare,	Mallery,	Tyler,
Carr,	Heyburn,	Margie,	Wade,
Chapman,	Holland,	Rahauser,	Wagner,
Crider,	Homsher	Rosenfeld,	Walker,
Crowe,	Jaspan,	Ruth,	Watson,
Dent,	Kephart,	Scarlett,	Wilson,
DiSilvestro,	Klein,	Snowden,	Wolfe,
Doehla,	Lane,	Stevenson,	Wood, L. H.,
Donlan,	Leader,	Stiefel,	Wood, T. N.,
Farrell,	Letzler,	Tallman,	Woodring,
Frazier,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 464, as follows:

An Act to add clause XXVI to section seven hundred two of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" authorizing either alone or jointly with other political subdivisions or municipality authorities the acquisition of land for and the operation and leasing of airports airdromes landing fields and airport facilities

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section seven hundred two of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" is hereby amended by adding at the end thereof a new clause to read as follows

Section 702 Supervisors to Exercise Powers The corporate powers of townships of the second class shall be exercised by the township supervisors They shall have power

* * * * *

XXVI Airports To acquire by lease or purchase or by exercising the power of eminent domain in the manner provided in article ten of this act any land lying either within or without the limits of the township which in the judgment of the corporate authorities thereof may be necessary and desirable for the purpose of establishing and maintaining municipal airdromes aviation landing fields and airport facilities. The title acquired by the township exercising the power of condemnation shall be a title in fee simple Any township having acquired land for such purposes may establish equip condition operate and maintain the same as a municipal airport airdrome landing field or intermediate landing field and may lease the same or any part thereof to any individual or corporation desiring to use the same for aviation purposes and may enter into a contract in the form of a lease providing for the use of said land or any part thereof by the Government of the United States for the use by said Government of said land for aviation purposes upon nominal rental or without consideration

Any township may acquire by lease or purchase land for aviation purposes as hereinbefore provided jointly with any county city borough township or political subdivision or municipality authority of this Commonwealth and is hereby authorized and empowered to operate and maintain said airport airdrome landing field or intermediate landing field jointly with any county city borough township or other political subdivision or municipality authority of this Commonwealth upon such terms and conditions as may be agreed upon between the proper authorities of the county city borough township or other political subdivisions of this Commonwealth

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Geltz,	Lord,	Tarr,
Berger,	Haluska,	Mahany,	Taylor,
Blass,	Hare,	Mallery,	Tyler,
Carr,	Heyburn,	Margie,	Wade,
Chapman,	Holland,	Rahauser,	Wagner,
Crider,	Homsher	Rosenfeld,	Walker,
Crowe,	Jaspan,	Ruth,	Watson,
Dent,	Kephart,	Scarlett,	Wilson,
DiSilvestro,	Klein,	Snowden,	Wolfe,
Doehla,	Lane,	Stevenson,	Wood, L. H.,
Donlan,	Leader,	Stiefel,	Wood, T. N.,
Farrell,	Letzler,	Tallman,	Woodring,
Frazier,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL POSTPONED

Mr. TALLMAN. Mr. President, I move that further consideration of Senate Bill No. 478, on third reading, entitled:

An Act to further amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, board and commissions shall be determined," by extending the wartime purchasing powers of the Department of Property and Supplies for a period of not longer than two years after the state of war ceases; and by further prescribing the methods of making purchases and entering into contracts by the Department of Property and Supplies.

be placed on the Postponed Calendar.

Mr. HEYBURN. Mr. President, I second the motion.

The motion was agreed to.

BILL ON SECOND READING CALENDAR

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 105, entitled:

An Act to prohibit the payment of appropriations to institutions which pay for insurance or annuity contracts to insurance companies, associations, and exchanges of other states and foreign countries, not legally doing business in Pennsylvania and not subject to the jurisdiction of the Insurance Commissioner.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

BILLS ON FIRST READING

Mr. TALLMAN. Mr. Presdent, I move that the Senate do now proceed to the first reading of all bills reported from commttees for the first time at today's session.

Mr. HEYBURN. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. HOLLAND. Mr. President, I object to the reading for the first time of Senate Bill No. 280, Senate Bill No. 361, Senate Bill No. 426, Senate Bill No. 427 and House Bill No. 35.

The PRESIDENT. Does the gentleman desire to state any reason for objecting to the bills he enumerated being read for the first time?

Mr. HOLLAND. The reason for my objection, Mr. President, is to let the people of Pennsylvania know what the Republican party is doing to labor.

The PRESIDENT. There being objection, Senate Bill 280, Senate Bill 361, Senate Bill 426, Senate Bill 427 and House Bill 35 will appear on tomorrow's first reading calendar.

And the question recurring,

Will the Senate agree to the motion?

The motion was agreed to.

BILLS ON SECOND READING

Agreeable to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 41, entitled:

An Act to further amend section eight of the act approved the nineteenth day of July one thousand nine hundred thirty-five (P. L. 1356) entitled "An act to regulate the sale and delivery of solid fuel as herein defined providing for appointment of licensed weighmasters prescribing their powers and duties authorizing substitute licensed weighmasters imposing certain duties on the Department of Internal Affairs and providing penalties" increasing the penalties for violations thereof.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeable to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 195, entitled:

An Act to further amend the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 364) entitled "An act reglating to business corporations defining and providing for the organization merger consolidation reorganization winding up and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and shareholders prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the second class within the provisions of this act prescribing the terms and conditions upon which foreign business corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas and certain State departments commissions and officers authorizing certain State departments boards commissions or officers to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" changing the time of the inception of corporate existence or authority to do business and the requirement and effect of notices to shareholders in certain cases providing for cancellation of shares acquired by issuing corporation and limiting the rights of dissenting shareholders in certain cases.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeable to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 218, enttled:

An Act to further amend the first paragraph of section nine hundred seventy-six of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333), entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," by further providing procedure for rejection of nomination petitions, papers or certficates.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeable to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 219, entitled:

An Act to add section eight hundred twelve to the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333), entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," providing that where members of a political party are appointed or elected to represent the members of such party in an election district, said members shall constitute a political committee for such district.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeable to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 238, entitled:

An Act to amend section seventy-two of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," by increasing expenses to be paid by the county.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeable to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 284, entitled:

An Act to further amend the act approved the thirtieth day of March one thousand nine hundred thirty-seven (P. L. 115) entitled "An act to provide for the permanent personal registration of electors in cities of the first class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties bodies of electors registration commissions commissioners registrars inspectors of registration and other appointees of registration commission election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs

county commissioners peace officers county treasurers county controllers registrars of vital statistics real estate brokers rental agents certain public serivce companies persons firms and corporations operating vehicles for moving furniture and household goods and boards of school directors and imposing penalties" by imposing an additional penalty.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 389, entitled:

An Act to amend section two of the act approved the seventh day of June one thousand nine hundred eleven (P. L. 668 No. 261) entitled "An act to restrain and regulate the use of billiard-tables pool-tables and bagatelle-boards or tables kept and maintained for the use of the general public for hire or reward in cities of the first class in this Commonwealth providing for the granting of licenses and providing for punishments for the violations of the provisions of this act" by requiring applicant for license to have been a resident of the city in which he desires a license for a period of two years immediately preceding the filing of his petition for a license

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 419, entitled:

An Act validating county treasures' sales for delinquent taxes where the reports and returns of such sales were not made to the court of common pleas and such sales were not confirmed by the court.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 453, entitled:

An Act to amend Section fourteen of Article XIX of the Act approved the twenty-fifth day of June one thousand nine hundred nineteen (P. L. 581) entitled "An act for the Better Government of Cities of the First Class of the Commonwealth of Pennsylvania" by extending the time for posting of eligible lists after examinations held by the Civil Service Commission when more than one thousand applicants are examined.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 487, entitled:

An Act to amend the act, approved the twenty-fifth day of May, one thousand nine hundred forty-five (P. L. 1050), entitled "An act relating to the collection of taxes levied by counties, county institution districts, cities of the third class, boroughs, towns, townships, certain school districts and vocational school districts; conferring powers and imposing duties on tax collectors, courts and various officers of said political subdivisions; and prescribing penalties," changing the method of furnishing notices of taxes.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 505, entitled:

An Act to further amend the act, approved the fourth day of June, one thousand nine hundred forty-three (P. L. 886), entitled "An act creating a Municipal Employes' Retirement System for the payment of retirement allowances to officers and employes of political subdivisions and institutions supported and maintained by them, and providing for the administration of the same by a board composed of certain state officers and others appointed by the Governor; imposing certain duties on the State Employes' Retirement Board and the actuary thereof; providing the procedure whereby political subdivisions may join such system, and imposing certain liabilities and obligations on such political subdivisions in connection therewith, and as to certain existing retirement and pension systems, and upon officers and employes of such political subdivisions and institutions supported and maintained by them; providing certain exemptions from taxation, execution, attachment, levy and sale; and making an appropriation," changing the provisions relating to prior service and defining prior salary; changing the superannuation retirement age, eliminating the requirement for joinder of system by twenty-five municipalities, reducing the amount of contributions by members; and changing provisions relating to retirement allowance

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 506, entitled:

An Act to further amend the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," providing for fixing the number and compensation of all appointed officers, deputies, assistants, clerks and other persons whose compensation is paid out of the county treasury, whether employed by the county, the courts or by any judge thereof; creating a salary board in each county; defining its powers and duties; providing for appeals; and repealing inconsistent acts.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 507, entitled:

An Act abolishing all existing county salary boards; and providing for the transfer of their books, records and property.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 527, entitled:

An Act to add (i) to section two hundred one of the act, approved the twenty-ninth day of November, one thousand nine hundred thirty-three (P. L. 15, 1933-34), entitled, as amended "An act to regulate and restrain the sale, manufacture, possession, transportation, importation, traffic in, and use of alcohol, and alcoholic and malt or brewed beverages; conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents, the Department of Public Instruction, other officers of the State government, courts, and district attorneys; authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises, and the granting of licenses, subject to local option, to sell such beverages for consumption on and off the premises; forbidding importation or bringing of such beverages into the State except as herein provided; prohibiting certain sales or practices in, connection with, and transactions in such beverages by licensees and others; providing for the forfeiture of certain property; making disposition of the receipts from State stores and of fees; and imposing penalties," empowering Liquor Control Board to warn licensees as to uncleanliness or unsanitary conditions existing on licensed premises and prescribing manner of regulation in such cases.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 528, entitled:

An Act to add section four hundred fifty-one to the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," providing for training of volunteer fire companies by counties of the second class.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 532, entitled:

An Act to amend section twenty of the act, approved the twenty-fifth day of May, one thousand nine hundred forty-five (P. L. 1050), entitled "An act relating to the collection of taxes levied by counties, county institution districts, cities of the third class, boroughs, towns, townships, certain school districts and vocational school districts; conferring powers and imposing duties on tax collectors, courts and various officers of said political subdivisions; and prescribing penalties," making a husband liable for his wife's per capita, poll and occupation taxes and providing for the collection thereof.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 532, entitled:

An Act regulating the sale and resale for profit and the carrying on of the business of selling or reselling tickets or other devices for admission to places of amusement providing for the licensing of persons reselling such tickets for profit providing for the suspension and revocation of such licenses imposing duties on licensees and owners or operators of places of amusement imposing powers and duties on the Department of Revenue county treasurers district attorneys and the receiver of taxes and city solicitors in cities of the first class making disposition of moneys collected and providing penalties.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 536, entitled:

An Act regulating the discharge of police officers in townships of the second class and in boroughs and townships of the first class having police forces of less than three members.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 563, entitled:

An Act to amend clause (a) and the first paragraph of clause (b) of section three hundred twenty-four of the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 682), entitled "An act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," by further regulating the notice of meetings required to be given stockholders in certain cases.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 617, entitled:

An Act to further amend section four hundred one of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" further regulating the abolition of wards.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 640, entitled:

An Act authorizing cities of the first and second classes to enact ordinances prohibiting smoking or the carrying of lighted cigarettes cigars pipes or matches or using matches or other fire producing devices in certain retail stores within such cities and to provide penalties therefor.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 646, entitled:

An Act to further amend clause two of section nine of the act, approved the twenty-fifth day of May, one thousand nine hundred thirty-three (P. L. 1050), entitled "An act creating and establishing a fund for the care, maintenance, and relief of aged, retired and disabled employes of the bureau of fire in cities of the second class; creating a board for the management thereof; providing the mode and manner of payment to beneficiaries, and for the care and disposition of its funds; and providing for the transfer and payment of all moneys and securities in existing funds in similar boards superseded by the fund and board herein created," by changing the method of distributing dues paid into the fund in cases of deceased firemen.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 715, entitled:

An Act to amend the act approved the second day of July, one thousand nine hundred thirty-five (P. L. 599), entitled "An act relating to motion picture exhibitions and sound motion picture exhibitions, together with orchestral or other instrumental musical or mechanical musical accompaniment, prelude, playing, or selection in connection with or incidental thereto on Sunday; prohibiting motion picture exhibitions and sound motion picture exhibitions, and orchestral or other instrumental musical or mechanical musical accompaniment, prelude, playing, or selection incidental thereto on Sunday during certain hours, and also during other hours, unless the electors of a municipality approve thereof; regulating the employment of persons in conduction such exhibitions on Sunday; providing for referendums to ascertain the will of the electors; and providing penalties; and repealing inconsistent laws," by exempting the exhibition of religious motion pictures by churches from the provisions of this act.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

PERSONAL PRIVILEGE

Mr. DENT. Mr. President, at this time I desire permission of the Senate to make some remarks under the heading of personal privilege.

The PRESIDENT. The gentleman from Westmoreland may proceed.

Mr. DENT. Mr. President and members of the Senate, I know that in my capacity as leader of the Democratic minority I am forced many times to appear upon the floor when the Senators are tired and would like to leave. Therefore there may be amongst us some who object to my many appearances on the floor. However, that does not relieve me from any responsibilities that attain to the job that I have accepted from my colleagues.

In a caucus of the Democratic members we discussed the possibilities and the probabilities of the Legislature passing certain anti-labor bills. We determined at that time that we would fight these restrictive measures with every ounce of strength at our command and every legislative trick and proposal that we know how to manipulate and maneuver.

We feel that because of the terrific barrage put out by the press and radio and congressional proposals, blaming all the evils and ills of our modern American economy upon this one culprit known as American labor that if ever in the history of the labor movement they, the dues-paying members back home, who do not know exactly what is happening here, have no way of knowing what is happening here, if ever in their lives they needed friends they need them now.

I have often remarked that during the few brief years I have participated in the political arena I have yet to have ever heard a candidate for public office get up on the platform and say "I am against labor," they just do not do it, and yet, after they have accepted the votes and, of course, in our practical economy and in our practical political maneuvering, in this state particularly, a great many of the innocent victims of our type of campaigning offtimes do not know what is happening to them until they have been robbed of every right they are entitled to under the Constitution and under the laws of decency.

I say to the members of this Senate that if the bills proposed by the Senate Committee on Labor and Industry are put on the statute books of Pennsylvania, every man who punches a clock, every man and woman who works for a daily wage, every miner who digs down deep in the bowels of the earth for his living and for

our enrichment, will be justified in laying down their tools, because they are not being treated as members of this family of ours known as the American citizenry.

These bills are the worst type of labor-baiting, scab-protecting, yellow-contract-writing legislation that has ever appeared upon the floor of any parlimentary body since the history of mankind. I can go further than that. Smiles and laughs and cat-calls can not take away from this legislation the stigma that attaches to it, because it is written in a spirit of hate, because it is written against a defenseless group of citizens who, I might say, Mr. President, are responsibile for the well-dressed appearance of the members of the Senate. Too many of us are too far away from the hole and the plow, our heads are too far up in the air, we have not stooped over except to tie our shoes in years; we have forgotten the sweetness of humility; we have forgotten the decency of labor. Labor was forced, by the conditions that these bills would re-create in this Commonwealth, to band itself into unions for mutual protection. You are now attempting to turn the hands of time backwards in order to bring back again into this great Commonwealth the sweat-shops, the slave labor that we boys and girls in this Commonwealth who were raised in coal mining towns hated with every ounce of hatred that we could command. We have seen fathers denied entrance to their own homesteads because that home was built upon coal mine property. We have grown away from that. We sit around a board today with mine owners on an equal basis, we discuss our problems in a friendly fashion, and at times, because of economic conditions over which neither group has control, there may be stoppages of work, but they are only possible where labor is free, and this group in the Senate that would destroy that freedom of labor are doing to America what the great dictators of the past decade did to Europe. I say that and I mean it with every ounce of sincerity at my command. I believe it, Mr. President.

I do not believe that any sane, sober judge of human nature would dare to condemn labor to the mode of life that these bills would condemn labor to, if they would take the time to study the consequences of this legislation.

Let us look at the real evils today, rising prices, the exorbitant charges being made against a man's payroll for food and clothing and the necessities of life, the trend of higher and higher and higher costs of living and a higher and higher margin of profit for industry.

I would just for a minute like to read to you at least three examples of four corporate interests in the United States and their respective earnings, as they are now contained in the index furnished by the United States Department of Commerce. I will give you the example of the Atlantic Refining Company, which in nine months of 1945 earned $572,000 net profit; in nine months of 1946 the Atlantic Refining Company earned $4,922,000, or an increase of 760 per cent. The Long-Bell Lumber Company in 1945 earned $266,211; in 1946 that company earned $1,562,904, an increase of 487 per cent. The Food Fair Stores in 1945 earned $747,343 and in 1946 they earned $2,937,535, or an increase of 293 per cent plus. Park and Tilford, the distillers, earned in 1945 $1,092,000 and in 1946 they earned $3,588,000, or an increase of 228 per cent.

I ask you in all seriousness will these bills cure the evil that is gnawing at the body of politic of America? will these bills destroy the unrest and confusion that we now find ourselves in, or had you not better, as members of this group, the Senate of Pennsylvania, would we not be much better off in serving our purpose here in the Senate, if we would investigate the rising profits, the increasing cost of living, before we start to penalize labor with punitive legislation.

I call upon you, in a sense of fairness and in a sense of fair play not to be led away from the moorings of good government and swayed by those who are interested in the selfishness of their own greed. Let us let live the men who make it possible for us not to have to work in the mills, in the mines and in the shops, insurance men, lawyer, doctors, bankers, grocerymen, department store owners, all of us live from the back and upon the back of the man that is bending over the hole and following the plow. We ought to be fortunate in that he who outnumbers us does not sometime sit down and study and say but by the grace of God and courage I would be he and he would be me and he would be working down deep in this dirty pit, in the mud and mire of everyday labor.

Why, we ought to feel grateful every day and genuflect in front of the image of the man who stands for labor, because I say to you, upon the backs of labor we all ride in our apparent luxury, and it is luxurious for us that we can sit down in the hotels and order steaks for $3.50 while that man has to feed his family on over-priced oleo because he can not afford butter. I say it is luxury that we are living in, and we do not want that luxury, because we are destroying those who are making it possible for us to live as we do live.

I say to you members of the Senate, before you even consider these bills in a serious way, read them, see what they do to your fellowmen who, because of the misfortune of their birth find themselves working in the mills instead of sitting here in the Senate of Pennsylvania. I say to you that we are the biggest group of ingrates that ever sat in the Senate of Pennsylvania, if we pass this restrictive, punitive and penalizing legislation, because by the sweat of the brow of that man that sent us here we will live to see the day we are shamed.

Go and visit the cafeteria downstairs. As I understood it, when we passed the bill that created this cafeteria, we were doing so so that the youngsters that work around the hill, the clerks in the minor positions, would have a place where they could go and get good hot food at noon, good wholesome food at a price they could afford to pay. What has happened to that high-sounding purpose that we originated this cafeteria from? What has happened to it? Why, this cafeteria downstairs sets its prices so it does not have to compete with the downtown restaurants, and the kids on Capitol Hill are forced to carry lunches to their working places, because they can not afford to eat right here in the Capitol, and if we set that kind of example, what do you expect out in the state, what do you expect from those greedy mercenary persons in Pennsylvania who are bleeding at every point the labor that creates their welfare.

I say to you that a committee of this Senate ought to be named by the President of this Senate, and if we can not do anything else, Mr. President, we can at least stop this thing that is happening right here in the state

of Pennsylvania in this Capitol. While we are in session exorbitant prices for food are being charged right here to state employes who have not the money to buy the food. I say to you that you have a good many jobs to do, and the least that you even have to think about doing is cracking down on the men that make it possible for you and I not to have to worry about the prices in the cafeteria.

Mr. WILSON. Mr. President, it is with deep regret that I have to call this to the attention of the President of the Senate and the Senators and all the visitors who have come here today to see what we do when we pass legislation. It is my desire to call attention to the fact that the young man who has just preceded me has made a display that anybody who has heard it will remember all his life, the utterances that have been made and the feeling and the lack of fairness to his fellow members when he said it.

He is one of the young men in this state who pretend to take a broad and good stand for justice for labor, but I was doing that before he was born and I was serving here probably before he was born and from a labor district I have been returned quite often, in spite of my badness and in spite of the fact that I happen to be a lawyer. It is a terrible thing for such men as Dr. Chapman and a few other doctors who are serving here, and have served so long and so faithfully and so carefully, to be called men lacking in character and lacking in integrity and lacking in a desire to serve this state, the greatest state in the nation.

He thinks I have feeling when I say this, but do you think I have any feelings when I am mad? Of course not. But the point that I am trying to make is that this young man is trying to tell you that the Republican party, and the people who compose it and the people who happen to be sitting in the Senate on the opposite side from him and have the power to pass things, are so bad.

Just what bills was this young man talking about? The truth of the matter is that I do not know. I try to keep up with things, to find out what is going on. I come here about eight o'clock in the morning and I sit here and listen hour after hour, after hour, I do it daily, and hear people telling us about how bad we are, and by people telling us how we look and do our part, and by people who want to say, by what we do in our committees, our committees are dishonest, and the plans that we have are altogether bad.

So far as I am concerned I do not have any plans. So far as I am concerned I do not know what bills this young man is talking about. So far as I am concerned neither Harvey Taylor nor the rest of the boys that are prevailing here tell me what to do on these bills. I will tell you what I did. I went into it and I went into the committee and took my pencil and the numbers of the bills that they were going to have here, and as I understood it, these bills pertain to the questions that have been raised by this young man from Westmoreland, and I want to say to you that if there is any merit in these bills I am for them. If I know anything, if I have the intelligence, if anything has come from the long training and experience of the years and years that have gone by, and I am pretty near the end of the line and I happen to know it, but this is the point I wish to make, that he was out of order to get up and abuse his associates; he was out of order to get up and talk in general that we were going to do this and we were going to do that—he does not know what I am going to do, he does not know whether I have read the bills or not, and he does not know the bills. What bills has he analyzed? As a lawyer with experience, I will tell you what I have done. For thirty years I have been a specialist, for thirty years I have taken care of labor when the other fellow tried to ruin them, for thirty years I have taken care of more than 20,000 individuals that have come under my hand, that have gotten hurt and have gotten free treatment, during that time.

Then came the idea of making everything perfect, by having the Democratic administration come in and pass a bill in 1937, and what happened? They passed the bill over my protest, when I sat there and advised them what to do and told them that the very things they were doing were unconstitutional—it really does sometime take a lawyer to tell you whether a thing is constitutional or not.

There are lawyers who worked in the fields and the mills and all of the places that you know about, and I happen to be one of them. I taught school for $26 a month and I boarded myself and I had sixty pupils, and you say these people are working for nothing. I want to tell you I worked for a dollar a day along the railroad and boarded myself, and these people are getting five, six, seven, eight, nine, twenty dollars a day, and you say they are so badly abused.

I served in the first session that was held in this building, in the year 1889, when everything was all apart and the other building was burned down. I served here, and think of how many changes have taken place. And yet, with that number of years in public life, here is one of those bad Republicans, the son of a Civil War veteran, the son of a man who stood guard over Lincoln's body, a descendant of people who came here before 1800 on all sides. That is the kind of man who is dishonest, without having been heard on this bill.

This young man knows I was not altogether pleased with the manner with which I was eliminated from the chairmanship of the workmen's compensation committee, and I was put on the committee on labor and industry as its vice-chairman, and I did not even know what bills were coming to us, and it was not the fault of the gentleman who presides over this committee.

Every man here, including the gentleman from Westmoreland and the gentleman from Philadelphia—I call them friends and I would not hesitate at this moment to walk across in the presence of these visitors and ask favors from Johnny, and I would not hesitate a minute to ask him for almost anything within his power, except politics, but when it comes to politics we are all dishonest, and when it comes to politics he makes general statements that I can not stand for, and there are a number of other things I can not stand for.

I am not altogether pleased with some of the things that take place political or otherwise, but I have been here during the time that George Earle was here with all his power, and this young man was not heard so very much then, and I saw the things that took place and what they did at that time. I will not begin to tell

you the number of things that I have seen here all during that time.

This is what I am serving notice on this Senate: I serve notice that you will conduct this Senate from now on until the end of this session in a legal and in a proper manner, and that I shall call upon the President, who knows his way and is a very efficient Presiding Officer, and he is not afraid, and he will tell you what to do, to enforce the rules of this Senate, and when you have been given the opportunity to debate, that you confine yourselves to the question, and that you will not get up every few minutes and talk politically in advance of the bills before they are discussed.

He wants to take the merits away. If there are any merits in these bills, No. 280, 361, 249, 230, 423, 426, and 427, I do not know what they are, and I am here at eight o'clock in the morning and analyze and I really feel I know how to analyze but what I want to say is these bills were arranged for by the chairman of this committee to have a hearing, and he knew it, and he went out mad because he could not have his way, and I didn't know about it, and we quarrelled, but still I say we are friends.

What I want to say to him is this, if he goes on and makes these speeches and talks on things that are not before us, I am going to move the previous question, and if Senator Holland tries it I am going to move the previous question, and if Harvey Taylor does it I am going to do it too. That is telling you something, Harvey, you are here and we are all pleased to welcome you back after what you have gone through and I ask you, in your years of experience, and I remember you from the time you were a little page boy and I was here and I served at the desk and took every motion that the State Senate passed, in the session of 1907, before the gentleman from Westmoreland paid too much attention to it, I wrote it all up and I knew what was going on.

I serve notice that it is not an easy job for these men to take the words I am saying now, and they wish to goodness I would stop, but I don't, and let me tell you they also wish to goodness that Johnny would stop sometimes.

Now, gentleman, I request the Senators from this moment on, having received due notice as they have, to conduct the business of this Senate in a legal and orderly way and discuss and debate these questions when they come up and give us time so that we know what we are doing. A single word sometimes means a great thing to be done. The reason I get up here now is to serve notice of what is going to happen. I talked about two hours or two and a half hours in 1939, when I had a duty to perform, and in 1945 I talked when I had a duty to perform. My conscience can work like Johnny's conscience can work, and from now on my conscience is going to work and from now on, unless they confine themselves to the question, unless they prove themselves that they are so much better than those of us who have sat here on this side and become the leaders here, and we are such terrible men, like these poor doctors who do not know their way around, all of us get so much knowledge, and we are in such a great way because of these men who are mining in the mines. I have taken care of twenty thousand of them and I have taken them to the hospital when they did not know what to do, I have carried twenty-seven dead ones in my hands, and I didn't have my clothes off for three days, because I was born with a conscience and these young men with all the silver tongues and all the interpretation of badness of the poor Republican boys that are standing here today listening to us and saying, as I said before, we wish you would quit.

Let me tell you, and get it through your head, that is no way of gaining influence, that is no way of getting advertising, that is no way of abusing somebody, that is no way of analyzing a bill by getting up and saying, this bill will do so and so.

I know when I get through he will be up there to talk, but you can not cut him off. Let him talk, if you want him to go on and talk a couple of hours more. I will answer, if you want me to give any answer.

I am not quite finshed. This is the first time I have started but now that I have started something I serve notice on you that if I start again I will tell some of the other things I happen to know, if you want to put it on that basis, but I do serve notice that every one of the bills, regardless of whatever position he takes, so far as I am concerned, will receive fair considraion, and if I am not for them I am against them, and I will say I have done it right here and he knows it, and I say to Johnny there is no feeling about it, only you must not do it any more. I thank you. That is all.

ANNOUNCEMENT BY THE CHAIR

The PRESIDENT. The Chair would like to call to the attention of the Senators on the question of personal privilege, that under the decisions of the Senate it has been ruled that questions of personal privilege are, first, those affecting the rights of the house collectively, its safety, dignity and the integrity of its proceedings, and, secondly, the right, reputation and conduct of its members individually in their representative capacity only.

In the future the Chair will, at any time there is a point of order raised recognize an objection or point of order, and the members will cconduct themselves accordingly.

BILLS SIGNED

The PRESIDENT (Lieutenant-Governor Daniel B. Strickler) announced that the Chieif Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 118, entitled:

An Act to further amend the third paragraph of section five of the act approved the eleventh day of June one thousand nine hundred thirty-five (P. L. 326) entitled "An act relating to counties of the first class defining deceased service persons providing for contributions by the county to the funeral expenses for such persons and their widows providing for the erection and care of markers headstones and flags and for the compilation of war records" authorizing the erection of headstones for deceased service persons whose bodies will not or cannot be returned to the United States and increasing amount of costs in certain cases.

House Bill No. 120, entitled:

An Act to further amend the third paragraph of section four hundred twenty-six of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1228), entitled "General County Law" authorizing the erection of headstones for deceased service persons whose bodies will not or cannot be returned to the United States and increasing amount of costs in certain cases.

House Bill No. 332, entitled:

An Act to amend the title and section one of the act approved the twenty-eighth day of July one thousand nine hundred forty-one (P. L. 560) entitled "An act authorizing and empowering school districts of the first and second class to furnish food including milk to undernourished and poor school children in their districts and providing that the acceptance and distribution of surplus commodities furnished by the Federal Government to such school districts shall not affect or limit the provisions hereof" extending the provisions thereof to all classes of school districts.

House Bill No. 333, entitled:

An Act to provide for the establishment maintenance operation and expansion of nonprofit school lunch programs in schools in the Commonwealth of Pennsylvania.

House Bill No. 337, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor, to convey to the Borough of Ebensburg, Cambria County, certain property located in Cambria County and commonly known as the "Keystone Airport."

House Bill No. 501, entitled:

An Act to amend article seven, section seven hundred one, paragraph (1) of the act approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled, "Administrative Code of 1929," by authorizing the substitution of a facsimile signature of the Governor on official documents requiring his signature or approval.

Whereupon,

The PRESIDENT (Lieutenant-Governor, Daniel B. Strickler) in the presence of the Senate signed the same.

ADJOURNMENT

Mr. TALLMAN. Mr. President, I move that the Senate do now adjourn until Wednesday, April 16, 1947, at 2:30 o'clock, p. m., Eastern Standard Time.

Mr. WADE. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 5:23 o'clock, p. m., Eastern Standard Time until Wednesday, April 16, 1947, at 2:30 o'clock, p. m., Eastern Standard Time.

HOUSE OF REPRESENTATIVES

TUESDAY, April 15, 1947.

The House met at 1:00 p. m.

The SPEAKER (Franklin H. Lichtenwalter) in the Chair.

PRAYER

The Chaplain, Rev. Lester C. Updegrove offered the following prayer:

Our Father, who art in heaven, hallowed by Thy name. Give us a grateful and happy sense of all our blessings and help us to look on the bright side of all situations. May we remember all Thy benefits by yielding our hearts to Thee. In all our ways help us to acknowledge Thee and to be deeply conscious of the truth that unto the upright there ariseth a light in the darkness, and the path of the just is as a shining light that shineth more and more unto the perfect day. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of Monday, April 14, 1947.

The Clerk proceeded to read the Journal of Monday, April 14, 1947, when, on motion of Mr. ROWEN unanimously agred to, the further reading was dispensed with and the Journal approved.

REPORTS FROM COMMITTEES

Mr. ELDER from the Committee on Boroughs, reported as amended, House Bill No. 84, entitled:

An Act to amend section one thousand one of the act, approved the fourth day of May, one thousand nine hundred twenty-seven (P. L. 519), entitled "An act concerning boroughs, and revising, amending, and consolidating the law relating to boroughs," by providing for compensation of councilmen for attendance at meetings.

Mr. PICKENS from the Committee on Boroughs, reported as committed, House Bill No. 94, entitled:

An Act abolishing the office of high constable in boroughs and repealing certain sections of the act, approved the fourth day of May, one thousand nine hundred twenty-seven (P. L. 519), entitled "An act concerning boroughs, and revising, amending, and consolidating the law relating to boroughs," and other inconsistent acts or parts of acts.

Mrs. McCOSKER from the Committee on City and County—First Class, reported as committed, House Bill No. 314, entitled:

An Act to further amend sections five and six of the act, approved the twentieth day of May, one thousand nine hundred fifteen (P. L. 566), entitled "An act requiring cities of the first class to establish a pension fund for employes of said cities, and all county or other public employes, if any, paid by appropriation of the city councils thereof, and out of the treasury of said cities; and regulating the administration and the payment of such pensions," by requiring all city, county or other public employes whether paid a per diem wage or otherwise, to become members of the pension system of such city, and removing optional rate of contribution.

Mr. HOCKER from the Committee on Boroughs, reported as committed, House Bill No. 450, entitled:

An Act to add section one thousand eight point two to the act, approved the fourth day of May, one thousand nine hundred twenty-seven (P. L. 519), entitled "An act concerning boroughs, and revising, amending, and consolidating the law relating to boroughs," permitting borough councils to follow a certain procedure in publishing certain ordinances.

Mr. EDWIN S. LIVINGSTON from the Committee on Public Utilities, reported as committed, House Bill No. 460, entitled:

An Act to further amend section one thousand three hundred eleven of the act, approved the twenty-eighth day of May, one thousand nine hundred thirty-seven (P. L. 1053) entitled "An Act relating to the regulation of public utilities defining as public utilities certain corporations, companies, associations and persons providing for the regulation of public utilities including to a limited extent municipalities engaging in public utility business by prescribing, defining and limiting their duties, powers and liabilities, and regulating the exercise, surrender or abandonment of their powers, privileges and franchises; defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle; conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons, associations, companies and corporations, including to a limited extent municipal corporations subject to this act and administering the provisions of this act; authorizing the commission to fix temporary rates placing the burden of proof on public utilities to sustain their rates and certain other matters; authorizing a permissive or mandatory sliding scale method of regulating rates; providing for the supervision of financial and contractural relations between public utilities and affiliated interests and supervision and regulation of accounts and securities or obligations issued, assumed or kept by persons, associations companies, corporations, or municipal corporations subject to this act conferring upon the commission power to vary, reform or revise certain contracts; conferring upon the commission the exclusive power to regulate or order the construction, alteration, relocation, protection or abolition of crossings of facilities of public utilities and of such facilities by or over public highways; to appropriate property for the construction or improvement of such crossings and to award or apportion resultant costs and damages: authorizing owners of such property to sue the Commonwealth for such damages; providing for ejectment proceedings in connection with the appropriation of property for crossings; conferring upon the commission power to control and regulate budgets of public utilities imposing upon persons, assiciations, companies and corporations (except municipal corporations) subject to regulation the cost of administering this act; prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings: prescribing penalties, fines and imprisonment for violations of the provisions of this act and regulations and orders of the commission and the procedure for enforcing such fines and penalties, and repealing legislation supplied and superseded by or inconsistent with this act" by authorizing the court to impose prison sentences in certain cases.

Mr. WATERHOUSE from the Committee on Law and Order, reported as committed, House Bill No. 537, entitled:

An Act requiring owners of hotels, restaurants and places of amusement and entertainment to give notice to patrons thereof that concessions for certain services have been granted to other persons and that gratuities received by the employes of such concessions are the property of the owner thereof.

Mr. O'CONNOR from the Committee on Education, reported as committed, House Bill No. 544, entitled:

An Act to further amend section one thousand four hundred thirteen of the act, approved the eighteenth day of May, one thousand nine hundred eleven, (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," providing special education for children afflicted with cerebral palsy or otherwise physically handicapped.

Mr. McMILLEN from the Committee on Education, reported as committed, House Bill No. 582, entitled:

An Act to further amend section eight hundred three of the act, approved the eighteenth day of May, one thousand nine hundred eleven, (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," increasing per diem compensation and mileage of school directors for attendance at conventions.

Mr. DeLONG from the Committee on Motor Vehicles, reported as amended, House Bill No. 610, entitled:

An Act to amend the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," providing a penalty for counterfeiting, theft, removal or transfer of certificates of inspection and providing for prosecutions.

Mr. STUART from the Committee on Education, reported as committed, House Bill No. 642, entitled:

An Act to further amend section five hundred sixty-three of the act approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," by providing for the revision of the budget of school districts of the second, third and fourth classes during the fiscal year.

Mr. YOUNG from the Committee on Law and Order, reported as committed, House Bill No. 645, entitled:

An Act to further amend section five of the act, approved the thirteenth day of May, one thousand nine hundred fifteen, (P. L. 286), entitled "An act to provide for the health, safety, and welfare of minors; by forbidding their employment or work in certain establishments and occupations, and under certain specific ages; by restricting their hours of labor, and regulating certain

conditions of their employment; by requiring employment certificates for certain minors, and prescribing the kinds thereof, and the rules for the issuance, reissuance, filing, return, and recording of the same; by providing that the Industrial Board shall, under certain conditions, determine and declare whether certain occupations are within the prohibitions of this act; requiring that certain minors shall, during the period of their employment, attend certain schools, to be established as therein provided, and to be approved by the State Superintendent of Public Instruction, and regulating the conditions of such attendance; authorizing the State Board of Education, in certain cases, to appoint attendance officers to aid in enforcing the provisions of this act, and creating the salary and expenses of such officers a charge against the school district wherein they are employed; requiring certain abstracts and notices to be posted; providing for the enforcement of this act by the Commissioner of Labor and Industry, the attendance Officers of School districts, and police officers; and defining the procedure in prosecutions thereunder, and establishing certain presumptions in relation thereto; providing penalties for the violation of the provisions thereof; and repealing all acts or parts of acts inconsistent therewith," permitting employment of male minors sixteen years of age, or over, in public bowling-alleys.

Mr. DYE from the Committee on Education, reported as committed, House Bill No. 647, entitled:

An Act to add section one thousand two hundred forty-two point one to the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," making special provision for reimbursement of school districts under certain circumstances.

Mr. GRIFFITHS from the Committee on Municipal Corporations, reported as committed, House Bill No. 670, entitled:

An Act to amend section four hundred two of the act approved the twenty-fifth day of June, one thousand nine hundred forty-one (P. L. 159), entitled "An act amending, revising, consolidating and changing the law relating to the borrowing of money by certain political subdivisions, the authorization, issuance and sale of general obligation bonds as herein defined, of bonds imposing no general obligation of debt and of bonds not deemed to constitute a debt for certain purposes, and to the funding of debt and the refunding of bonds; regulating the keeping and use of sinking funds; imposing powers and duties upon the Department of Internal Affairs and upon corporate bodies and officers of political subdivisions; imposing penalties, and repealing existing laws," providing that in certain cases moneys assessed and collected from property owners adjoining or abutting improvements, may be paid into a revolving fund and not in the sinking fund.

Mr. STUART from the Committee on Education, reported as amended, House Bill No. 692, entitled:

An Act to amend section four hundred three of the act approved the eighteenth day of May, one thousand nine hundred eleven (P. L.309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," by making further provision for the appointment of teachers

Mr. STOCKHAM from the Committee on Education, reported as committed, House Bill No. 745, entitled:

An Act to amend sections one thousand one hundred twenty-one and one thousand one hundred thirty of the act approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith" by providing for the budgeting of the traveling expenses of county and assistant county superintendents and the allocation of same.

Mr. CORDIER from the Committee on Municipal Corporations, reported as committed, House Bill No. 746, entitled:

An Act to further amend sections two and four of the act, approved the thirtieth day of April, one thousand nine hundred forty-three (P. L. 145), entitled as amended "An act providing for and regulating the accumulation, investment and expenditure by counties, cities, boroughs, incorporated towns, townships and school districts of funds for post war projects," permitting contributions to fund after post war period and the purchase or replacement of school buses.

Mr. HAUDENSHIELD from the Committee on Welfare, reported as committed, House Bill No. 752, entitled:

An Act to authorize the revival of judgments entered in favor of the Commonwealth of Pennsylvania by filing a suggestion of non-payment.

Mr. GORMAN from the Committee on Judiciary, reported as amended, House Bill No. 779, entitled:

An Act to amend section forty of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1237), entitled "An act affecting marital relations; prescribing grounds and regulating proceedings for divorce and the annulment of bigamous marriages; and amending, revising, and consolidating the law relating thereto," providing for a rule upon respondent to furnish a bill of particulars in certain cases.

Mr. HARVEY A. MOORE from the Committee on Township reported as committed, House Bill No. 793, entitled:

An Act to amend section one thousand one hundred fifty-six of the act, approved the first day of May, one thousand nine hundred thirty-three (P. L. 103), entitled "An act concerning townships of the second class; and amending, revising, consolidating, and changing the law relating thereto," providing for the regulation of encroachments on township highways and the issuing of permits therefor by the township supervisors instead of by the Department of Highways of the Commonwealth, and for the payment of permit fees into the township treasury.

Mr. ELDER from the Committee on Banking and Building and Loan Associations, reported as committed, House Bill No. 813, entitled:

An Act to further amend subsections A and B of section seven hundred seven of the act, approved the fifth day of May, one thousand nine hundred and thirty-three (P. L.

457), entitled "An act relating to the business of building and loan associations; providing for the organization and voluntary dissolution of such associations; defining the rights, powers, duties, liabilities, and immunities of such associations, and of their officers, directors, shareholders, solicitors, and other employes; prohibiting the transaction of business in this Commonwealth by foreign building and loan associations; conferring powers and imposing duties upon the courts, recorders of deeds, and certain State departments, commissions, and officers; establishing limitations of actions; imposing penalties; and repealing certain acts and parts of acts," eliminating requirement that certificates of clearance be filed with articles of amendment.

Mr. WATSON from the Committee on Banking and Building and Loan Associations, reported as committed, House Bill No. 814, entitled:

An Act to further amend subsections A and B of section eight hundred seven of the act, approved the fifteenth day of May, one thousand nine hundred and thirty-three (P. L. 624), entitled "An act relating to the business of banking, and to the exercise of fiduciary powers by corporations; providing for the organization of corporations with fiduciary powers, and of banking corporations, with or without fiduciary powers, including the conversion of National banks into State banks, and for the licensing of private bankers; defining the rights, powers, duties, liabilities, and immunities of such corporations, of existent corporations authorized to engage in a banking business, with or without fiduciary powers, of private bankers, and of the officers, directors, trustees, shareholders, attorneys, and other employes of all such corporations or private bankers, or of affiliated corporations, associations, or persons; restricting the exercise of banking powers by any other corporation, association, or person, and of fiduciary powers by any other corporation; conferring powers and imposing duties upon the courts, prothonotaries, recorders of deeds, and certain State departments, commissions, and officers; imposing penalties; and repealing certain acts and parts of acts," eliminating requirement that certificates of clearance be filed with articles of amendment.

Mr. COCHRAN from the Committee on Law and Order, reported as committed, House Bill No. 849, entitled:

An Act providing referendums to ascertain the will of electors on the question of baseball and football on Sundays; and for the enactment of licensing ordinances and resolutions in accordance therewith.

Mr. GORMAN from the Committee on City and County —First Class, reported as committed, House Bill No. 875, entitled:

An Act to further amend section one of the act approved the seventh day of June, one thousand nine hundred eleven (P. L. 680), entitled "An act providing for the examination, licensure, and registration of persons, firms, or corporations engaged or engaging in the business or work of plumbing or house drainage, and prescribing certain rules, regulations, and requirements for the construction of plumbing, house drainage, and cesspools in cities of the first class, and imposing fines, penalties, and forfeiture for violation thereof," by exempting therefrom the construction of sewers and water lines.

Mr. CHERVENAK from the Committee on Boroughs, reported as committed, House Bill No. 886, entitled:

An Act to add section seven point one to the act, approved the twenty-ninth day of June, one thousand nine hundred twenty-three (P. L. 957), entitled "An act authorizing boroughs and townships of the first class to adopt and enforce zoning ordinances regulating the location, construction, and use of buildings, the size of courts and open spaces, the density of population, and the use of land," providing an alternative plan for the adoption of zoning ordinances by boroughs.

Mr. HELM from the Committee on Education, reported as committed, House Bill No. 914, entitled:

An act to amend clauses (a) and (d) of section one thousand two hundred sixteen of the act approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," by further regulating sabbatical leaves for certain school employes.

Mr. STONIER from the Committee on Municipal Corporations, reported as committed, House Bill No. 949, entitled:

An Act to authorize political subdivisions and agencies thereof to participate in the Federal Social Security program in order to secure coverage for their officers and employes under the old-age and survivors insurance provisions of the Federal Social Security Act upon the extensions of the provisions of such Federal act to include such persons.

Mr. O'DONNELL from the Committee on Judiciary, reported as amended, House Bill No. 954, entitled:

An Act to amend section six hundred four of the act, approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 289) entitled "An act relating to nonprofit corporations; defining and providing for the organiation, merger, consolidation, and dissolution of such corporations; conferring certain rights, powers, duties and immunities upon them and their officers and members; prescribing the conditions on which such corporations may exercise their powers; providing for the conclusion of certain existing corporations of the first class within the provisions of this act; prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do busines withiln the Commonwealth; conferring powers and imposing duties on the courts of common pleas, prothonotaries of such courts, recorders of deeds, and certain State departments, commissions, and officers; authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act; imposing penalties; and repealing certain acts and parts of acts relating to corporations," allowing cemetary companies to give notice of meetings by advertising in newspapers and posting of notices.

Mr. COLE from the Committee on Townships, reported as committed, House Bill No. 955, entitled:

An Act to amend section five hundred ten of the act, approved the first day of May, one thousand nine hundred thirty-three (P. L. 103), entitled "An act concerning townships of the second class; and amending, revising, consolidating, and changing the law relating thereto," by changing the title of township supervisors.

Mr. BRICE from the Committee on Military Affairs, reported as committed, House Bill No. 964, entitled:

An Act to further amend sections thirty-four and thirty-eight of the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 869), entitled "An act providing for the organization, government, discipline, maintenance, and regulation of the armed forces of this Commonwealth," changing the

basic annual allowance for all troops and decreasing the minimum allowance; and providing for expenses of headquarters.

Mr. SCANLON from the Committee on Law and Order, reported as committed, House Bill No. 996, entitled:

An Act to prohibit organized dissemination of false and defamatory group propaganda based upon race, creed, color, national origin or ancestry interfering with the exercise of civil rights and imposing penalties.

Mr. WILLIAM P. H. JOHNSTON from the Committee on Motor Vehicles, reported as amended, House Bill No. 1020, entitled:

An Act to further amend section seven hundred and six and clause (h) of section nine hundred and three of the act, approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the pease, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by increasing annual registration fees of certain trailers and semi-trailers and fixing the maximum gross weight of truck tractors in combination with semi-trailers having two axles.

Mr. FLEMING from the Committee on Education, reported as committed, House Bill No. 1022, entitled:

An Act to amend clause seventeen of section one of the act approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon boards having the employment of public school employes; exempting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," by defining "salary" and redefining "final salary" as applied to contributors.

Mr. WATKINS from the Committee on Education, reported as committed, House Bill No. 1067, entitled:

An Act to amend section one thousand two hundred six of the act approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309) entitled, "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith" by further providing for leaves of absence of professional employes because of illness or physical disability.

Mr. STONIER from the Committee on State Government, reported as committed, House Bill No. 1085, entitled:

A Supplement to the act approved the fourth day of June, one thousand nine hundred forty-five (P. L. 1191), entitled "An act to authorize the Pennsylvania Post-War Planning Commission under certain conditions to enter into agreements with political subdivisions of this Commonwealth for the financing of plans and specifications for public works; and making an appropriation," providing for the winding up of the functions of the Pennsylvania Post-War Planning Commission by the State Planning Board; and reappropriating the unexpended balance of the appropriation.

Mr. HAUDENSHIELD from the Committee on Welfare, reported as committed, House Bill No. 1098, entitled:

An Act to further amend sections two and nine of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-seven (P. L. 2051), entitled "An act relating to public assistance; providing for and regulating assistance to certain classes of persons designagted and defined as dependent children, agded persons, blind persons and other persons requiring relief; providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose; authorizing the Department of Public Assistance to cooperat ewith, and to accept and disburse moneys received from, the United States Government for assistance to such persons; providing for the liquidation of the State Emergency Relief Board, Boards of Trustees of the Mothers' Assistance Fund, and Boards of Trustees of Pension Fund for the Blind; and repealing laws relating to mothers' assistance, pensions for the blind, old age assistance, and the State Emergency Relief Board," by changing the definition of "Assistance" and eligible requirements for aged persons and other persons.

Mr. HAUDENSHIELD from the Committee on Welfare, reported as committed, House Bill No. 1099, entitled:

An Act to amend section four hundred two of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-seven (P. L. 2017), entitled "An act creating in each county (except of the first class) as a separate corporation, and in each city of the first and second class as a part of the city government, an institution district for the care and maintenance of certain indigent persons and children; prescribing the powers and duties of county commissioners, county treasurers, city departments of public welfare, the State Department of Welfare and the State Department of Public Assistance in respect thereto; abolishing certain poor districts and terminating the terms of direstors, overseers, guardians and managers of the poor and poor district auidtors, and providing for the temporary employment of certain of them; providing for the transfer, vesting, sale and disposition of the property of poor districts and the payment of their obligations; imposing certain existing obligations on institution districts and on the Commonwealth; regulating the affairs of poor districts until abolished; revising, amending, changing and consolidating the law relating to the care of the poor; and repealing existing laws,' by clarifying the powers and duties of the institution districts.

Mr. CORDIER from the Committee on Banking and Building and Loan Associations, reported as committed, House Bill No. 1107, entitled:

An Act to further amend section one of the act, approved the sixteenth day of May, one thousand eight hundred sixty-one (P. L. 708), entitled "An act relating to brokers and private bankers," by changing the times for filing returns and for payment of the tax due.

Mr. LYONS from the Committee on Motor Vehicles, reported as committed, House Bill No. 1110, entitled:

An Act to amend sections two and three of the act, approved the twenty-second day of June, one thousand nine hundred thirty-one (P. L. 694), entitled "An act imposing a tax on gross receipts as an excise on the use of the public highways by certain owners or operators of motor vehicles transporting passengers and property for hire," by further providing for the filing of reports and for certain deductions.

Mr. MAZZA from the Committee on Welfare, reported as committed, House Bill No. 1122, entitled:

An Act providing for the payment of salary, wages, medical and hospital expenses of employes of a jail, prison, workhouse, penitentiary, penal reformatory, or correctional institution, hospitals for the insane, or any institution for the feeble minded, or epileptic persons, for inebriates, or for juvenile delinquents, and dependents maintained in whole, or in part, by the Commonwealth, or any county within the Commonwealth, who are injured in the performance of their duty, and providing that absence during such injury shall not reduce any usual sick leave period.

Mr. KIRLEY from the Committee on Banking and Building and Loan Associations, reported as committed, House Bill No. 1148, entitled:

An Act to further amend section one thousand four of the act, approved the fifteenth day of May, one thousand nine hundred thirty-three (P. L. 624), entitled "An act relating to the business of banking, and to the exercise of fiduciary powers by corporations; providing for the organization of corporations with fiduciary powers, and of banking corporations, with or without fiduciary powers, including the conversion of National banks into State banks, and for the licensing of private bankers; defining the rights, powers, duties, liabilities, and immunities of such corporations; of existent corporations authorized to engage in a banking business, with or without fiduciary powers, of private bankers, and of the officers, directors, trustees, shareholders, attorneys, and other employes of all such corporations or private bankers, or of affiliated corporations, associations, or persons; restricting the exercise of banking powers by any other corporation, association, or person, and of fiduciary powers by any other corporation; conferring powers and imposing duties upon the courts, prothonotaries, recorders of deeds, and certain State departments, commissions, and officers; imposing penalties; and repealing certain acts and parts of acts," further regulating the pledge of assets for deposits.

Mr. CHERVENAK from the Committee on Education, reported as committed, House Bill No. 1209, entitled:

An Act to further amend the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania; together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," providing for supervisors of child accounting.

Mr. POLASKI from the Committee on Education, reported as committed, House Bill No. 1235, entitled:

An Act to further amend subsection (d) of section eight hundred fourteen of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," providing for off the roadway parking facilities for school buses in certain districts.

Mr. ORBAN from the Committee on Judiciary, reported as committed, House Bill No. 1283, entitled:

An Act to amend the act, approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 289), entitled "An act relating to nonprofit corporations; defining and providing for the organization, merger, consolidation, and dissolution of such corporations; conferring certain rights, powers, duties, and immunities upon them and their officers and members; prescribing the conditions on which such corporations may exercise their powers; providing for the inclusion of certain existing corporations of the first class within the provisions of this act; prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth; conferring powers and imposing duties on the courts of common pleas, prothonotaries of such courts, recorders of deeds, and certain State departments, commissions, and officers; authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act; imposing penalties; and repealing certain acts and parts of acts relating to corporations," providing that name registrations shall automatically expire if the registrant has not become incorporated within six months, requiring a statement in the articles that the name registration has been made within such period and providing for re-registration in case of such expiration.

Mr. ORBAN from the Committee on Judiciary, reported as amended, Senate Bill No. 148, entitled:

An Act to amend the act approved the fifth day of June, one thousand nine hundred thirty-seven (P. L. 1703), entitled "An act relating to criminal prosecutions; limiting the effect of demurrers by defendants at the close of the cases of the Commonwealth," providing for the disposition of cases where evidence has been improperly admitted and the court has failed to sustain the demurrer at the close of the Commonwealth's case.

Mr. HEWITT from the Committee on Appropriations, reported as committed, Senate Bill No. 245, entitled:

An Act making certain appropriations to the Department of Public Instruction for the payment of the cost of conducting certain college courses and classes for the fiscal biennium ending May thirty-first, one thousand nine hundred forty-seven.

Mr. GREER from the Committee on Military Affairs, reported as committed, House Resolution No. 39.

PERMISSION TO ADD ADDITIONAL SPONSOR

Mr. MYERS asked and obtained consent to add the name of Mr. Vaughan as an additional sponsor to House Bill No. 603.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. WATKINS asked and obtained permission for the

Committee on State Government to meet during the session of the House.

LEAVE OF ABSENCE

Mr. Goff for Mr. WEST for today's session.

CATASAUQUA WOMEN'S CLUB WELCOMED

The SPEAKER. The Chair is pleased to have as guests in the Hall of the House today members of the Catasauqua Women's Club of Lehigh County under the direction of Mrs. Pastorius, President, and Mrs. Sheirer, Chairman of the Legislative Committee.

FORMER MEMBER WELCOMED

The SPEAKER. The Chair is also very pleased to have as a guest at today's session his predecessor in these halls, the Honorable William A. Shoemaker of Lehigh County. Will the gentleman please rise?

PERMISSION TO ADD ADDITIONAL SPONSORS

Mr. BEECH asked and obtained unanimous consent to add the name of Mr. Bender as a co-sponsor to House Bill 481.

Mr. LEE asked and obtained unanimous consent to have the name of Mr. Kent added as a co-sponsor to House Bill 1137.

BILL ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 244, entitled:

An Act providing for the establishment of temporary college centers in cooperation with certain accredited colleges and universities to meet certain educational needs of veterans and others; creating the Area College Center Commission, a temporary departmental administrative commission in the Department of Public Instruction and defining its powers and duties; providing for the creation of certain local committees and defining their powers and duties; and making certain appropriations.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 387, entitled:

An Act to further amend section one of the act approved the eighth day of April one thousand eight hundred sixty-eight (P. L. 73) entitled "An act to authorize the recorder of deeds in the several counties of this Commonwealth to record the discharges of all honorably discharged officers and soldiers" providing for the recording of certificates of service issued commissioned officers

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 576, entitled:

An Act fixing the fees of the recorder of deeds in counties of the sixth seventh and eighth class

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 589, entitled:

An Act to add section four hundred fifty-one to the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" authorizing boards of county commissioners to make appropriations to county firemen's associations

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 673, entitled:

An Act to further amend the act approved the eighth day of July one thousand nine hundred forty-one (P. L. 298) entitled "An act authorizing the creation of and providing for and regulating the maintenance and operation of a county employes' retirement system in counties of the fourth class imposing certain charges on counties and fixing penalties" permitting persons returning to county employment within five years to reinstatement upon fulfilling certain conditions

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 881, entitled.

An Act to amend section one thousand two hundred forty-four of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" providing Commonwealth reimbursement on account of elementary school tuition for attendance in other districts.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 915, entitled:

An Act to add section three point one to article three of the act approved the twenty-fifth day of June, one thousand nine hundred nineteen (P. L. 581), entitled "An act for the better government of cities of the first class of this Commonwealth," providing for accumulation of vacations and sick leave in certain cases by employes of first class cities.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. LEE. Mr. Speaker, I move that this bill be recommitted to the Committee on City and County—First Class for the purpose of further study.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1041, entitled:

An Act to provide for the minimum salaries qualifications classification leaves of absence and regulations of the administrative officers heads of special service departments and faculties of state teachers colleges.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1044, entitled:

An Act to further amend the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043), entitled "An act establishing a public school employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain said funds imposing powers and duties upon boards having the employment of public school employees exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by requiring the retirement board to submit annual statements to contributions.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1046, entitled:

An Act to amend section two of the act approved the twenty-sixth day of May one thousand nine hundred twenty-one (P. L. 1172) entitled "An act to regulate the practice of pharmacy and sale of poisons and drugs and providing penalties for the violation thereof defining the words "drug" and "poison" and providing for the appointment of a board which shall have in charge the enforcemen tof said law and the power to make rules and regulations for the enforcement of said law and providing for the purchase of samples of drugs for determining their quality strength and purity "regulating the use of a corporate title in applying for a pharmacy permit and its use on labels signs and advertisements.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

BILL PASSED OVER

There being no objection

Senate Bill No. 114, Printer's No. 21,

was passed over at the request of the SPEAKER.

Agreeably to order,

The bill having been called up from the postponed calendar, by Mr. SWOPE

The House resumed the consideration on second reading of House Bill No. 360, entitled:

An Act to repeal certain statutes relating to weights and measures.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreably to order,

The bill having been called up from the postponed calendar, by Mr. SORG

The House resumed the consideration on second reading of House Bill No. 330, entitled:

An Act to amend sections eight, nine and fourteen of the act, approved the fifth day of May, one thousand nine hundred twenty-one (P. L. 389), entitled "An act to regulate and control the manufacture, sale, offering for sale, giving away, and use of weights and measures and of weighing and measuring devices in the Commonwealth of Pennsylvania; providing for the approval and disapproval of such weights, measures, and devices by the Bureau of Standards; and prescribing penalties," providing for marking; and changing penalties.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreably to order,

The bil lhaving been called up from the postponed calendar, by Mr. SORG

The House resumed the consideration on second reading of House Bill No. 331, entitled:

An Act to further amend clause (c) of section two of the act, approved the twenty-third day of May, one thousand nine hundred nineteen (P. L. 278), entitled "An act supplementary to an act, approved the eleventh day of May, one thousand nine hundred eleven, entitled 'An act to provide for the appointment of county and city inspectors of weights and measures; providing for their compensation and expenses; prescribing their duties; prohibiting vendors from giving false or insufficient weights; and fixing the penalties for the violation of the provisions hereof,' providing for the examination of the glassware used for testing milk and cream for butterfat with the Babcock test; prohibiting the use of inaccurate testing glassware; defining the term Standard Babcock Glassware; and fixing penalties for the violations of the provisions of this act," regulating contents of Standard Babcock Pipette.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The bill having been called up from the postponed calendar, by Mr. SORG

The House resumed the consideration on second reading of House Bill No. 392, entitled:

An Act to further amend section three of the act approved the eleventh day of May one thousand nine hundred eleven (P. L. 275) entitled "An act to provide for the appointment of county and city inspectors of weights and measures providing for their compensation and expenses prescribing their duties prohibiting vendors from giving false or insufficient weights and fixing the penalties for the violation of the provisions hereof" changing penalties

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreably to order,

The bill having been called up from the postponed calendar, by Mr. SORG

The House resumed the consideration on second reading of House Bill No. 393, entitled:

An Act to amend sections two and five of the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 1007) entitled "An act to prevent fraud and deception regulating the weights and measures in the sale or offering for sale of fruits and vegetables in this Commonwealth regulating sales of fruits and vegetables in original unbroken standard containers imposing certain powers and duties on the Department of Internal Affairs and county and city inspectors of weights and measures and prescribing penalties" further regulating such weights and measures and increasing penalties

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

TIME EXTENDED ON BILL

Mr. SORG. Mr. Speaker, I move that the time on House Bill No. 595, Printer's No. 116, entitled:

An Act to further amend section two of the act, approved the twenty-eighth day of June, one thousand eight hundred and ninety-five (P. L. 408), entitled "A supplement to the twenty-fourth section of an act, entitled 'An act to provide revenue by taxation, approved the seventh day of June, one thousand eight hundred and seventy-nine,' approved the first day of June, one thousand eight hundred and eighty-nine, amending the twenty-fourth section, by providing for the payment by the State Treasurer of one-half of the two per centum tax on premiums paid by foreign fire insurance companies to the treasurers of the several cities and boroughs within this Commonwealth," by providing a method for the allocation of the tax on premiums of foreign fire insurance companies to cities, boroughs, towns and townships for firemen's relief fund association uses.

on page 8 of today's calendar, bills on second reading postponed, be extended five days.

The motion was agreed to.

BILL ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1057, as follows:

An Act to amend section twenty-two and add section twenty-two point one to the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 955) entitled "An act to promote public health safety morals and welfare by declaring the necessity of creating public bodies corporate and politics to be known as housing authorities to engage in slum clearance and to undertake projects to provide dwelling accommodations for persons of low income providing for the organization of such housing authorities defining their powers and duties providing for the exercise of such powers including the acquisition of property by purchase gift or eminent domain the renting and selling of property and including borowing money issuing bonds and other obligations and giving security therefor prescribing the remedies of obligees of housing authorities authorizing housing authorities to enter into agreements including agreements with the United States the Commonwealth and political subdivisions and municipalities thereof defining the application of zoning sanitary and building laws and regulations to projects built or maintained by such housing authorities exempting the property and securities of such housing authorities from taxation and imposing duties and conferring powers upon the State Board of Housing and certain other State officers and departments" regulating manner of applying for and receiving grants or funds from the Federal and State Government or of any instrumentality thereof

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section twenty-two of the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 955) entitled "An act to promote public health safety morals and welfare and declaring the necessity of creating public bodies corporate and politic to be known as housing authorities to engage in slum clearance and to undertake projects to provide dwelling accommodations for persons of low income providing for the organization of such housing authorities defining their powers and duties providing for the exercise of such powers including the acquisition of property by purchase gift or eminent domain the renting and selling of property and including borrowing money issuing bonds and other obligations and giving security therefor prescribing the remedies of obligees of housing authorities authorizing housing authorities to enter into agreements including agreements with the United States the Commonwealth and political subdivisions and municipalities thereof defining the application of zoning sanitary and building laws and regulations to projects built or maintained by such housing authorities exempting the property and securities of such housing authorities from taxation and imposing duties and conferring powers upon the State Board of Housing and certain other State officers and departments" is hereby amended to read as follows

Section 22 Aid from Federal Government In addition to the powers conferred upon an Authority by other provisions of this act an Authority is empowered to borrow money or accept grants or other financial assistance from the Federal Government for or in aid of any housing project within its area of operation to take over or lease or manage any housing project or undertaking constructed or owned by the Federal Government and to these ends to comply with such conditions and enter into such mortgages trust indentures leases or agreements as may be necessary convenient or desirable It is the purpose and intent of this act to authorize every Authority to do any and all things necessary or desirable to secure the financial aid or cooperation of the Federal Government in the undertaking construction maintenance or operation of any housing project bu such Authority Provided That upon completion of any application of an authority for financial assistance of the Federal Government in connection with a housing project the authority shall present to the State Board of Housing The said application and supporting data The application and data shall be presented by the State Board of Housing within twenty (20) days from the receipt thereof to the Federal agency in question with the recommendations of the State Board of Housing should the State Board of Housing fail within the said twenty (20) day period to forward said application and document to the Federal Government or its appropriate agency the authority shall be permitted to present its application to the Federal Government or its agency during the pendency of an application to the Federal Government or its agency for its assistance as aforesaid The authority shall file with the State Board of Housing copies of all correspondence agreements and documents that may be exchanged between the authority and representatives of the Federal Government in connection with the project

Section 2 Said act is hereby amended by adding after

section twenty-two thereof a new section to read as follows

Section 22.1 Aid from State Government In addition to the powers conferred upon an Authority by other provisions of this act an Authority is empowered to act as agent of the State or any of its instrumentalities or agencies for the public purposes set out in this act

Further to effectuate the purposes and provisions of this act and in a manner requisite therefor an Authority is empowered to receive accept or borrow any and all funds appropriated given granted loaned or donated to it and to receive and accept any real estate and appurtenances thereto given granted or donated to it by the State or any of its instrumentalities

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—199

Aaronson,	Frost,	McCormack,	Sax,
Andrews,	Gallagher,	McCosker,	Scanlon,
Bane,	Getchey,	McCullough,	Schuster,
Barrett,	Gibson,	McKinney,	Scott,
Baumunk,	Goff,	McMillen,	Serrill,
Beech,	Goodling,	Mihm,	Shoemaker,
Bender,	Gorman,	Mikula,	Simons,
Bentzel,	Graybill,	Miller,	Smith, C. C.,
Bloom,	Greenwood,	Mills,	Smith, C. M.,
Boies,	Greer,	Mintess,	Snider,
Bonawitz,	Griffiths,	Mohr,	Sollenberger,
Boorse,	Guthrie,	Mooney,	Sorg,
Bower,	Gyger,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenshield,	Murray,	Stimmel,
Brown,	Helm,	Myers,	Stockham,
Brunner,	Henry,	Najaka,	Stonier,
Bucchin,	Hewitt,	Naumann,	Stuart,
Cadwalader,	Hocker,	Needham,	Swope,
Capano,	Hoffman,	Neff,	Tahl,
Cassidy,	Hoopes,	Nelson,	Thomassy,
Chervenak,	Horan,	O'Connor,	Thompson,
Chudoff,	Imbt,	O'Dare,	Tittle,
Clevenger,	Jennings,	O'Donnell,	Tompkins,
Cochran,	Johnson,	O'Neill,	Toomey,
Cole,	Johnston,	Orban,	Turner,
Cook,	Jones,	Patten,	Upshur,
Cooper,	Jump,	Petrosky,	Vaughan,
Cordier,	Kean,	Pichney,	Verona,
Costa,	Kelley,	Pickens,	Wachhaus,
Crowley,	Kemp,	Polaski,	Wagner,
Dague,	Kent,	Powers,	Waldron,
Dalrymple,	Kirley,	Price,	Wallin,
Davison,	Kline,	Propert,	Walton,
De Long,	Kohl,	Ragot,	Waterhouse,
Demech,	Kratz,	Readinger,	Watkins,
Dennison,	Krise,	Reagan,	Watson,
Dix,	Kurtz,	Reese, D. P.,	Weidner,
Dye,	Laughner,	Reese, R. E.,	Weiss,
Efenberg,	Layer,	Reilly, J. M.,	Wescott,
Elder,	Lee,	Reilly, W. J.,	Wheeler,
Erb,	Leisey,	Richter,	Wolf,
Evans,	Livingston,	Riley,	Wood,
Ewing,	Livingstone,	Robbins,	Worley,
Feola,	Loftus,	Robertson,	Yeakel,
Fish,	Lovett,	Root,	Yester,
Fiss,	Lyons,	Rose,	Yetzer,
Flack,	Madden,	Rowen,	Young,
Fleming,	Madigan,	Royer,	Lichtenwalter,
Foor,	Mazza,	Sarraf,	Speaker.

NAYS—0

NOT VOTING—6

Depuy,	McDonald,	Trout,	West,
Hall,	Morrison,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 6, as follows:

An Act to amend subsection four of section one thousand two hundred nine point one of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" requiring librarians with Bachelor's Degrees of Library Science to be paid as teachers holding Master's Degrees

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection four of section one thousand two hundred nine point one of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as added by the act approved the twenty-ninth day of May one thousand nine hundred forty-five (P. L. 1112) is hereby amended to read as follows

Section 1209.1 The minimum salaries of all teachers supervisors principals and superintendents in the public schools of the Commonwealth except as otherwise hereinafter provided shall be paid by the several classes of districts in which such persons are employed in accordance with the following schedules

* * * * *

4 All professional employes in all school districts of this Commonwealth hereinbefore referred to who have earned a Master's Degree in Library Science in addition to a Bachelor or Arts Degree or a Bachelor of Science Degree in another field at a college or university approved by the State Council of Education and all librarians that have earned a Bachelor's Degree of Library Science from an accredited Library School and in either case who have received all increments provided for by this act shall be entitled to two (2) additional annual increments of one hundred dollars ($100) each

Section 2 The provisions of this act shall become effective on the first day of July one thousand nine hundred forty-seven

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—198

Aaronson,	Frost,	McCormack,	Scanlon,
Andrews,	Gallagher,	McCosker,	Schuster,
Bane,	Getchey,	McCullough,	Scott
Barrett,	Gibson,	McKinney,	Serrill,
Baumunk,	Goff,	McMillen,	Shoemaker,
Beech,	Goodling,	Mihm,	Simons,
Bender,	Gorman,	Mikula,	Smith, C. C.,
Bentzel,	Graybill,	Miller,	Smith, C. M.,
Bloom,	Greenwood,	Mills,	Snider,

Boies,	Greer,	Mintess,	Sollenberger,
Bonawitz,	Griffiths,	Mohr,	Sorg,
Boorse,	Guthrie,	Mooney,	Sproul,
Bower,	Gyger,	Moore, C. E.,	Stank,
Breisch,	Haller,	Moore, H. A.,	Stimmel,
Brice,	Haudenshield,	Murray,	Stockham,
Brown,	Helm,	Myers,	Stonier,
Brunner,	Henry,	Najaka,	Stuart,
Bucchin,	Hewitt,	Naumann,	Swope,
Cadwalader,	Hocker,	Needham,	Tahl,
Capano,	Hoffman,	Neff,	Thomassy,
Cassidy,	Hoopes,	Nelson,	Thompson,
Chervenak,	Horan,	O'Connor,	Tittle,
Chudoff,	Imbt,	O'Dare,	Tompkins,
Clevenger,	Jennings,	O'Donnell,	Toomey,
Cochran,	Johnson,	O'Neill,	Turner,
Cole,	Johnston,	Orban,	Upshur,
Cook,	Jones,	Patten,	Vaughan,
Cooper,	Jump,	Petrosky,	Verona,
Cordier,	Kean,	Pichney,	Wachhaus,
Costa,	Kelley,	Pickens,	Wagner,
Crowley,	Kemp,	Polaski,	Waldron,
Dague,	Kent,	Powers,	Wallin,
Dalrymple,	Kirley,	Price,	Walton,
Davison,	Kline,	Propert,	Waterhouse,
De Long,	Kohl,	Ragot,	Watkins,
Demech,	Kratz,	Readinger,	Watson,
Dennison,	Krise,	Reese, D P.,	Weldner,
Dix,	Kurtz,	Reese, R E.,	Weiss,
Dye,	Laughner,	Reilly, J. M.,	Wescott,
Efenberg,	Layer,	Reilly, W. J.,	Wheeler,
Elder,	Lee,	Richter,	Wolf,
Erb,	Leisey,	Riley,	Wood,
Evans,	Livingston,	Robbins,	Worley,
Ewing,	Livingstone,	Robertson,	Yeakel,
Feola,	Loftus,	Root,	Yester,
Fish,	Lovett,	Rose,	Yetzer,
Fiss,	Lyons,	Rowen,	Young,
Flack,	Madden,	Royer,	Lichtenwalter,
Fleming,	Madigan,	Sarraf,	Speaker.
Foor,	Mazza,	Sax,	

NAYS—1

Reagan,

NOT VOTING—6

Depuy,	McDonald,	Trout,	West,
Hall,	Morrison,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 191, as follows:

An Act to amend the act approved the third day of May one thousand nine hundred thirty-three (P. L. 242) entitled "An act to promote the public health and safety by providing for examination and registration of those who desire to engage in the occupation of beauty culture defining beauty culture and regulating beauty culture shops schools students apprentices teachers managers and operators conferring powers and duties upon the Department of Public Instruction providing for appeals to certain courts by applicants and licensees and providing penalties" providing for the keeping and distribution of a registry roster by the department

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the third day of May one thousand nine hundred thirty-three (P. L. 242) entitled "An act to promote the public health and safety by providing for examination and registration of those who desire to engage in the occupation of beauty culture defining beauty culture and regulating beauty culture shops schools students apprentices teachers managers and operators conferring powers and duties upon the Department of Public Instruction providing for appeals to certain courts by applicants and licensees and providing penalties" is hereby amended by adding thereto after section thirteen a new section to read as follows

Section 13.1 Registry Roster The department shall also have the power to keep a roster showing the names and address of names and the places of business of all persons licensed under this act and under prior laws and registered by the department which roster shall be published in booklet form by the department once every year no later than seventy (70) days after the date in which licenses are to be renewed Copies of the roster shall be mailed to interested persons upon request

On the question,

Will the House agree to the bill on third reading?

Mr. ANDREWS. Mr. Speaker, I simply desire to call the attention of the House to the fact that this bill is a bill to require the printing of the names of beauty parlor people in order that they may be available easily, I presume for the agents that desire to locate them and sell their products to the beauty parlor people.

Now, just why the Commonwealth should pay the bill to distribute lists of persons engaged in that particular profession for the benefit of salesmen who want to make sales to those people, I don't know how to understand it. However, if that is the way the House wants to spend the Commonwealth's money, there is nothing I can do about it except to vote "no".

On the question recurring,

Will the House agree to the bill on third reading?

It was agreed to.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—74

Aaronson,	Haudenshield,	McCosker,	Sollenberger,
Beech,	Helm,	McMillen,	Sorg,
Bender,	Henry,	Mohr,	Stuart,
Bower,	Hoopes,	Moore, H. A.,	Thomassy,
Cassidy,	Horan,	Myers,	Thompson,
Cordier,	Johnston,	Nelson,	Toomey,
Costa,	Kemp,	O'Dare,	Turner,
Dalrymple,	Kent,	O'Donnell,	Upshur,
Davison,	Kline,	Pichney,	Vaughan,
Dye,	Kohl,	Pickens,	Wallin,
Elder,	Kratz,	Price,	Walton,
Ewing,	Krise,	Reagan,	Waterhouse,
Feola,	Kurtz,	Richter,	Watson,
Fleming,	Laughner,	Rowen,	Worley,
Gallagher,	Lee,	Sax,	Yester,
Getchey,	Loftus,	Serrill,	Young,
Gibson,	Lyons,	Shoemaker,	Lichtenwalter,
Griffiths,	Madden,	Smith, C. C.,	Speaker.
Haller,	Mazza,	Smith, C. M.,	

NAYS—97

Andrews,	Dix,	Lovett,	Sarraf,
Bane,	Efenberg,	Madigan,	Schuster,
Barrett,	Erb,	McCormack,	Scott,
Baumunk,	Evans,	McCullough,	Snider,
Bentzel,	Fish,	McKinney,	Sproul,
Bloom,	Foor,	Mihm,	Stank,
Bonawitz,	Frost,	Mikula,	Stimmel,
Boorse,	Goff,	Miller,	Stockham,
Breisch,	Goodling,	Mooney,	Stonier,
Brice,	Gorman,	Moore, C. E.,	Swope,
Brown,	Graybill,	Murray,	Tittle,
Brunner,	Greer,	Najaka,	Tompkins,
Bucchin,	Hewitt,	O'Connor,	Verona,
Cadwalader,	Hocker,	Orban,	Wachhaus,
Chervenak,	Imbt,	Patten,	Wagner,
Chudoff,	Jennings,	Polaski,	Waldron,

Clevenger,	Johnson,	Powers,	Watkins,
Cochran,	Jones,	Propert,	Weidner,
Cole,	Jump,	Ragot,	Weiss,
Cook,	Kean,	Reilly, J. M.,	Wheeler,
Crowley,	Kelley,	Riley,	Wolf,
Dague,	Kirley,	Robbins,	Wood,
De Long,	Layer,	Robertson,	Yeakel,
Demech,	Livingstone,	Royer,	Yetzer,
Dennison,			

NOT VOTING—34

Boies,	Hall,	Needham,	Root,
Capano,	Hoffman,	Neff,	Rose,
Cooper,	Leisey,	O'Neill,	Scanlon,
Depuy,	Livingston,	Petrosky,	Simons,
Fiss,	McDonald,	Readinger,	Tahl,
Flack,	Mills,	Reese, D. P.,	Trout,
Greenwood,	Mintess	Reese, R. E.,	Wescott,
Guthrie,	Morrison,	Reilly, W. J.,	West,
Gyger,	Naumann,		

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative, and the bill falls.

CLASSES OF EDGAR FAHS SMITH JUNIOR HIGH SCHOOL WELCOMED

The SPEAKER. The Chair is pleased to have as guests this afternoon two civic classes from the Edgar Fahs Smith Junior High School of York, who are here under the direction of their teachers Mrs. Thorne, Miss Waltemyer, Mr. Jacobs and Mr. Powers, Jr. They are guests of Mr. Bentzel.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 234, as follows:

An Act to amend section seven of the act approved the twenty-fourth day of July one thousand nine hundred forty-one (P. L. 490) entitled "An act relating to acknowledgments of written instruments and to make uniform the law with relation thereto" regulating acknowledgments of written instruments made by corporations

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section seven of the act approved the twenty-fourth day of July one thousand nine hundred forty-one (P. L. 490) entitled "An act relating to acknowledgments of written instruments and to make uniform the law with relation thereto" is hereby amended to read as follows

Section 7 Forms of Certificates An officer taking the acknowledgment shall endorse threon or attach thereto a certificate substantially in one of the following forms

(1) By individuals

State of .....
County of .....

On this the .....day of ..... 19 .....before me .....the undersigned officer personally appeared .....known to me (or satisfactorily proven) to be the person whose name .....subscribed to the within instrument and acknowledged that .....he..... executed the same for the purposes therein contained

In witness whereof I hereunto set my hand and official seal

.....
.....
Title of Officer

(2) By a corporation

State of .....
County of .....

On this the ..... day of ..... 19 ... before me ..... the undersigned officer personally appeared ..... who acknowledged himself to be the ..... of ..... a corporation and that he as such ..... being authorized to do so executed the foregoing instrument for the purposes therein contained by signing the name of the corporation by himself as .....

In witness whereof I hereunto set my hand and official seal

.....
.....
Title of Officer

Any deed conveyance mortgage or other instrument in writing made and executed by a corporation may be acknowledged by any officer of said corporation whose signature appears on such deed conveyance mortgage or other instrument in writing in execution or in attestation

(3) By an attorney in fact

State of .....
County of .....

On this the ..... day of..... 19.... before me ..... the undersigned officer personally appeared ..... known to me (or satisfactorily proven) to be the person whose name is subscribed as attorney in fact for ..... and acknowledged that he executed the same as the act of his principal for the purposes therein contained

In witness whereof I hereunto set my hand and official seal

.....
.....
Title of Officer

(4) By any public officer or deputy thereof or by any trustee administrator guardian or executor

State of .....
County of .....

On this the ..... day of ..... 19.... before me ..... the undersigned officer personally appeared ..... of the State (County or City as the case may be) of .....known to me (or satisfactorily proven) to be the person described in the foregoing instrument and acknowledged that he executed the same in the capacity therein stated and for the purposes therein contained

In witness whereof I hereunto set my hand and official seal

.....
.....
Title of Officer

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—199

Aaronson,	Frost,	McCosker,	Sax,
Andrews,	Gallagher,	McCormack,	Scanlon,
Bane,	Getchey,	McCullough,	Schuster,
Barrett,	Gibson,	McKinney,	Scott,
Baumunk,	Goff,	McMillen,	Serrill,
Beech,	Goodling,	Mihm,	Shoemaker,
Bender,	Gorman,	Mikula,	Simons,
Bentzel,	Graybill,	Miller,	Smith, C. C.,
Bloom,	Greenwood,	Mills,	Smith, C. M.,
Boies,	Greer,	Mintess,	Snider,
Bonawitz,	Griffiths,	Mohr,	Sollenberger,
Boorse,	Guthrie,	Mooney,	Sorg,
Bower,	Gyger,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenshield,	Murray,	Stimmel,
Brown,	Helm,	Myers,	Stockham,
Brunner,	Henry,	Najaka,	Stonier,
Bucchin,	Hewitt,	Naumann,	Stuart,
Cadwalader,	Hocker,	Needham,	Swope,

Capano,	Hoffman,	Neff,	Tahl,
Cassidy,	Hoopes,	Nelson,	Thomassy,
Chervenak,	Horan,	O'Connor,	Thompson,
Chudoff,	Imbt,	O'Dare,	Tittle,
Clevenger,	Jennings,	O'Donnell,	Tompkins,
Cochran,	Johnson,	O'Neill,	Toomey,
Cole,	Johnston,	Orban,	Turner,
Cook,	Jones,	Patten,	Upshur,
Cooper,	Jump,	Petrosky,	Vaughan,
Cordier,	Kean,	Pichney,	Verona,
Costa,	Kelley,	Pickens,	Wachhaus,
Crowley,	Kemp,	Polaski,	Wagner,
Dague,	Kent,	Powers,	Waldron,
Dalrymple,	Kirley,	Price,	Wallin,
Davison,	Kline,	Propert,	Walton,
De Long,	Kohl,	Ragot,	Waterhouse,
Demech,	Kratz,	Readinger,	Watkins,
Dennison,	Krise,	Reagan,	Watson,
Dix,	Kurtz,	Reese, D. P.,	Weidner,
Dye,	Laughner,	Reese, R. E.,	Weiss,
Efenberg,	Layer,	Reilly, J. M.,	Wescott,
Elder,	Lee,	Reilly, W. J.,	Wheeler,
Erb,	Leisey,	Richter,	Wolf,
Evans,	Livingston,	Riley,	Wood,
Ewing,	Livingstone,	Robbins,	Worley,
Feola,	Loftus,	Robertson,	Yeakel,
Fish,	Lovett,	Root,	Yester,
Fiss,	Lyons,	Rose,	Yetzer,
Flack,	Madden,	Rowen,	Young,
Fleming,	Madigan,	Royer,	Lichtenwalter,
Foor,	Mazza,	Sarraf,	Speaker.

NAYS—0

NOT VOTING—6

Depuy,	McDonald,	Trout,	West,
Hall,	Morrison,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection

House Bill No. 339, Printer's No. 273,

was passed over at the request of Mr. FLEMING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 358, as follows:

An Act to further amend the act approved the nineteenth day of July one thousand nine hundred thirty-five (P. L. 1356) entitled "An act to regulate the sale and delivery of solid fuel as herein defined providing for appointment of licensed weighmasters prescribing their powers and duties authorizing substitute licensed weighmasters imposing certain duties on the Department of Internal Affairs and providing penalties" providing for transportation of solid fuel over a public highway making exceptions to necessity of a weighmaster's certificate and designating certain acts as prima facie evidence of short weight

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections two and subsection (1) of section three of the act approved the nineteenth day of July one thousand nine hundred thirty-five (P. L. 1356) entitled "An act to regulate the sale and delivery of solid fuel as herein defined providing for appointment of licensed weighmasters prescribing their powers and duties authorizing substitute licensed weighmasters imposing certain duties on the Department of Internal Affairs and providing penalties" as last amended by the act approved the twenty-seventh day of May one thousand nine hundred forty-three (P. L. 684) are hereby further amended to read as follows

Section 2 [It shall be unlawful to sell solid fuels excepting by avoirdupois weight] No person shall sell transport over a public highway or deliver or start out for delivery less than two thousand (2000) pounds avoirdupois of weight to the ton of any solid fuel or a proper proportion thereof in quantities less than a ton and such solid fuel shall be duly weighed by a licensed weighmaster of the Commonwealth of Pennsylvania on accurate scales suitable for weighing a tare and the gross weight of the vehicle or vehicle and trailer transporting solid fuel located in this state and which has been tested and approved by an official empowered by law to test such scales A tolerance at the rate of thirty (30) pounds to two thousand pounds shall be allowed for wastage and variation in scales

Section 3 (1) No person [upon the sale or purchase of solid fuel] shall sell transport over a public highway deliver or cause to be delivered or to be started out for delivery any solid fuel in a lot or lots in amounts of exceeding one hundred (100) pounds without each lot in each separate compartment of any vehicle or vehicle and trailer being accompanied by a weighmaster's certificate for each lot issued by a licensed weighmaster of the Commonwealth of Pennsylvania Provided That this section shall be inapplicable to a producer of solid fuel who furnishes proof satisfactory to the Department or an Inspector of Weights and Measures that the solid fuel being transported comes from his own mine in his own property and is being transported for a purpose other than for sale or that the vehicle is accompanied by a valid certificate of transportation permitting such transportation without a weighmaster's certificate as provided for by the rules and regulations as promulgated by the Department of Internal Affairs

Section 2 Section seven of said act as amended by the act approved the twenty-fourth day of June one thousand nine hundred forty-one (P. L. 152) is hereby further amended to read as follows

Section 7 It shall be unlawful for any weighmaster to issue a false or incorrect weighmaster's certificate or for any person to solicit him to do so or for any person to use or issue any weighmaster's certificate except one prepared on a form issued or approved by the department or for any person to print or distribute any forms of weighmaster's certificate unless authorized so to do by the department or to use a false or incorrect weighmaster's certificate or weighmaster's certificate not bearing the signature and license number of a licensed weighmaster and the license number of the vehicle or for any weighmaster knowingly to permit any weighmaster's certificate to be issued or used which purports to bear his signature and which was not in fact signed by him at the time of weighing or which expresses a gross tare or net weight not ascertained by him or for any person to deliver solid fuel without an official weighmaster's certificate or to permit any diminution of the load or solid fuel before its delivery to the purchaser or purchasers thereof or except as otherwise provided in this act to fail neglect or refuse to deliver a correct and lawful weighmaster's certificate to the purchaser of solid fuel whose name and address appears on said weighmaster's certificate or to otherwise directly or indirectly violate any of the provisions of this act

Whenever solid fuel is sold and delivered to the purchaser named in the approved weighmaster's certificate and whenever the seller or his representative neglects fails or refuses to deliver an approved weighmaster's certificate at the time of delivery or the net weight of the solid fuel shall be determined to be less than the net amount stated on the approved weighmaster's certificate or as otherwise represented to the purchaser such determination shall constitute prima facie evidence of short weight and the seller shall be prosecuted under this provision for short weight

Whenever the gross weight of a vehicle and load the tare weight and the net weight of solid fuel has been determined in accordance with the provisions of this act and the net weight of the solid fuel shall be determined to be less than that stated in a weighmaster's certificate

proof of such determination shall constitute prima facie evidence of the diminution of the load of solid fuel before delivery to the purchaser

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—199

Aaronson,	Frost,	McCormack,	Sax,
Andrews,	Gallagher,	McCosker,	Scanlon,
Bane,	Getchey,	McCullough,	Schuster,
Barrett,	Gibson,	McKinney,	Scott,
Baumunk,	Goff,	McMillen,	Serrill,
Beech,	Goodling,	Mihm,	Shoemaker,
Bender,	Gorman,	Mikula,	Simons,
Bentzel,	Graybill,	Miller,	Smith, C. C.,
Bloom,	Greenwood,	Mills,	Smith, C. M.,
Boies,	Greer,	Mintess,	Snider,
Bonawitz,	Griffiths,	Mohr,	Sollenberger,
Boorse,	Guthrie,	Mooney,	Sorg,
Bower,	Gyger,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenshield,	Murray,	Stimmel,
Brown,	Helm,	Myers,	Stockham,
Brunner,	Henry,	Najaka,	Stonier,
Bucchin,	Hewitt,	Naumann,	Stuart,
Cadwalader,	Hocker,	Needham,	Swope,
Capano,	Hoffman,	Neff,	Tahl,
Cassidy,	Hoopes,	Nelson,	Thomassy,
Chervenak,	Horan,	O'Connor,	Thompson,
Chudoff,	Imbt,	O'Dare,	Tittle,
Clevenger,	Jennings,	O'Donnell,	Tompkins,
Cochran,	Johnson,	O'Neill,	Toomey,
Cole,	Johnston,	Orban,	Turner,
Cook,	Jones,	Patten,	Upshur,
Cooper,	Jump,	Petrosky,	Vaughan,
Cordier,	Kean,	Pichney,	Verona,
Costa,	Kelley,	Pickens,	Wachhaus,
Crowley,	Kemp,	Polaski,	Wagner,
Dague,	Kent,	Powers,	Waldron,
Dalrymple,	Kirley,	Price,	Wallin,
Davison,	Kline,	Propert,	Walton,
De Long,	Kohl,	Ragot,	Waterhouse,
Demech,	Kratz,	Readinger,	Watkins,
Dennison,	Krise,	Reagan,	Watson,
Dix,	Kurtz,	Reese, D. P.,	Weidner,
Dye,	Laughner,	Reese, R. E.,	Weiss,
Efenberg,	Layer,	Reilly, J. M.,	Wescott,
Elder,	Lee,	Reilly, W. J.,	Wheeler,
Erb,	Leisey,	Richter,	Wolf,
Evans,	Livingston,	Riley,	Wood,
Ewing,	Livingstone,	Robbins,	Worley,
Feola,	Loftus,	Robertson,	Yeakel,
Fish,	Lovett,	Root,	Yester,
Fiss,	Lyons,	Rose,	Yetzer,
Flack,	Madden,	Rowen,	Young,
Fleming,	Madigan,	Royer,	Lichtenwalter,
Foor,	Mazza,	Sarraf,	Speaker.

NAYS—0

NOT VOTING—6

Depuy,	McDonald,	Trout,	West,
Hall,	Morrison,		

The majority required by the Constitution having voted voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 362, as follows:

An Act to amend section two of the act approved the eighteenth day of May one thousand nine hundred forty-five (P. L. 802) entitled " An act to fix the standard weights of containers for wheat and corn flours cornmeals hominy and hominy grits and to provide penalties for the violation of this act" extending provisions of the act

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two of the act approved the eighteenth day of May one thousand nine hundred forty-five (P L. 802) entitled "An act to fix the standard weights of containers for wheat and corn flours cornmeals hominy and hominy grits and to provide penalties for the violation of this act" is hereby amended to read as follows

Section 2 It shall be unlawful for any person to pack for sale sell offer or expose for sale in this State flour except in containers of net avoirdupois weights of [two (2)] five (5) ten (10) twenty-five (25) fifty (50) and one hundred (100) pounds and multiples of one hundred (100) pounds Provided however That the provisions of this act shall not apply to (a) the retailing of flours meals hominy and hominy grits direct to the consumer from bulk stock or (b) the sale of flours and meals to commercial bakers or blenders or for export in containers of more than one hundred (100) pounds or (c) flours meals hominy and hominy grits packed in [cartons] containers the net contents of which are less than [five (5)] [two (2)] three (3) pounds or (d) the exchange of wheat for flour by mills grinding for toll

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—199

Aaronson,	Frost,	McCormack,	Sax,
Andrews,	Fullerton,	McCosker,	Scanlon,
Bane,	Getchey,	McCullough,	Schuster,
Barrett,	Gibson,	McKinney,	Scott,
Baumunk,	Goff,	McMillen,	Serrill,
Beech,	Goodling,	Mihm,	Shoemaker,
Bender,	Gorman,	Mikula,	Simons,
Bentzel,	Graybill,	Miller,	Smith, C. C.,
Bloom,	Greenwood,	Mills,	Smith, C. M.,
Boies,	Greer,	Mintess,	Snider,
Bonawitz,	Griffiths,	Mohr,	Sollenberger,
Boorse,	Guthrie,	Mooney,	Sorg,
Bower,	Gyger,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenshield,	Murray,	Stimmel,
[illegible]	Helm,	Myers,	Stockham,
Brunner,	Henry,	Najaka,	Stonier,
Bucchin,	Hewitt,	Naumann,	Stuart,
Cadwalader,	Hocker,	Needham,	Swope,
Capano,	Hoffman,	Neff,	Tahl,
Cassidy,	Hoopes,	Nelson,	Thomassy,
Chervenak,	Horan,	O'Connor,	Thompson,
Chudoff,	Imbt,	O'Dare,	Tittle,
Clevenger,	Jennings,	O'Donnell,	Tompkins,
Cochran,	Johnson,	O'Neill,	Toomey,
Cole,	Johnston,	Orban,	Turner,
Cook,	Jones,	Patten,	Upshur,
Cooper,	Jump,	Pettigrew,	Vaughan,
Cordier,	Kean,	Pichney,	Verona,
Costa,	Kelley,	Pickens,	Wachhaus,
Crowley,	Kemp,	Polaski,	Wagner,
Dague,	Kent,	Powers,	Waldron,
Dalrymple,	Kratz,	Price,	Wallin,
Davison,	Kirley,	Propert,	Walton,
De Long,	Kline,	Ragot,	Waterhouse,
Demech,	Kohl,	Readinger,	Watkins,
Dennison,	Krise,	Reagan,	Watson,
Dix,	Kurtz,	Reese, D. P.,	Weidner,
Dye,	Laughner,	Reese, R. E.,	Weiss,
Efenberg,	Layer,	Reilly, J. M.,	Wescott,
Elder,	Lee,	Reilly, W. J.,	Wheeler,
Erb,	Leisey,	Richter,	Wolf,
Evans,	Livingston,	Riley,	Wood,
Ewing,	Livingstone,	Robbins,	Worley,

Feola,	Loftus,	Robertson,	Yeakel,
Fish,	Lovett,	Root,	Yester,
Fiss,	Lyons,	Rose,	Yetzer,
Flack,	Madden,	Rowen,	Young,
Fleming,	Madigan,	Royer,	Lichtenwalter,
Foor,	Mazza,	Sarraf,	Speaker.

NAYS—0

NOT VOTING—6

Depuy,	McDonald,	Trout,	West,
Hall,	Morrison,		

The majority required by the Constitution having voted voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 419, as follows:

An Act to repeal the act approved the twenty-eighth day of July one thousand nine hundred forty-one (P. L. 535) entitled "An act providing for the redemption of real property purchased by political subdivisions at tax sales upon the payment of the amount charged against the same and costs by installment payments and prescribing the procedure therefor"

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the twenty-eighth day of July one thousand nine hundred forty-one (P. L. 535) entitled "An act providing for the redemption of real property purchased by political subdivisions at tax sales upon the payment of the amount charged against the same and costs by installment payments and prescribing the procedure therefor" is hereby repealed absolutely

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—199

Aaronson,	Frost,	McCormack,	Sax,
Andrews,	Gallagher,	McCosker,	Scanlon,
Bane,	Getchey,	McCullough,	Schuster,
Barrett,	Gibson,	McKinney,	Scott,
Baumunk,	Goff,	McMillen,	Serrill,
Beech,	Goodling,	Mihm,	Shoemaker,
Bender,	Gorman,	Mikula,	Simons,
Bentzel,	Graybill,	Miller,	Smith, C. C.,
Bloom,	Greenwood,	Mills,	Smith, C. M.,
Boies,	Greer,	Mintess,	Snider,
Bonawitz,	Griffiths,	Mohr,	Sollenberger,
Boorse,	Guthrie,	Mooney,	Sorg,
Bower,	Gyger,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenshield,	Murray,	Stimmel,
Brown,	Helm,	Myers,	Stockham,
Brunner,	Henry,	Najaka,	Stonier,
Bucchin,	Hewitt,	Naumann,	Stuart,
Cadwalader,	Hocker,	Needham,	Swope,
Capano,	Hoffman,	Neff,	Tahl,
Cassidy,	Hoopes,	Nelson,	Thomassy,
Chervenak,	Horan,	O'Connor,	Thompson,
Chudoff,	Imbt,	O'Dare,	Tittle,
Clevenger,	Jennings,	O'Donnell,	Tompkins,
Cochran,	Johnson,	O'Neill,	Toomey,
Cole,	Johnston,	Orban,	Turner,
Cook,	Jones,	Patten,	Ugshur,
Cooper,	Jump,	Petrosky,	Vaughan,
Cordier,	Kean,	Pichney,	Verona,
Costa,	Kelley,	Pickens,	Wachhaus,
Crowley,	Kemp,	Polaski,	Wagner,
Dague,	Kent,	Powers,	Waldron,
Dalrymple,	Kirley,	Price,	Wallin,
Davison,	Kline,	Propert,	Walton,
De Long,	Kohl,	Ragot,	Waterhouse,
Demech,	Kratz,	Readinger,	Watkins,
Dennison,	Krise,	Reagan,	Watson,
Dix,	Kurtz,	Reese, D. P.,	Weidner,
Dye,	Laughner,	Reese, R. E.,	Weiss,
Efenberg,	Layer,	Reilly, J. M.,	Wescott,
Elder,	Lee,	Reilly, W. J.,	Wheeler,
Erb,	Leisey,	Richter,	Wolf,
Evans,	Livingston,	Riley,	Wood,
Ewing,	Livingstone,	Robbins,	Worley,
Feola,	Loftus,	Robertson,	Yeakel,
Fish,	Lovett,	Root,	Yester,
Fiss,	Lyons,	Rose,	Yetzer,
Flack,	Madden,	Rowen,	Young,
Fleming,	Madigan,	Royer,	Lichtenwalter,
Foor,	Mazza,	Sarraf,	Speaker.

NAYS—0

NOT VOTING—6

Depuy,	McDonald,	Trout,	West,
Hall,	Morrison,		

The majority required by the Constitution having voted voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 438, as follows:

An Act to further amend section three of and add section four to the act approved the twenty-fourth day of May one thousand eight hundred ninety-three (P. L. 129) entitled "An act to empower boroughs and cities to establish a police pension fund to take property in trust therefor and regulating and providing for the regulation of the same" deleting provisions relating to termination of right to participate in the fund and regulation thereof and providing that compensation or pension is not to be subject to attachment execution assignment or transfer and payable only to beneficiary designated in person

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section three of the act approved the twenty-fourth day of May one thousand eight hundred ninety-three (P. L. 129) entitled "An act to empower boroughs and cities to establish a police pension fund to take property in trust therefor and regulating and providing for the regulation of the same" as last amended by the act approved the second day of July one thousand nine hundred thirty-seven (P. L. 2795) is hereby further amended to read as follows

Section 3 Whenever any person shall become entitled to receive a benefit from the police retirement fund and shall have been admitted to participate therein he shall not be deprived of his right to an equal and proportionate participation therein upon the basis upon which he first became entitled thereto [save from one or more of the following causes that is to say conviction of a crime or misdemeanor becoming a habitual drunkard becoming a non-resident of the State or failing to comply with some general regulation relating to the said fund which may be made by ordinance and which may provide that a failure to comply therewith shall terminate the right to participate in the fund after such due notice and hearing as shall be prescribed by ordinance]

Section 2 Said act is hereby further amended by adding thereto after section three a new section to read as follows

Section 4 The compensation or pension herein provided for shall not be subject to attachment execution levy garnishment or other legal process and shall be payable

only to the beneficiary designated by this act in person and shall not be subject to assignment or transfer

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—199

Aaronson,	Frost	McCormack,	Sax,
Andrews,	Gallagher,	McCosker,	Scanlon,
Bane,	Getchey,	McCullough,	Schuster,
Barrett,	Gibson,	McKinney,	Scott,
Baumunk,	Goff,	McMillen,	Serrill,
Beech,	Goodling,	Mihm,	Shoemaker,
Bender,	Gorman,	Mikula,	Simons,
Bentzel,	Graybill,	Miller,	Smith, C. C.,
Bloom,	Greenwood,	Mills,	Smith, C. M.,
Boies,	Greer,	Mintzess,	Snider,
Bonawitz,	Griffiths,	Mohr,	Sollenberger,
Boorse,	Guthrie,	Mooney,	Sorg,
Bower,	Gyger,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenshield,	Murray,	Stimmel,
Brown,	Helm,	Myers,	Stockham,
Brunner,	Henry,	Najaka,	Stonier,
Bucchin,	Hewitt,	Naumann,	Stuart,
Cadwalader,	Hocker,	Needham,	Swope,
Capano,	Hoffman,	Neff,	Tahl,
Cassidy,	Hoopes,	Nelson,	Thomassy,
Chervenak,	Horan,	O'Connor,	Thompson,
Chudoff,	Imbt,	O'Dare,	Tittle,
Clevenger,	Jennings,	O'Donnell,	Tompkins,
Cochran,	Johnson,	O'Neill,	Toomey,
Cole,	Johnston,	Orban,	Turner,
Cook,	Jones,	Patten,	Upshur,
Cooper,	Jump,	Petrosky,	Vaughan,
Cordier,	Kean,	Pichney,	Verona,
Costa,	Kelley,	Pickens,	Wachhaus,
Crowley,	Kemp,	Polaski,	Wagner,
Dague,	Kent,	Powers,	Waldron,
Dalrymple,	Kirley,	Price,	Wallin,
Davison,	Kline,	Propert,	Walton,
De Long,	Kohl,	Ragot,	Waterhouse,
Demech,	Kratz,	Readinger,	Watkins,
Dennison,	Krise,	Reagan,	Watson,
Dix,	Kurtz,	Reese, D. P.,	Weidner,
Dye,	Laughner,	Reese, R. E.,	Weiss,
Efenberg,	Layer,	Reilly, M.,	Wescott,
Elder,	Lee,	Reilly, W. J.,	Wheeler,
Erb,	Leisey,	Richter,	Wolf,
Evans,	Livingston,	Riley,	Wood,
Ewing,	Livingstone,	Robbins,	Worley,
Feola,	Loftus,	Robertson,	Yeakel,
Fish,	Lovett,	Root,	Yester,
Fiss,	Lyons,	Rose,	Yetzer,
Flack,	Madden,	Rowen,	Young,
Fleming,	Madigan,	Royer,	Lichtenwalter,
Foor,	Mazza,	Sarraf,	Speaker.

NAYS—0

NOT VOTING—6

Depuy,	McDonald,	Trout,	West,
Hall,	Morrison,		

The majority required by the Constitution having voted voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 507, as follows:

An Act to amend Sections eleven hundred three and eleven hundred five of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by restricting the payment of bounties to residents of the Commonwealth reducing the penalty for presentation of illegal bounty claims and clarifying the law with reference thereto

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section eleven hundred three of the act approved the third day of June one thousand nine hundred thirty-seven (P L 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" is hereby amended to read as follows

Section 1103 Making Claim for Bounty Any [person] resident of this Commonwealth having killed in a wild state within this Commonwealth any such predator and being desirous of securing the reward or bounty provided for such killing shall produce such slain predator or the entire pelt of any animal and the entire body of any bird before any game protector or deputy game protector or any other person authorized to administer oaths within this Commonwealth and shall make affidavit on forms supplied by the commission that (a) he or some member of his immediate family or household naming such person killed the same (naming it) (b) stating the date of such killing (c) that it was killed in a wild state (d) that the place (naming it by county and township) where such animal or bird was killed was within the Commonwealth (e) that such animal or bird was not reared or held in captivity and released and (f) that such person was not responsible directly or indirectly for having such animal or bird imported into the Commonwealth or released

Each officer other than a salaried game protector shall receive a fee of twenty-five cents for each affidavit containing one claim and fifty cents for each affidavit containing more than one claim Game protectors and deputy game protectors are authorized to administer the oath required by this section Deputy game protectors shall supply seals at their own expense

The claimant for bounty shall foward such affidavit and the unmutilated [salted or cured] dried or salted skin or pelt of the animal or animals to the director at Harrisburg within four months from the date of killing and the affidavit and the entire body of any bird shall be forwarded or delivered to the director at Harrisburg within forty-eight hours after killing

In no case except for the killing of predatory birds shall a bounty be paid where the whole carcass or body or the raw [unsalted or undried skin of an animal is received by the commission] undried or unsalted skin of an animal is submitted

Section 2 Section eleven hundred five of said act is hereby amended to read as follows

Section 1105 Unlawful Collection of Bounties Penalties It is unlawful for any person to collect or attempt to collect or to aid conspire or assist in the collection of a bounty through the presentation of a skin or a carcass or any part thereof of any animal or bird upon which no bounty is authorized in accordance with the provisions of this act or through deception of any character or to present for the purpose of collecting a bounty the skin or carcass or any part thereof of an animal or bird that has been reared or held in captivity or released or the skin or carcass or any part thereof of any animal or bird captured either dead or alive or reared or held in captivity outside of this Commonwealth or to collect or attempt to collect or to aid conspire or assist or to collect or attempt to collect or to aid conspire or assist in collecting a second bounty for the killing of any animal or bird upon which a bounty has already been paid

Any person who shall wilfully or fraudently collect or attempt to collect or aid conspire or assist in collecting any bounty to which the claimant [or any other person] is not legally entitled under the provisions of this act or shall aid abet or assist in any capacity officially or otherwise in any attempt to defraud the Commonwealth through the collection or payment of any reward or

bounty shall be guilty of perjury and punishable as a misdemeanor where a false affidavit is made and in addition thereto upon conviction in a summary proceeding or upon signing an acknowledgment of the offense committed shall be sentenced to pay the Commonwealth for the use of the Game Fund a fine of [one hundred] twenty-five dollars and costs of prosecution for each such skin or bird submitted except that any person who shall make a false declaration of the date when a bird or animal was killed shall be sentenced to pay a fine of ten dollars and the costs of prosecution for each such skin or bird submitted and in default of the payment of the fine and costs so imposed shall suffer imprisonment in the jail of the county in which the affidavit is made for a period of one day for each dollar of costs and fine imposed and unpaid

Any person who shall collect a bounty to which such person is not legally entitled under the provisions of this act shall in addition to the fines herein imposed be required to refund to the commission such amounts as shall have been unlawfully collected

[All skins of animals or parts thereof or the bodies of any birds or parts thereof presented for bounty in a false claim for which no bounty is provided or otherwise contrary to the provisions of this act] The inclusion of the skin of an animal or part thereof or the body of any bird or part thereof in an attempt to collect a bounty to which the claimant is not entitled or otherwise presenting a claim contrary to the provisions of this act shall invalidate the entire claim and all skins or birds in such claim are hereby declared forfeited to the Commonwealth and shall be disposed of by the director

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—199

Aaronson,	Frost,	McCormack,	Sax,
Andrews,	Gallagher,	McCosker,	Scanlon,
Bane,	Getchey,	McCullough,	Schuster,
Barrett,	Gibson,	McKinney,	Scott,
Baumunk,	Goff,	McMillen,	Serrill,
Beech,	Goodling,	Mihm,	Shoemaker,
Bender,	Gorman,	Mikula,	Simons,
Bentzel,	Graybill,	Miller,	Smith, C. C.,
Bloom,	Greenwood,	Mills,	Smith, C. M.,
Boles,	Greer,	Mintess,	Snider,
Bonawitz,	Griffiths,	Mohr,	Sollenberger,
Boorse,	Guthrie,	Mooney,	Sorg,
Bower,	Gyger,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenshield,	Murray,	Stimmel,
Brown,	Helm,	Myers,	Stockham,
Brunner,	Henry,	Najaka,	Stonier,
Bucchin,	Hewitt,	Naumann,	Stuart,
Cadwalader,	Hocker,	Needham,	Swope,
Capano,	Hoffman,	Neff,	Tahl,
Cassidy,	Hoopes,	Nelson,	Thomassy,
Chervenak,	Horan,	O'Connor,	Thompson,
Chudoff,	Imbt,	O'Dare,	Tittle,
Clevenger,	Jennings,	O'Donnell,	Tompkins,
Cochran,	Johnson,	O'Neill,	Toomey,
Cole,	Johnston,	Orban,	Turner,
Cook,	Jones,	Patten,	Upshur,
Cooper,	Jump,	Petrosky,	Vaughan,
Cordier,	Kean,	Pichney,	Verona,
Costa,	Kelley,	Pickens,	Wachhaus,
Crowley,	Kemp,	Polaski,	Wagner,
Dague,	Kent,	Powers,	Waldron,
Dalrymple,	Kirley,	Price,	Wallin,
Davison,	Kline,	Propert,	Walton,
De Long,	Kohl,	Ragot,	Waterhouse,
Demech,	Kratz,	Readinger,	Watkins,
Dennison,	Krise,	Reagan,	Watson,
Dix,	Kurtz,	Reese, D. P.,	Weidner,
Dye,	Laughner,	Reese, R. E.,	Weiss,
Efenberg,	Layer,	Reilly, J. M.,	Wescott,
Elder,	Lee,	Reilly, W. J.,	Wheeler,
Erb,	Leisey,	Richter,	Wolf,
Evans,	Livingston,	Riley,	Wood,
Ewing,	Livingstone,	Robbins,	Worley,
Feola,	Loftus,	Robertson,	Yeakel,
Fish,	Lovett,	Root,	Yester,
Fiss,	Lyons,	Rose,	Yetzer,
Flack,	Madden,	Rowen,	Young,
Fleming,	Madigan,	Royer,	Lichtenwalter,
Foor,	Mazza,	Sarraf,	Speaker.

NAYS—0

NOT VOTING—6

Depuy,	McDonald,	Trout,	West,
Hall,	Morrison,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 554, as follows:

An Act providing that in cities of the first class in all cases where taxes are due and unpaid upon a single tract of land and it is desired to divide such tract into separate parcels the Board of Revision of Taxes may apportion such taxes ratably between or among the parcels so divided and providing that upon payment of the taxes and proper costs on any such parcel it shall be released from the lien

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 In cities of the first class in all cases where taxes are due and unpaid upon a single tract of land and it is desired to divide such tract into separate parcels the Board of Revision of Taxes is hereby authorized to apportion such taxes ratably between or among the parcels so divided In such cases the tax collecting authority shall accept the payment of such amount as represents the taxes penalties and interest due on such fixed and described parcel of the larger tract in the same manner and subject to the same duties relative thereto as if such fixed and described parcel had been assessed as one parcel of real estate in the original assessment

Section 2 Upon payment of the taxes and a ratable proportion of the costs in any proceeding upon the lien such parcel shall be released from the lien and a notation to that effect shall be entered upon the record of the lien proceedings

Section 3 All acts and parts of acts inconsistent with the provisions of this act are hereby repealed

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—153

Beech,	Graybill,	McCormack,	Rowen,
Bender,	Greenwood,	McCosker,	Sax,
Bloom,	Griffiths,	McCullough,	Scott,
Bonawitz,	Guthrie,	McKinney,	Serrill,
Boorse,	Gyger,	Mihm,	Shoemaker,
Bower,	Haller,	Mikula,	Simons,
Breisch,	Haudenshield,	Miller,	Smith, C. C.,
Brunner,	Helm,	Mintess,	Smith, C. M.,
Capano,	Henry,	Mohr,	Sollenberger,
Cassidy,	Hocker,	Mooney,	Sorg,
Cook,	Hoopes,	Moore, C. E.,	Sproul,
Cooper,	Horan,	Moore, H. A.,	Stimmel,

Cordier,	Imbt,	Murray,	Stockham,
Costa,	Jennings,	Myers,	Stonier,
Crowley,	Johnson,	Najaka,	Stuart,
Dague,	Johnston,	Neff,	Thomassy,
Dalrymple,	Jones,	Nelson,	Thompson,
Davison,	Jump,	O'Connor,	Tompkins
De Long,	Kean,	O'Dare,	Toomey,
Demech,	Kelley,	O'Donnell	Turner,
Dennison,	Kemp,	O'Neill,	Upshur,
Dye,	Kent,	Orban,	Vaughan,
Efenberg,	Kline,	Patten,	Wachhaus,
Elder,	Kohl,	Pichney,	Wagner,
Erb,	Kratz,	Pickens,	Waldron,
Ewing,	Krise,	Polaski,	Wallin,
Feola,	Kurtz,	Powers,	Walton,
Fish,	Laughner,	Price,	Waterhouse,
Flack	Layer,	Ragot,	Watkins,
Fleming,	Lee,	Reagan,	Watson,
Foor,	Leisey,	Reese, D P.,	Weidner,
Frost,	Livingston,	Reese, R. E.,	Weiss,
Gallagher,	Livingstone,	Reilly, J. M.,	Wescott,
Getchey,	Loftus,	Reilly, W. J.,	Wolf,
Gibson,	Lyons,	Richter,	Worley,
Goff,	Madden,	Riley,	Yeakel,
Goodling,	Madigan,	Robbins,	Young,
Gorman,	Mazza,	Robertson,	Lichtenwalter,
		Root,	Speaker

NAYS—29

Andrews,	Chervenak,	Kirley,	Swope,
Bane,	Chudoff,	Lovett,	Tittle,
Barrett,	Cochran,	McMillen,	Verona,
Baumunk,	Cole,	Propert,	Wheeler,
Bentzel,	Dix,	Royer,	Wood,
Brice,	Greer,	Snider,	Yester,
Bucchin,	Hewitt,	Stank,	Yetzer,
Cadwalader,			

NOT VOTING—23

Aaronson,	Fiss,	Naumann,	Scanlon,
Boies	Hall,	Needham,	Schuster,
Brown,	Hoffman,	Petrosky,	Tahl,
Clevenger,	McDonald,	Readinger,	Trout,
Depuy,	Mills,	Rose,	West,
Evans,	Morrison,	Sarraf,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 641, as follows:

An Act fixing the salary of county controllers in counties of the second, third, fourth, fifth and sixth classes and repealing parts of acts inconsistent therewith.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. FLEMING. Mr. Speaker, I would like to interrogate one of the sponsors of this bill, Mr. Watkins, if he is here.

The SPEAKER. The gentleman does not appear to be in the Hall of the House.

Mr. FLEMING. All right, Mr. Shoemaker, then.

The SPEAKER. Will the gentleman from Schuylkill permit himself to be interrogated?

Mr. SHOEMAKER. I shall, Mr. Speaker.

Mr. FLEMING. Mr. Speaker, I should like to ask Mr. Shoemaker, does this bill increase the salary of the County Controllers of counties of the second class?

Mr. SHOEMAKER. Yes, Mr. Speaker.

Mr. FLEMING. By how much, Mr. Speaker.

Mr. SHOEMAKER. Two thousand dollars.

Mr. FLEMING. That is all.

Mr. Speaker, I would hestitate to oppose salary raising bills when I know that people need the raises of salary but, I certainly cannot see the justice in raising the salary of the County Controller of Allegheny County and not raise the salaries of the other elective officials of the county. I would certainly be in favor of such a measure if it would be accompanied by a like salary raise of the salaries of the other elected officials. Just why we should pick out one elected official in the county and not raise the salaries of the others to me does not seem quite fair.

Mr. WATERHOUSE. Mr. Speaker, I desire to interrogate the gentleman from Schuylkill, Mr. Shoemaker.

The SPEAKER. Will the gentleman from Schuylkill permit himself to be interrogated?

Mr. SHOEMAKER. I shall, Mr. Speaker.

Mr. WATERHOUSE. I would like to inquire of the gentleman as to just how much this bill would increase the salary of our Controllers in fourth class counties?

Mr. SHOEMAKER. One thousand dollars, Mr. Speaker.

Mr. WATERHOUSE. All right, that is all.

Mr. Speaker, I feel the same way about this bill as the gentleman from Allegheny. If it were a bill that would cover all the employees of the county then I could see fit to support such a bill. Our Controller now gets five thousand dollars, four thousand dollars of which is from the county and one thousand dollars from the retirement. I am certainly of the opinion that the controller should receive no more money than the Comsioners, and the commissioners get five thousand dollars, so I would ask that this bill be opposed.

Mr. WATKINS. Mr. Speaker, I understand that this bill is nothing more than an adjustment measure. It does put the County Controller's salary equal with the Commissioners, and I think that is very important, since the Controller is the watch-dog of the County Commissioners, and I think for that reason alone his salary should be equal to that of the Commissioners.

Mr. ANDREWS. Mr. Speaker, I heartily concur with the remarks made by the gentleman who has just addressed the House, Mr. Watkins. County Controllers have been conspiciously underpaid, particularly in fourth class counties as compared with the other counties. The County Controller is really more important than the Registrar of Wills, and the Prothonotary, but he has never been compensated in proportion to his duties and in proportion to his responsibilities, so I think that as a corrective measure, and as the Controllers have been underpaid I think that this bill should receive the favorable consideration of the House.

Mr. FLEMING. I have no quarrel with the comments made by the speakers who spoke before me. I concur with everything that the Minority Leader says. I wonder if the sponsors would have any objection to passing over the bill today to give us an opportunity to amend it so far as it affects second class counties.

Mr. WATKINS. Mr. Speaker, as regards the question asked by my friend from Pittsburgh, I hesitate to put the bill over at this time. I think if they are interested

in evening up the salaries in the various counties that is all right with me; I will vote for a measure like that. In the meantime I would like to see this bill acted on.

Mr. FLEMING. Mr. Speaker, the gentleman misunderstands me. We certainly do not want to raise the salary of the Controller in Allegheny county. On the spur of the moment, I feel that the Controller of Allegheny county is adequately paid. He at the present time gets ten thousand dollars a year, and what I was asking Mr. Watkins was that he hold over the bill in order to prepare amendments which would delete Controllers in Allegheny County. We have no quarrel at all as to the equalization that has been mentioned by Mr. Watkins and Mr. Andrews for fourth class counties.

Mr. WATKINS. Mr. Speaker, I am sorry I misunderstood the gentleman from Allegheny, and I will comply with his request.

The SPEAKER. Will the House give its unanimous consent for the Chair to withdraw its decision that the bill has been agreed to on third reading?

The Chair hears no objection and consent is granted.

BILL PASSED OVER

There being no objection

House Bill No. 641, Printer's No. 231,

was passed over at the request of Mr. WATKINS.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 657, as follows:

An Act to further amend the act approved the fifth day of August one thousand nine hundred forty-one (P. L. 803) entitled "An act providing for the creation maintenance and operation of a county employes retirement system in counties of the fifth class imposing certain charges on counties and prescribing penalties" transferring contributors from the one one-hundredtwentieth class to the one one-hundredth class

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section five of the act approved the fifth day of August one thousand nine hundred forty-one (P. L. 803) entitled "An act providing for the creation maintenance and operation of a county employes retirement system in counties of the fifth class imposing certain charges on counties and prescribing penalties" is hereby amended to read as follows

Section 5 County Employes Retirement Fund There is hereby created in each county of the fifth class in which a retirement system has been established a county employes retirement fund which shall consist of all moneys arising from appropriations made by the county and from contributions made by the members of the county employes retirement asystem and all interest earned by the investments or moneys of the fund created by this act The moneys contributed by the county shall be credited to a county annuity account and those contributed by the members shall be credited to a member's annuity reserve account and the interest earnings shall be apportioned to the member's and county annuity reserve accounts The actuary shall determine the present value of the liability on account of all county annuities payable to original members and the percentage of such liability which shall be contributed by the county each year over a period of fifteen years from the time the system is established until the accumulated reserve equals the present value of said liability All such contributions shall be credited to the county annuity reserve account The actuary shall also determine the amount which shall be contributed by the county into the fund periodically for credit to the county annuity reserve account on account of service of all new and original members subsequent to the time the retirement system is established

Each member of the retirement system shall be required to contribute to the fund such per centum of his salary as shall be computed by the actuary to be sufficient with regular interest to procure for him on superannuation retirement one [one-hundred-twentieth (1-120) of his final salary for each year of service after December thirty-first preceding the year the retirement system is established] one-hundredth (1-100) of his final salary for each year of service after the thirty-first day of December one thousand nine hundred forty-seven in all counties in which the retirement system is established by such date or after the thirty-first day of December preceding the year the retirement system is established in all counties in which the retirement system is established after the thirty-first day of December one thousand nine hundred forty-seven which contributions shall be paid into the fund through payroll deductions in such manner as the board may require All contributions by members shall be credited to the member's annuity reserve account

Every contributor in all counties in which the retirement system is established by the thirty-first day of December one thousand nine hundred forty-seven whether an original member or a new member who is in active service on the first day of January one thousand nine hundred forty-eight shall be automatically transferred from the one one-hundred-twentieth (1-120) class to the one one-hundredth (1-100) class In all such cases the per centum of salary deductions applicable to such transferred contributor in the one one-hundredth (1-100) class shall be based upon the same age of the contributor as was used in determining the per centum of salary deduction applicable while in the one one-hundred-twentieth (1-120) class

Where a contributor has been so transferred from the one one-hundred-twentieth (1-120) class to the one one-hundredth (1-100) class as above provided his county annuity upon retirement shall be calculated as follows

(a) For service prior to the time of transfer at the one one-hundred-twentieth (1-120) rate

(b) For service subsequent to the date of transfer to the date of retirement at the one one-hundredth (1-100) rate

(c) For all service prior to the time of commencing contribution as the time he contributed at the one one-hundred-twentieth (1-120) rate bears to the total time of contribution and as the time he contributed at the one one-hundredth (1-100) rate bears to the total time of contribution

Section 2 Section eleven of said act as amended by the act approved the twenty-eighth day of May one thousand nine hundred forty-three (P. L. 777) is hereby further amended to read as follows

Section 11 Superannuation Retriment Allowance Any contributor who has reached superannuation retirement age may retire for superannuation by filing with the board a written statement duly signed by the contributor setting forth at what time he desires to be retired Said application shall retire said contributor at the time so specified

On retirement for superannuation a beneficiary shall receive a retirement allowance which shall consist of (a) a member's annuity which shall be the actuarial equivalent of his accumulated deductions standing to his credit in the member's annuity reserve account and (b) a county annuity equal to one [one-hundred-twentieth (1-120)] one-hundredth (1-100) of his final salary multiplied by each year of total service except as otherwise provided in section five of this act and in addition thereto in the case of an original member one [one-hundred-twentieth (1-120)] one-hundredth (1-100) of his final salary multiplied by each year of prior service except as otherwise provided in section five of this act but the total county

annuity shall never exceed fifty per centum of the final salary

Section 3 The provisions of this act shall become effective on the first day of January one thousand nine hundred forty-eight

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—199

Aaronson,	Frost,	McCormack,	Sax,
Andrews,	Gallagher,	McCosker,	Scanlon,
Bane,	Getchey,	McCullough,	Schuster,
Barrett,	Gibson,	McKinney,	Scott,
Baumunk,	Goff,	McMillen,	Serrill,
Beech,	Goodling,	Mihm,	Shoemaker,
Bender,	Gorman,	Mikula,	Simons,
Bentzel,	Graybill,	Miller,	Smith, C. C.,
Bloom,	Greenwood	Mills,	Smith, C. M.,
Boies,	Greer,	Mintess,	Snider,
Bonawitz,	Griffiths,	Mohr,	Sollenberger,
Boorse,	Guthrie,	Mooney,	Sorg,
Bower,	Gyger,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenshield,	Murray,	Stimmel,
Brown,	Helm,	Myers,	Stockham,
Brunner,	Henry,	Najaka,	Stonier,
Bucchin,	Hewitt,	Naumann,	Stuart,
Cadwalader,	Hocker,	Needham,	Swope,
Capano,	Hoffman,	Neff,	Tahl,
Cassidy,	Hoopes,	Nelson,	Thomassy,
Chervenak,	Horan,	O'Connor,	Thompson,
Chudoff,	Imbt,	O'Dare,	Tittle,
Clevenger,	Jennings,	O'Donnell,	Tompkins,
Cochran,	Johnson,	O'Neill,	Toomey,
Cole,	Johnston,	Orban,	Turner,
Cook,	Jones,	Patten,	Upshur,
Cooper,	Jump,	Petrosky,	Vaughan,
Cordier,	Kean,	Pichney,	Verona,
Costa,	Kelley,	Pickens,	Wachhaus,
Crowley,	Kemp,	Polaski,	Wagner,
Dague,	Kent,	Powers,	Waldron,
Dalrymple,	Kirley,	Price,	Wallin,
Davison,	Kline,	Propert,	Walton,
De Long,	Kohl,	Ragot,	Waterhouse,
Demech,	Kratz,	Readinger,	Watkins,
Dennison,	Krise,	Reagan,	Watson,
Dix,	Kurtz,	Reese, D. P.,	Weidner,
Dye,	Laughner,	Reese, R. E.,	Weiss,
Efenberg,	Layer,	Reilly, J. M.,	Wescott,
Elder,	Lee,	Reilly, W. J.,	Wheeler,
Erb,	Leisey,	Richter,	Wolf,
Evans,	Livingston,	Riley,	Wood,
Ewing,	Livingstone,	Robbins,	Worley,
Feola,	Loftus,	Robertson,	Yeakel,
Fish,	Lovett,	Root,	Yester,
Fiss,	Lyons,	Rose,	Yetzer,
Flack,	Madden,	Rowen,	Young,
Fleming,	Madigan,	Royer,	Lichtenwalter,
Foor,	Mazza,	Sarraf,	Speaker.

NAYS—0

NOT VOTING—6

Depuy,	McDonald,	Trout,	West,
Hall,	Morrison,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 720, as follows:

An Act defining and providing for the licensing and regulation of private business schools and classes and agents thereof conferring powers and imposing duties upon the State Board of Private Business Schools and prescribing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1 The following words and phrases of this act shall have the meanings ascribed to them

a "Private Business School" or "School" shall mean a school maintained or classes conducted for the purpose of offering resident instruction for a consideration profit or tuition the purpose of which is to prepare an individual to pursue a recognized profitable occupation in commerical pursuits and business phases of other occupations for which graduation from a degree granting institution of college grade is not required but shall not include junior colleges religious or bona fide non-profit or eleemosynary institutions

b "Board" shall mean the State Board of Private Business Schools

c "Annual" shall refer to the fiscal school year from July first to the following June thirtieth inclusive

d "Agents" shall mean any person whether employed by a school as above defined or operating in his own behalf or whether acting in behalf of any school defined by this act located within or outside of this Commonwealth who for a consideration shall solicit any individual within the Commonwealth to enroll in a school excluding bona fide teachers as provided at the discretion of the board

Section 2 The mandatory provisions of this act shall not include schools maintained or classes conducted by employers for their own employes where no fee or tuition is charged or schools owned and operated by bona fide eleemosynary or religious institutions or by the Commonwealth of Pennsylvania or any political subdivision thereof or junior colleges but such exempted schools or classes may choose to apply for a license hereunder and upon approval and issuance thereof shall be subject to the provisions of this act Such exempted schools or classes may voluntarily surrender their license and revert to their original status

Section 3 (a) The provisions of this act shall be administered by the State Board of Private Business Schools which in connection therewith shall have the power to make and enforce rules and regulations not inconsistent with the provisions of this act In promulgating such rules and regulations public hearings thereon shall be first held

(b) The Board shall consist of nine members of whom eight shall be appointed by the Governor and confirmed by the Senate in manner herein provided and the ninth member shall be the Superintendent of Public Instruction or his representative ex officio The Governor shall appoint six members of the Board from a list of persons certified by the Superintendent of Public Instruction who have occupied executive or management positions in Private Business Schools in the Commonwealth for a period of at least five years and of which two such members shall be appointed from Eastern Pennsylvania two from Western Pennsylvania and two from other parts of the Commonwealth Two of the six shall be appointed for a two year term two for a four year term and two for a six year term Thereafter appointment shall be for a six year term The Governor shall appoint one member of the Board who shall be a representative of Pennsylvania Department of Secondary School Principals and one member who shall be a representative of Pennsylvania Department of District Superintendents

Section 4 (a) Effective one hundred eighty (180) days after final enactment of this act no private business school or classes shall continue in operation or shall be established within the Commonwealth unless there is first secured from the Board a license issued in such form as the Board shall direct

(b) Effective six months after passage of this act no

agent shall engage in solicitation within the Commonwealth unless he shall first be licensed by the Board

(c) The Board shall prescribe rules and regulations for the licensing of agents

Section 5 Before any license is issued to a school a verified application shall be made in writing to the Board on a form prepared and furnished by the Board Such application shall require a statement showing (1) The title or name of the school or classes together with ownership and controlling officers thereof (2) The general field of instruction which will be offered and the purposes of such instruction (3) The place or places where such instruction will be given (4) A specific listing of the equipment available for instruction in each field (5) The qualifications of instructors and supervisors (6) Financial resources available to equip and to maintain the school or classes (7) Such additional information as the Board may deem necessary to enable it to determine the adequacy of the program of instruction and matters pertaining thereto

Section 6 (a) Each original application shall be accompanied by a license fee of fifty dollars ($50) and each application for the renewal of a license shall be accompanied by a license fee of twenty-five dollars ($25) No fee shall be charged for a supplementary application for the approval of additional fields of courses of instruction

(b) All license fees shall be paid into the General Fund in the State Treasury through the Department of Revenue No license fees shall be refunded in the event any license is refused or revoked or for any other reason

Section 7 The Board shall maintain a list of schools and agents licensed under the provisions of this act which shall be available for the information of the public

Section 8 No private business school or class shall be granted a license or shall be permitted to continue to operate under a granted license unless

(1) It shall permit the Board and its supervisors to inspect the school or classes and shall make available to the Board at any time when requested to do so full information pertaining to any or all items of information contained in the application form which currently is provided by the Board to applicants for a license

(2) It shall prominently display the current approved lincense where it may be inspected by students visitors and designated officials of the Board

(3) The advertising and solicitation shall be free from misrepresentations or fraud and shall conform with the rules and regulations of the Board governing such advertising Provided that before any license shall be denied or revoked an opportunity shall be given to the school or class to correct such misrepresentation or fraud and no discipline shall be imposed unless such school or class shall refuse to correct the situation In the event that such school or class disagree with the decision of the Board on such issue it may appeal within thirty (30) days to the common pleas court as provided hereafter and no disciplinary action shall be taken by virtue of such appeal

(4) The premises equipment and conditions of the school or classes shall be adequate safe and sanitary in accordance with standards of the Commonwealth of Pennsylvania applicable to such premises and equipment

Section 9 (a) Before the license of any licensee or any registration or any certification is suspended or revoked by the Board a written copy of the complaint made shall be furnished to the licensee registrant or person against whom the same is directed and an opportunity be afforded him to be heard before the Board personally and by counsel At least ten (10) days' written notice of the time and place of such hearing shall be given the licensee registrant or person by registered mail addressed to the post office address as shown on the annual registration or other record or information in possession of the Board

(b) Any person aggrieved by the action of the Board in suspending or revoking a license registration or certification or by any other action of the Board which is alleged to be improper unreasonable or unlawful may appeal from such action of the Board in writing to the Court of Common Pleas of Dauphin County

(c) Appeals from suspensions and revocations of licenses registrations and certifications must be taken within thirty (30) days after such suspension or revocation of which action immediate notice shall be given by the Board to the licensee registrant or person by registered mail addressed as above provided In the case of appeals from other actions of the Board the appeal may be taken at any time by the person aggrieved by such action Such appeal shall automatically act as supersedeas

(d) Appeals shall be taken by serving upon the Board written notice of such appeal together with reasons for such appeal Such service shall be made by filing the said notice of appeal in the office of the Board

(e) Within thirty (30) days after the service of such notice of appeal the Board shall file with the prothonotary of the said court of common pleas a transcript of the record of the procedings Notice of the filing of said transcript with the term and number to which filed shall be forthwith given by the Board to the appellant and as well to the party or parties if any upon whose complaint the proceedings before the Board were instituted The cost of the said transcript at twenty-five cents (25c) per folio and one dollar ($1) for the certification shall be entered as part of the record costs in the cause to be paid as the court may direct

(f) The court upon application by the Board or the appellant shall fix a time and place for hearing at which time or at any adjournment thereof the appeal shall be heard de novo by the judge or judges of the court The appellant shall be entitled to a trial by jury if demanded The court shall affirm the decision of the Board unless it shall find the same is in violation of the constitutional rights of the appellant or is not in accordance with the law or was made upon unlawful procedure or that any finding of fact made by the Board and necessary to support its adjudication is not supported by substantial evidence If the adjudication of the Board is not affirmed the court may set aside or modify it in whole or in part or may remand the proceeding to the Board for further disposition in accordance with the order of court

(g) Either party may appeal from the decision of the Court of Common Pleas of Dauphin County to the Superior Court Such appeals shall be taken and prosecuted in the same manner and with like effect as is provided by law in other cases of appeal to the Superior Court and the records certified to the Superior Court shall contain all that was before the court of common pleas The decree of the Superior Court shall be final and conclusive

Section 10 Any person who shall operate without being licensed as required by this act or exempted therefrom as provided in this act or shall knowingly give any false or forged evidence of a material kind to the Board in order to obtain a license shall be sentenced to pay a fine of not less than fifty and not more than five hundred dollars or to undergo imprisonment not more than one year or both If the violation shall be by a corporation partnership or association the officers of such corporation or members of such partnership or association with guilty knowledge of the fact shall also be guilty of a misdemeanor and upon conviction thereof shall be punished as hereinbefore provided

Section 11 All acts and parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—199

Aaronson,	Frost,	McCormack,	Sax,
Andrews,	Gallagher,	McCosker,	Scanlon,
Bane,	Getchey,	McCullough,	Schuster,
Barrett,	Gibson,	McKinney,	Scott,
Baumunk,	Goff,	McMillen,	Serrill,
Beech,	Goodling,	Mihm,	Shoemaker,
Bender,	Gorman,	Mikula,	Simons,
Bentzel,	Graybill,	Miller,	Smith, C. C.,
Bloom,	Greenwood,	Mills,	Smith, C. M.,
Boies,	Greer,	Mintess,	Snider,
Bonawitz,	Griffiths,	Mohr,	Sollenberger,
Boorse,	Guthrie,	Mooney,	Sorg,
Bower,	Gyger,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenshield,	Murray,	Stimmel,
Brown,	Helm,	Myers,	Stockham,
Brunner,	Henry,	Najaka,	Stonier,
Bucchin,	Hewitt,	Naumann,	Stuart,
Cadwalader,	Hocker,	Needham,	Swope,
Capano,	Hoffman,	Neff,	Tahl,
Cassidy,	Hoopes,	Nelson,	Thomassy,
Chervenak,	Horan,	O'Connor,	Thompson,
Chudoff,	Imbt,	O'Dare,	Tittle,
Clevenger,	Jennings,	O'Donnell,	Tompkins,
Cochran,	Johnson,	O'Neill,	Toomey,
Cole,	Johnston,	Orban,	Turner,
Cook,	Jones,	Patten,	Upshur,
Cooper,	Jump,	Petrosky,	Vaughan,
Cordier,	Kean,	Pichney,	Verona,
Costa,	Kelley,	Pickens,	Wachhaus,
Crowley,	Kemp,	Polaski,	Wagner,
Dague,	Kent,	Powers,	Waldron,
Dalrymple,	Kirley,	Price,	Wallin,
Davison,	Kline,	Propert,	Walton,
De Long,	Kohl,	Ragot,	Waterhouse,
Demech,	Kratz,	Readinger,	Watkins,
Dennison,	Krise,	Reagan,	Watson,
Dix,	Kurtz,	Reese, D. P.,	Weidner,
Dye,	Laughner,	Reese, R. E.,	Weiss,
Efenberg,	Layer,	Reilly, J. M.,	Wescott,
Elder,	Lee,	Reilly, W. J.,	Wheeler,
Erb,	Leisey,	Richter,	Wolf,
Evans,	Livingston,	Riley,	Wood,
Ewing,	Livingstone,	Robbins,	Worley,
Feola,	Loftus,	Robertson,	Yeakel,
Fish,	Lovett,	Root,	Yeater,
Fiss,	Lyons,	Rose,	Yetzer,
Flack,	Madden,	Rowen,	Young,
Fleming,	Madigan,	Royer,	Lichtenwalter,
Foor,	Mazza,	Sarraf,	Speaker.

NAYS—0

NOT VOTING—6

Depuy,	McDonald,	Trout,	West,
Hall,	Morrison,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 754, as follows:

An Act to further amend sections three hundred eighteen three hundred nineteen three hundred twenty three hundred twenty-one three hundred twenty-two three hundred twenty-three and three hundred twenty-four of the act approved the second day of May one thousand nine hundred and twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by changing the amount of contributions to the employes' retirement fund and the retirement age of new employes extending the power of the retirement board in investing the money of the retirement fund decreasing the length of service necessary to entitle certain members to a retirement allowance upon being totally disabled refund of contributions authorizing counties of the second class and county institution district to make additional appropriations

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section three hundred eighteen of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" as last amended by the act approved the thirty-first day of March one thousand nine hundred thirty-seven (P. L. 191) is hereby further amended to read as follows

Section 318 Payment by Employes Each county employe shall each month pay into the retirement fund five per centum of the amount received by him or her as salary or wages during the preceding calendar month In no event however paying at a rate greater than [ten dollars ($10.00)] fifteen dollars ($15.00) a month Such amount shall be collected by the county treasurer and by him paid into the retirement fund No employe shall be entitled to a retirement allowance who does not make the monthly payment herein required

Section 2 Section three hundred nineteen of said act as amended by the act approved the twenty-second day of May one thousand nine hundred thirty-three (P. L. 840) is hereby further amended to read as follows

Section 319 Investment or Deposit of Fund [The board may in its discretion invest the money of the retirement fund or any part thereof in obligations of the United States or of this State or of any political subdivision of this State] The board shall have power to invest the money of the retirement fund or any part thereof subject to the terms conditions limitations and restrictions that are now or may hereafter be provided by law for investments of trust funds by fiduciaries or the retention or sale of certain investments in the hands of fiduciaries Subject to like terms conditions limitations and restrictions the board shall have power to hold purchase sell assign transfer or dispose of any of the securities and investments in the retirement fund as well as the proceeds of said investments and of the money belonging to said fund or it may deposit such moneys or any part thereof in one or more banks or trust companies of the county selected by the board The banks or trust companies offering to pay the highest rate of interest and that have a paid-in capital and surplus of not less than three hundred thousand dollars shall be selected A contract with a depository shall be for a period covering the term of the county treasurer No moneys shall be paid to a depositary until it shall have executed to the board a bond for the proper safeguarding of the funds so deposited The bonds shall have such surety as is approved by the court of common pleas No moneys exceeding in the aggregate the amount of the bond shall be paid to any depositary

Section 3 Section three hundred twenty of said act as last amended by the act approved the twenty-second day of May one thousand nine hundred forty-five (P. L. 821) is hereby further amended to read as follows

Section 320 Persons Entitled to Retirement Allowances (a) Every county employe who has reached the age of sixty years or upwards and who shall have been a county employe during a period of not less than twenty years shall upon application to the board be retired from service and shall thereafter receive during life a retirement allowance as herein provided for The time spent in the employ as a county employe need not necessarily have been continuous Provided That when any present employe has had twenty or more years of service not necessarily continuous and has reached the age of fifty years and shall be or shall have been separated from the service by reason of no cause or act of his own upon

application to the board shall thereafter receive during life a retirement allowance as herein provided for And further provided That when any person entering the employment of the county after the effective date of this amending act has had twenty or more years service in the county not necessarily continuous and shall be separated from the service of the county by reason of no cause or act of his or her own upon notice to the board he or she shall have such rights and benefits pertaining to such persons entering the employment of the county after the effective date of this act as provided under section three hundred twenty-three of this act

(b) A county employe who became such through the consolidation of a city institution district with a county institution district may have the period of his city employment credited as county employment for all purposes under this act Provided That the said employe shall pay into the retirement fund the amount which he would have been required to pay into the said fund if he had been a county employe from the date of his original employment with the city And further provided That the city by which the said employe was formerly employed shall pay into the retirement fund an amount equal to that paid into the said fund by the said employe under the provisions of this act If such employe leaves the county employ at any time withdraws his contribution to the retirement fund as this act provides the city shall also have the right to withdraw its contribution and if such employe returns to the county employ and returns the amount withdrawn from the retirement fund plus interest as this act provides the city shall also return the amount withdrawn by it plus interest at the same rate Any city is hereby authorized and empowered to make an appropriation out of the funds of the city to the retirement fund as herein provided

Section 4 Sections three hundred twenty-one and three hundred twenty-two of said act as last amended by the act approved the fifteenth day of June one thousand nine hundred thirty-nine (P. L. 365) are hereby further amended to read as follows

Section 321 Exception in Favor of Persons Totally and Permanently Disabled Any [present] county employe who has been in employ for a period of not less than fifteen years shall be entitled to a retirement allowance if he or she becomes totally and permanently disabled even though such employe has not reached the age of sixty years

[Any county employe entering employment after the effective date of this act who shall be employed for a period of not less than twenty years shall be entitled to a retirement allowance if he or she becomes totally and permanently disabled even though such county employe has not reached the age of sixty years]

Proof of total and permanent disability shall be by the sworn statement of three practicing physicians of the county designated by the board Once each year the Retirement Board may require any person who is receiving retirement allowance by reason of total and permanent disability to undergo medical examination by a physician or physicians designated by the Retirement Board Should such physician or physicians thereupon report and certify to the Retirement Board that such person is no longer totally and permanently disabled or that such person is able to engage in a gainful occupation and should the Retirement Board concur in such report then the amount of the retirement allowance shall be discontinued

Section 322 Amount of Retirement Payment The retirement allowance paid under the provisions of this act shall equal annually fifty per centum of the average annual amount received by the employe as salary or wages during the two years immediately preceding the date of retirement of the employe receiving the retirement allowance [except that an amount not exceeding ten per centum thereof shall be deducted in equal monthly installments and be paid into the retirement fund as the contribution to the said fund of the person receiving such retirement allowance from time to time as may be determined by the retirement board] and no person receiving a retirement allowance shall be required to pay any amount into the retirement fund No retirement allowance shall exceed the sum of one hundred fifty dollars ($150) per month Retirement allowances shall be paid in monthly installments on warrant on the board

Section 5 Sections three hundred twenty-three and three hundred twenty-four of said act as last amended by the act approved the thirty-first day of March one thousand nine hundred thirty-seven (P. L. 191) are hereby further amended to read as follows

Section 323 Retirement Allowance After Leaving Service If any present county employe after twenty years service is dismissed or retires voluntarily or is in any other manner deprived of his or her employment before attaining the age of fifty or sixty years as the case may be such employe if he continues to contribute to the retirement fund monthly a sum equal to the last monthly contribution paid while in employ shall when he or she reaches the age of fifty or sixty years as the case may be be entitled to a retirement allowance

Any person entering the employment of the county after the effective date of this amending act who after twenty years service in the county and before attaining the age of sixty years shall be dismissed from the service of the county by reason of no cause or act of his or her own and who desires to continue as a member of the retirement fund shall cease to pay any further amount into the said fund and shall notify the board in writing of this fact When he or she shall reach the age of sixty years such person shall be eligible for a retirement allowance under the same conditions as if he or she had remained an employe of the county

Any person entering the employment of the county after the effective date of this amending act who after twenty years service retires voluntarily before reaching the age of sixty years shall pay into the retirement fund monthly a sum equal to the last monthly contribution paid while in the employ of the county until he or she reaches the age of sixty years when such former county employe shall be entitled to a retirement allowance under the same conditions as if he or she had remained in the employ of the county

Section 324 Refund of Contributions If any county employe contributing monthly to the retirement fund shall for any cause cease to be a county employe before he or she shall receive the benefits of the retirement allowances the total amount of the contributions paid into the retirement fund by such employe shall upon demand in writing be repaid to him or her or [to his or her personal representatives or to such person or persons as are legally entitled thereto out of the fund] in the event of the death of any such employe the amount of said contributions shall be paid to such person or persons as he or she shall have designated in writing as filed with the board as his or her beneficiary or to his or her estate

If any employe receiving a retirement allowance shall die before he or she shall have received the total retirement allowance payments equal to the total amount of contributions as made by such employe to the retirement fund the difference between the total of the retirement allowance payments and the total of the amount of contributions paid into the retirement fund by such employe shall be paid to such person or persons as he or she shall have designated in writing as filed with the board as his or her beneficiary or to his or her estate

Section 6 The county commissioners shall appropriate any additional moneys necessary to carry out the provisions of this act in the manner provided by section three hundred seventeen of the act to which this is an amendment

Section 7 The provisions of this act shall become effective on the first day of the month next following its final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—199

Aaronson,	Frost,	McCormack,	Sax,
Andrews,	Gallagher,	McCosker,	Scanlon,
Bane,	Getchey,	McCullough,	Schuster,
Barrett,	Gibson,	McKinney,	Scott,
Baumunk,	Goff,	McMillen,	Serrill,
Beech,	Goodling,	Mihm,	Shoemaker,
Bender,	Gorman,	Mikula,	Simons,
Bentzel,	Graybill,	Miller,	Smith, C. C.,
Bloom,	Greenwood,	Mills,	Smith, C. M.,
Boies,	Greer,	Mintess,	Snider,
Bonawitz,	Griffiths,	Mohr,	Sollenberger,
Boorse,	Guthrie,	Mooney,	Sorg,
Bower,	Gyger,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenshield,	Murray,	Stimmel,
Brown,	Helm,	Myers,	Stockham,
Brunner,	Henry,	Najaka,	Stonier,
Bucchin,	Hewitt,	Naumann,	Stuart,
Cadwalader,	Hocker,	Needham,	Swope,
Capano,	Hoffman,	Neff,	Tahl,
Cassidy,	Hoopes,	Nelson,	Thomassy,
Chervenak,	Horan,	O'Connor,	Thompson,
Chudoff,	Imbt,	O'Dare,	Tittle,
Clevenger,	Jennings,	O'Donnell,	Tompkins,
Cochran,	Johnson,	O'Neill,	Toomey,
Cole,	Johnston,	Orban,	Turner,
Cook,	Jones,	Patten,	Upshur,
Cooper,	Jump,	Petrosky,	Vaughan,
Cordier,	Kean,	Pichney,	Verona,
Costa,	Kelley,	Pickens,	Wachhaus,
Crowley,	Kemp,	Polaski,	Wagner,
Dague,	Kent,	Powers,	Waldron,
Dalrymple,	Kirley,	Price,	Wallin,
Davison,	Kline,	Propert,	Walton,
De Long,	Kohl,	Ragot,	Waterhouse,
Demech,	Kratz,	Readinger,	Watkins,
Dennison,	Krise,	Reagan,	Watson,
Dix,	Kurtz,	Reese, D. P.,	Weidner,
Dye,	Laughner,	Reese, R. E.,	Weiss,
Efenberg,	Layer,	Reilly, J. M.,	Wescott,
Elder,	Lee,	Reilly, W. J.,	Wheeler,
Erb,	Leisey,	Richter,	Wolf,
Evans,	Livingston,	Riley,	Wood,
Ewing,	Livingstone,	Robbins,	Worley,
Feola,	Loftus,	Robertson,	Yeakel,
Fish,	Lovett,	Root,	Yester,
Fiss,	Lyons,	Rose,	Yetzer,
Flack,	Madden,	Rowen,	Young,
Fleming,	Madigan,	Royer,	Lichtenwalter,
Foor,	Mazza,	Sarraf,	Speaker.

NAYS—0

NOT VOTING—6

Depuy,	McDonald,	Trout,	West,
Hall,	Morrison,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 767, as follows:

An Act to amend sections one thousand one hundred five, one thousand one hundred twenty-one, one thousand one hundred twenty-seven, one thousand one hundred thirty-four and one thousand one hundred thirty-seven of the act approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith" by further providing for the term of office and the election of county superintendents, assistant county superintendents, district superintendents, and assistant district superintendents in all second, third and fourth class school districts of the Commonwealth.

On the question,

Will the House agree to the bill on third reading?

Mr. STOCKHAM. Mr. Speaker, I ask unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk for information.

The Clerk read the amendment as follows:

Amend Sec. 4, (Sec. 1134), page 9, lines 1 and 2, by striking out the words "Such cause or causes shall be among those enumerated for the dismissal of a professional employe."

The SPEAKER. Will the House give unanimous consent to the offering of amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 768, as follows:

An Act to add section one thousand six hundred ten point one to the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" authorizing the teaching of safe driving of automobiles

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Article sixteen of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" is hereby amended by adding after section one thousand six hundred ten thereof a new section to read as follows

Section 1610.1 Any school district may provide for the teaching of safe driving of motor vehicles in the elementary and secondary schools of the district or in the secondary schools only In the case of pupils under the age of sixteen (16) years such instruction shall be limited to class room instruction by those who shall possess the qualifications prescribed by the State Council of Education In the case of pupils of the age of sixteen (16) years and over the instruction may include prac-

tical instruction in the operation of motor vehicles on the public highways or other places selected by the board of school directors or by the principal of the school where the instruction is given The board of school directors may employ and fix the compensation of qualified persons to teach the practical operation of motor vehicles on the highways or elsewhere who shall possess the qualifications prescribed by the State Council of Education The board of school directors may purchase rent or hire motor vehicles for such instruction and shall procure or require automobile liability insurance in such amounts as the board of school directors shall prescribe covering vehicles owned or operated pursuant to this section Such insurance shall be for the public liability of the owner of the vehicle when the owner is some one other than the school district the employe of the school district the employe of the owner and the pupil operating the vehicle against claims for damages for injuries to person or property No liability shall attach to any individual school director superintendent teacher or other school authority by reason of teaching safe driving except that which is protected by the automobile liability insurance policies which are procured by reason of the authority granted herein

The board of school directors may appropriate and expend money of the school district for the purpose of paying the compensation of the instructors and to purchase rent or hire motor vehicles automobile liability insurance and to maintain and repair the same and to purchase fuel lubricants parts and accessories therefor

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—199

Aaronson,	Frost,	McCormack,	Sax,
Andrews,	Gallagher,	McCosker,	Scanlon,
Bane,	Getchey,	McCullough,	Schuster,
Barrett,	Gibson,	McKinney,	Scott,
Baumunk,	Goff,	McMillen,	Serrill,
Beech,	Goodling,	Mihm,	Shoemaker,
Bender,	Gorman,	Mikula,	Simons,
Bentzel,	Graybill,	Miller,	Smith, C. C.,
Bloom,	Greenwood,	Mills,	Smith, C. M.,
Boles,	Greer,	Mintess,	Snider,
Bonawitz,	Griffiths,	Mohr,	Sollenberger,
Boorse,	Guthrie,	Mooney,	Sorg,
Bower,	Gyger,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenshield,	Murray,	Stimmel,
Brown,	Helm,	Myers,	Stockham,
Brunner,	Henry,	Najaka,	Stonier,
Bucchin,	Hewitt,	Naumann,	Stuart,
Cadwalader,	Hocker,	Needham,	Swope,
Capano,	Hoffman,	Neff,	Tahl,
Cassidy,	Hoopes,	Nelson,	Thomassy,
Chervenak,	Horan,	O'Connor,	Thompson,
Chudoff,	Imbt,	O'Dare,	Tittle,
Clevenger,	Jennings,	O'Donnell,	Tompkins,
Cochran,	Johnson,	O'Neill,	Toomey,
Cole,	Johnston,	Orban,	Turner,
Cook,	Jones,	Patten,	Upshur,
Cooper,	Jump,	Petrosky,	Vaughan,
Cordier,	Kean,	Pichney,	Verona,
Costa,	Kelley,	Pickens,	Wachhaus,
Crowley,	Kemp,	Polaski,	Wagner,
Dague,	Kent,	Powers,	Waldron,
Dalrymple,	Kirley,	Price,	Wallin,
Davison,	Kline,	Propert,	Walton,
De Long,	Kohl,	Ragot,	Waterhouse,
Demech,	Kratz,	Readinger,	Watkins,
Dennison,	Krise,	Reagan,	Watson,
Dix,	Kurtz,	Reese, D. P.,	Weidner,
Dye,	Laughner,	Reese, R. E.,	Weiss,
Ehrenberg,	Layer,	Reilly, J. M.,	Wescott,
Elder,	Lee,	Reilly, W. J.,	Wheeler,
Erb,	Leisey,	Richter,	Wolf,
Evans,	Livingston,	Riley,	Wood,
Ewing,	Livingstone,	Robbins,	Worley,
Feola,	Loftus,	Robertson,	Yeakel,
Fish,	Lovett,	Root,	Yester,
Fiss,	Lyons,	Rose,	Yetzer,
Flack,	Madden,	Rowen,	Young,
Fleming,	Madigan,	Royer,	Lichtenwalter,
Foor,	Mazza,	Sarraf,	Speaker.

NAYS—0

NOT VOTING—6

Depuy,	McDonald,	Trout,	West,
Hall,	Morrison,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 769, entitled:

An Act making an appropriation out of the motor License Fund to the Department of Public Instruction to promote highway safety education.

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED

Mr. SORG. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations for the purpose of further study.

The motion was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 792, as follows:

An Act to further amend section two thousand one hundred one and two thousand one hundred seven of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by further providing for the meetings of teachers of public schools under the jurisdiction of the county superintendent authorizing instructional courses for such teachers upon approval of the county board of school directors and increasing the amount of expenses for teachers' meetings or instructional courses to be paid by the county treasurer

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two thousand one hundred one of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as added by the approved the first day of June one thousand nine hundred thirty-three (P. L. 1152) and as last amended by the act approved the

eighteenth day of July one thousand nine hundred thirty-five (P. L. 1204) is hereby further amended to read as follows

Section 2101 Each county superintendent shall call the teachers of the public schools under his jurisdiction to assemble for two days or their equivalent each year or for such additional days or parts thereof as may be recommended by the county superintendent and approved by the county board of school directors at such time and place as he may deem most convenient for the purpose of receiving instruction in the science and art of teaching each superintendent may also invite members of the teaching and supervisory staffs of other districts and of institutions of learning within the county to attend such meeting or meetings

Section 2 Section two thousand one hundred seven of said act as added by the act approved the first day of June one thousand nine hundred thirty-three (P. L. 1152) is hereby amended to read as follows

Section 2107 Upon receipt from a county superintendent of duplicate vouchers and a statement of expenses incurred in the conduct of a teachers' meeting or instructional course as herein provided which has been sworn or affirmed to by the county superintendent [and] approved by the county board of school directors and the auditors of such meeting the county treasurer of the county in which the school districts under the jurisdiction of such county superintendent or the greater or greatest part thereof in area shall be located shall pay out of the county treasury to such county superintendent the amount of such expenses which shall not exceed [two] four hundred dollars [($200.00)] ($400.00)

Section 3 The provisions of this act are severable and if any of its provisions shall be held unconstitutional the decision of the court shall not affect or impair any of the remaining provisions of this act It is hereby declared to be the legislative intent that this act would have been adopted had such unconstitutional provisions not been included herein

Section 4 The provisions of this act shall become effective immediately upon final enactment

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. LOVETT. I would like, Mr. Speaker, to have the sponsor explain the bill and what it does.

Mr. WORLEY. Mr. Speaker, this bill provides for any service furnished by public school teachers of Pennsylvania. It provides for additional instruction with more pay to instructors in those cases where the instruction is more expensive, for such programs as visual education and any other specialized training. It increases the amount of money that the County Treasurer can give for such instruction upon the approval of the County Board of School Directors and the County Superintendent, and in general it is for better Institutes in order to give the children of Pennsylvania better instruction through their teachers.

Mr. ANDREWS. Mr. Speaker, I would like to ask the gentleman from Adams, Mr. Worley, if he was discussing House Bill 792?

Mr. WORLEY. I was, Mr. Speaker.

Mr. ANDREWS. If the gentleman was discussing House Bill 792 he read so many things in the bill that are not there; I really think it would be advisable if we held the bill over until he studies the bill and knows more about it. All this bill does is to increase the amount that is allowed for the County Institute from two hundred dollars to four hundred dollars, and the gentleman doesn't state whether the meetings of the Institute are to be held on daylight savings time or standard time.

Mr. WORLEY. Mr. Speaker, this bill provides for additional days or parts thereof that may be recommended by the County Superintendent and approved by the County Board of School Directors for any service training or special educational programs for the teachers so that the students will receive better instruction.

I don't care whether it is on daylight or standard time, so long as it is for the benefit of the children of Pennsylvania.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—199

Aaronson,	Frost,	McCormack,	Sax,
Andrews,	Gallagher,	McCosker,	Scanlon,
Bane,	Getchey,	McCullough,	Schuster,
Barrett,	Gibson,	McKinney,	Scott,
Baumunk,	Goff,	McMillen,	Serrill,
Beech,	Goodling,	Mihm,	Shoemaker,
Bender,	Gorman,	Mikula,	Simons,
Bentzel,	Graybill,	Miller,	Smith, C. C.,
Bloom,	Greenwood,	Mills,	Smith, C. M.,
Boies,	Greer,	Mintess,	Snider,
Bonawitz,	Griffiths,	Mohr,	Sollenberger,
Boorse,	Guthrie,	Mooney,	Sorg,
Bower,	Gyger,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenshield,	Murray,	Stimmel,
Brown,	Helm,	Myers,	Stockham,
Brunner,	Henry,	Najaka,	Stonier,
Bucchin,	Hewitt,	Naumann,	Stuart,
Cadwalader,	Hocker,	Needham,	Swope,
Capano,	Hoffman,	Neff,	Tahl,
Cassidy,	Hoopes,	Nelson,	Thomassy,
Chervenak,	Horan,	O'Connor,	Thompson,
Chudoff,	Imbt,	O'Dare,	Tittle,
Clevenger,	Jennings,	O'Donnell,	Tompkins,
Cochran,	Johnson,	O'Neill,	Toomey,
Cole,	Johnston,	Orban,	Turner,
Cook,	Jones,	Patten,	Upshur,
Cooper,	Jump,	Petrosky,	Vaughan,
Cordier,	Kean,	Pichney,	Verona,
Costa,	Kelley,	Pickens,	Wachhaus,
Crowley,	Kemp,	Polaski,	Wagner,
Dague,	Kent,	Powers,	Waldron,
Dalrymple,	Kirley,	Price,	Wallin,
Davison,	Kline,	Propert,	Walton,
De Long,	Kohl,	Ragot,	Waterhouse,
Demech,	Kratz,	Readinger,	Watkins,
Dennison,	Krise,	Reagan,	Watson,
Dix,	Kurtz,	Reese, D. P.,	Weidner,
Dye,	Laughner,	Reese, R. E.,	Weiss,
Efenberg,	Layer,	Reilly, J. M.,	Wescott,
Elder,	Lee,	Reilly, W. J.,	Wheeler,
Erb,	Leisey,	Richter,	Wolf,
Evans,	Livingston,	Riley,	Wood,
Ewing,	Livingstone,	Robbins,	Worley,
Feola,	Loftus,	Robertson,	Yeakel,
Fish,	Lovett,	Rock,	Yester,
Fiss,	Lyons,	Rose,	Yetzer,
Flack,	Madden,	Rowen,	Young,
Fleming,	Madigan,	Royer,	Lichtenwalter,
Foor,	Mazza,	Sarraf,	Speaker.

NAYS—0

NOT VOTING—6

Depuy,	McDonald,	Trout,	West,
Hall,	Morrison,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 827, as follows:

An Act defining and providing for the licensing of private correspondence schools and the registration of agents of such schools providing for contractual liability conferring powers and imposing duties on the State Council of Education and prescribing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The following words and phrases of this act shall have the following meanings

(1) "Private Correspondence School" "Correspondence School" or "School" shall mean a privately owned and operated school conducted for the purpose of providing by correspondence systematic instruction in any field or fields of study

(2) "Council' or "State Council" shall mean the State Council of Education

(3) "Adequate correction service" shall mean the propper receipt and prompt correction of all required tests and materials with appropriate written comments and suggestions for correction of errors and apparent weaknesses and the prompt mailing of such corrected materials to students concerned

(4) "Agent" shall mean any person including registrars field representatives field officers supervisors and district representatives who solicits prospective students sells or solicits applicants for correspondence courses for any private correspondence school

Section 2 The mandatory provisions of this act shall not include correspondence schools having no definite situs in Pennsylvania or schools maintained or classes conducted by employers for their own employes without profit or schools owned and operated by bona fide religious or eleemosynary institutions without profit or by the Commonwealth of Pennsylvania or any political subdivision thereof but such schools may choose to apply for a license number and upon approval and issuance thereof shall be subject to the provisions of this act

Section 3 The provisions of this act shall be administered by the State Council of Education which in connection therewith shall have the power to make and to enforce rules and regulations and to make and promulgate standards of instruction not inconsistent with the provisions of this act The Superintendent of Public Instruction shall appoint an advisory committee of five or more members selected from persons active in the fields of private correspondence instruction extension education vocational education and secondary education whose duties shall be to advise and to make recommendations to the State Council regarding rules codes and other regulations for the licensing of such schools and for the registration of their responsible field representatives or agents and regarding the promulgation of standards of qualifications for schools so licensed and for representatives or agents so registered

Section 4 Effective one hundred eighty (180) days after the effective date of this act no private correspondence school shall continue in operation or shall be established within the Commonwealth unless there is first secured from the State Council of Education a license issued in such form as the State Council shall direct and no field representative or agent of any school located outside or within the Commonwealth shall solicit applications for students for such school unless such field representative or agent is licensed by the Council as hereinafter provided

Section 5 Before any license is issued to any correspondence school a verified application shall be made in writing to the State Council on a form prepared and furnished by the State Council Such application shall require a statement showing (1) the title or name of the school together with ownership and controlling officers thereof (2) the specific fields of instruction which will be offered and the specific purposes of such instruction (3) a specific listing of the equipment and staff available for properly administering the correspondence courses of study which will be offered (4) that it maintains an adequate correction service (5) the qualification of instructors and supervisors being employed (6) financial resoources available to maintain the service being offered (7) an agreement to abide by reasonable service and business ethics prescribed by the State Council (8) an expression of willingness at the discretion of the State Council at any time it may designate to provide a surety company bond in a reasonable amount to the Commonwealth of Pennsylvania conditioned for the protection of the contractual right of students (9) such additional information as the State Council of Education may deem reasonable to enable it to determine the adequacy of the program of instruction being offered and the business integrity being maintained

Section 6 Any license issued shall be restricted to the fields or courses specifically indicated in the application for a license The holder of a license shall present a supplementary application as may be directed by the State Council for approval of additional fields or courses in which it is desired to offer instruction during the effective period of the license

Section 7 Each original application for a license by a correspondence school shall be accompanied by a license fee of fifty dollars ($50) and each application for the renewal of a license shall be accompanied by a license fee of twenty-five dollars ($25) No fee shall be charged for a supplementary application for the approval of additional fields or courses of instruction All license fees shall be paid into the General Fund in the State Treasury through the Department of Revenue No license fees shall be refunded in the event any license is refused or revoked or for any other reason Each licensing year is to continue from the first day of July to the following thirtieth day of June

Section 8 The State Council of Education shall maintain a list of schools and agents licensed under the provisions of this act which shall be available for the information of the public

Section 9 No private correspondence school shall be granted a license or shall be permitted to continue to continue to operate under a granted license unless

(1) It shall permit the State Council of Education and its agents to inspect the school and its correction service and shall make available to the State Council at any time when requested to do so full information pertaining to any or all items of information contained in the application form which currently is provided by the State Council to applicants for license

(2) It shall prominently display the current approved license where it may be inspected by students and officers and agents designated by the State Council

(3) The advertising and representations made by anyone representing the school as agent to prospective students shall be free from misrepresentation or fraud and shall conform to the rules and regulations of the State Council governing such advertising or representation

Section 10 No agent of a correspondence school with home office within or outside the Commonwealth shall be registered and permitted to operate within the Commonwealth until an application for registration accompanied by a fee of five dollars ($5.00) is field with the State Council of Education and unless the agent and the owner or president and secretary of the correspondence school shall file with the State Council of Education a statement that to the best of their knowledge the agent has attained the age of eighteen (18) years is of good moral character bears a good reputation for honesty truthfulness and fairdealing and is otherwise competent and qualified to act as such in such manner as to safeguard and protect the interest of the public and that he has not been convicted of any felony or of a misdemeanor involving moral turpitude and in addition ic

(1) Certified by a correspondence school licensed in this Commonwealth as its duly qualified agent or

(2) Certified as its duly qualified agent within the Commonwealth by a correspondence school of another state licensed by such state or

(3) Certified as its duly qualified agent within the Commonwealth by a correspondence school of another state which does not license correspondence schools and which school is approved by the Council after such investigation and such proof as in their judgment is essential to establish the character of the school whose agents apply for registration in the Commonwealth of Pennsylvania The approval of the Council shall be registered in a "List of approved unlicensed foreign correspondence schools" to be available for public inspection at the offices of the State Council of Education

Each licensing year is to continue from the first day of July to the following thirtieth day of June

Section 11 If an application for a license is not approved the applicant may request and be entitled to a hearing before the Council if such request was made within thirty days after the action was disapproved A license issued under the provisions of this act may be revoked or suspended by the State Council for cause provided that the licensee is permitted to be heard by the Council either personally by counsel or both and provided also that a written copy of the causes be furnished him by registered mail ten days in advance of the date set for hearing Said notice shall fixe the time and place for said hearing which shall not be more than thirty days from the date of the mailing of said notice

Any school which or agent who shall be aggrieved by any action of the Council relating to licensing or registration under this act or by any rule or regulation promulgated by the Council shall have the right to file a complaint with the Council and to have a hearing thereon before the Council Such hearing shall be conducted and the decision of the council on the issue involved shall be rendered in accordance with the provisions of the Administrative Agency Law and its amendments approved June fourth one thousand nine hundred forty-five (P. L. 1388) relating to adjudication procedure Any school or agent aggrieved by any adjudication of the Council shall have the right to appeal therefrom to the Court of Common Pleas of Dauphin County and have a judicial review of such adjudication within the time and in the manner and with the same effect as is provided by the Administrative Agency Law and the Rules of Civil Procedure promulgated by the Supreme Court for judicial review of adjudications of agencies of the Commonwealth Such appeal shall not act as a supersedeas but the licensee may continue to operate the school up to the date of the final decision of the court without being held to have violated the provisions of this act

Section 12 Any pupil of a correspondence school who is defrauded by a misrepresentation made by an officer or agent of any correspondence school or by any advertisement or circular issued by it or by any person association partnership or corporation who sells textbooks to the school or to the pupils thereof may recover in contract from such school or person association partnership or corporation three times the amount paid by him to such school or person association partnership or corporation

Section 13 Any person who shall violate or fail to comply with any of the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than fifty dollars ($50) nor more than five hundred dollars ($500) or to undergo imprisonment for not more than one year or both If the violation shall be by a corporation partnership or association the officers and directors of such corporation or the members of such partnership or association its agents and employes with guilty knowledge of the fact shall also be guilty of a misdemenanor and upon conviction thereof shall be punished as hereinbefore provided

Section 14 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—199

Aaronson,	Frost,	McCormack,	Sax,
Andrews,	Gallagher,	McCosker,	Scanlon,
Bane,	Getchey,	McCullough,	Schuster,
Barrett,	Gibson,	McKinney,	Scott,
Baumunk,	Goff,	McMillen,	Serrill,
Beech,	Goodling,	Mihm,	Shoemaker,
Bender,	Gorman,	Mikula,	Simons,
Bentzel,	Graybill,	Miller,	Smith, C. C.,
Bloom,	Greenwood,	Mills,	Smith, C. M.,
Boies,	Greer,	Mintess,	Snider,
Bonawitz,	Griffiths,	Mohr,	Sollenberger,
Boorse,	Guthrie,	Mooney,	Sorg,
Bower,	Gyger,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenshield,	Murray,	Stimmel,
Brown,	Helm,	Myers,	Stockham,
Brunner,	Henry,	Najaka,	Stonier,
Bucchin,	Hewitt,	Naumann,	Stuart,
Cadwalader,	Hocker,	Needham,	Swope,
Capano,	Hoffman,	Neff,	Tahl,
Cassidy,	Hoopes,	Nelson,	Thomassy,
Chervenak,	Horan,	O'Connor,	Thompson,
Chudoff,	Imbt,	O'Dare,	Tittle,
Clevenger,	Jennings,	O'Donnell,	Tompkins,
Cochran,	Johnson,	O'Neill,	Toomey,
Cole,	Johnston,	Orban,	Turner,
Cook,	Jones,	Patten,	Upshur,
Cooper,	Jump,	Petrosky,	Vaughan,
Cordier,	Kean,	Pichney,	Verona,
Costa,	Kelley,	Pickens,	Wachhaus,
Crowley,	Kemp,	Polaski,	Wagner,
Dague,	Kent,	Powers,	Waldron,
Dalrymple,	Kirley,	Price,	Wallin,
Davison,	Kline,	Propert,	Walton,
De Long,	Kohl,	Ragot,	Waterhouse,
Demech,	Kratz,	Readinger,	Watkins,
Dennison,	Krise,	Reagan,	Watson,
Dix,	Kurtz,	Reese, D. P.,	Weidner,
Dye,	Laughner,	Reese, R. E.,	Weiss,
Efenberg,	Layer,	Reilly, J. M.,	Wescott,
Elder,	Lee,	Reilly, W. J.,	Wheeler,
Erb,	Leisey,	Richter,	Wolf,
Evans,	Livingston,	Riley,	Wood,
Ewing,	Livingstone,	Robbins,	Worley,
Feola,	Loftus,	Robertson,	Yeakel,
Fish,	Lovett,	Root,	Yester,
Fiss,	Lyons,	Rose,	Yetzer,
Flack,	Madden,	Rowen,	Young,
Fleming,	Madigan,	Royer,	Lichtenwalter, Speaker.
Foor,	Mazza,	Sarraf,	

NAYS—0

NOT VOTING—6

Depuy,	McDonald,	Trout,	West,
Hall,	Morrison,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 832, as follows:

A Supplement to the act approved the twenty-fifth day of April one thousand nine hundred forty-five (P. L. 299) entitled "An act providing for the establishment in counties of the second class of the lot and block plan for the registration of land titles for the accumulation of county tax liens and for the enumeration of the par-

cels of real estate to be assessed for county city borough township school and institution district taxation providing for the incurring of indebtedness for the installation thereof and imposing duties upon the county controller and the deed registrar in each of such counties" providing for the use in counties of the second class of the lot and block descriptive number in the making of assessments in the preparation of tax bills and tax receipts in the filing of liens for delinquent taxes and in the sale of real estate for taxes and imposing duties upon certain county officials in second class counties and upon treasurers tax collectors and solicitors of cities boroughs towns townships and school districts in said counties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 In each county of the second class where the commissioners of said county have heretofore under the provisions of the act to which this is a supplement established the Lot and Block system in the office of the county controller and where the county controller has certified to the commissioners that said system has been completely installed in either the whole of the county or completely installed in one or more municipal subdivisions thereof then the commissioners of said county shall proceed to put said system into effect in the manner hereinafter set forth

Section 2 Immediately upon the receipt of the certification of completion from the county controller the commissioners shall present their petition to the Court of Common Pleas of the county setting forth the establishment of such Lot and Block system the fact of its completion either in the county as a whole or within one or more municipal subdivisions and a brief statement describing the method of operation of the Lot and Block system so established If the court shall determine that the said system has been established in accordance with existing law and has been completed it shall make an order placing the same in effect as of the first Monday of January next succeeding such order

Section 3 The effect of the order of the Court of Common Pleas shall be as follows

(a) The district assessors appointed by the Board of Property Assessment Appeals and Review whose assessments are being made within the municipal subdivisions that have had the Lot and Block system completed therein shall immediately proceed to correct their original books of assessment by adding thereto the Lot and Block system descriptive numbers

(b) The Board of Property Assessment Appeals and Review shall as to assessments already in its hands which assessments are within municipal subdivisions covered by said order or orders of court correct such assessments by adding thereto the Lot and Block system descriptive numbers

(c) The recorder of deeds shall not receive for recording any deed mortgage or other instrument that shall refer to a specific parcel of real estate unless said deed mortage or other instrument shall bear the certification by the custodian of the Lot and Block system that the Lot and Block system descriptive numbers incorporated in the description of the real estate described therein are correct

(d) The treasurer or tax collector of each city borough town township or school district where the Lot and Block system has been completed under the order of court referred to in section two of this supplement shall place upon each tax bill sent out and upon each tax receipt issued upon payment the Lot and Block system descriptive numbers

(e) The county controller in the case of the county and the treasurer tax collector or solicitor as the case may be in each city borough town township or school district within which the Lot and Block system has been completed shall at the time of filing liens for unpaid taxes with the prothonotary set forth on such liens the individual Lot and Block system descriptive numbers and the prothonotary shall not receive and file such liens unless the said descriptive numbers are contained thereon

(f) For the purposes of the sale of real estate for delinquent taxes either by the sheriff of the county or by the commissioners and treasurer of the county or by the treasurer of any city the Lot and Block system descriptive numbers are hereby declared to be sufficient description for the advertising preceding such sale for the oral description read at such sale prior to receiving bids and for the purposes of the description to be inserted in any tax deed to be given to the purchaser at such sale

Section 4 All acts or parts not consistent herewith are hereby repealed

Section 5 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—199

Aaronson,	Frost,	McCormack,	Serr,
Andrews,	Gallagher,	McCosker,	Scanlon,
Bane,	Getchey,	McCullough,	Schuster,
Barrett,	Gibson,	McKinney,	Scott,
Baumunk,	Goff,	McMillen,	Serrill,
Beech,	Goodling,	Mihm,	Shoemaker,
Bender,	Gorman,	Mikula,	Simons,
Bentzel,	Graybill,	Miller,	Smith, C. C.,
Bloom,	Greenwood,	Mills,	Smith, C. M.,
Boles,	Greer,	Mintess,	Snider,
Bonawitz,	Griffiths,	Mohr,	Sollenberger,
Boorse,	Guthrie,	Mooney,	Sorg,
Bower,	Gyger,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenshield,	Murray,	Stimmel,
Brown,	Helm,	Myers,	Stockham,
Brunner,	Henry,	Najaka,	Stonier,
Bucchin,	Hewitt,	Naumann,	Stuart,
Cadwalader,	Hocker,	Needham,	Swope,
Capano,	Hoffman,	Neff,	Tahl,
Cassidy,	Hoopes,	Nelson,	Thomassy,
Chervenak,	Horan,	O'Connor,	Thompson,
Chudoff,	Imbt,	O'Dare,	Tittle,
Clevenger,	Jennings,	O'Donnell,	Tompkins,
Cochran,	Johnson,	O'Neill,	Toomey,
Cole,	Johnston,	Orban,	Turner,
Cook,	Jones,	Patten,	Upshur,
Cooper,	Jump,	Petrosky,	Vaughan,
Cordier,	Kean,	Pichney,	Verona,
Costa,	Kelley,	Pickens,	Wachhaus,
Crowley,	Kemp,	Polaski,	Wagner,
Dague,	Kent,	Powers,	Waldron,
Dalrymple,	Kirley,	Price,	Wallin,
Davison,	Kline,	Propert,	Walton,
De Long,	Kohl,	Ragot,	Waterhouse,
Demech,	Kratz,	Readinger,	Watkins,
Dennison,	Krise,	Reagan,	Watson,
Dix,	Kurtz,	Reese, D P.,	Weidner,
Dye,	Laughner,	Reese, R. E.,	Weiss,
Efenberg,	Layer,	Reilly, J. M.,	Wescott,
Elder,	Lee,	Reilly, W. J.,	Wheeler,
Erb,	Leisey,	Richter,	Wolf,
Evans,	Livingston,	Riley,	Wood,
Ewing,	Livingstone,	Robbins,	Worley,
Feola,	Loftus,	Robertson,	Yeakel,
Fish,	Lovett,	Root,	Yester,
Fiss,	Lyons,	Rose,	Yetzer,
Flack,	Madden,	Rowen,	Young,
Fleming,	Madigan,	Royer,	Lichtenwalter,
Foor,	Mazza,	Sarraf,	Speaker.

NAYS—0

NOT VOTING—6

Depuy,	McDonald,	Trout,	West,
Hall,	Morrison,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

STUDENTS OF CAMPUS JUNIOR HIGH SCHOOL WELCOMED

The SPEAKER. The Chair welcomes as guests this afternoon students of Campus Junior High School of Kutztown, who are under the supervision of Prof. Rex Dimmick. They are the guests of Mr. Yetzer of Berks County.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 848, as follows:

An Act to amend clause (d) of subsection one of section four of the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act etsablishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by increasing the membership of the Public School Employes' Retirement Board

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause (d) of subsection one of section four of the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" as last amended by the act approved the third day of June one thousand nine hundred forty-three (P. L. 832) is hereby further amended to read as follows

Section 4 1

* * * * *

(d) [Three] Four members of the retirement association elected from among their number in a manner to be approved by the Superintendent of Public Instruction the State Treasurer and the member of the retirement board appointed by the Governor one to serve for one year one for two years [and] one for three years and one for four years and whose successors shall be elected for a term of [three] four years from among the members of the retirement association in a manner to be approved by the retirement board Provided however That the term of each present member elected from the members of the retirement association for a term of three years is hereby extended for one additional year

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—199

Aaronson,	Frost,	McCormack,	Sax,
Andrews,	Gallagher,	McCosker,	Scanlon,
Bane,	Getchey,	McCullough,	Schuster,
Barrett,	Gibson,	McKinney,	Scott,
Baumunk,	Goff,	McMillen,	Serrill,
Beech,	Goodling,	Mihm,	Shoemaker,
Bender,	Gorman,	Mikula,	Simons,
Bentzel,	Graybill,	Miller,	Smith, C. C.,
Bloom,	Greenwood,	Mills,	Smith, C. M.,
Boies,	Greer,	Mintess,	Snider,
Bonawitz,	Griffiths,	Mohr,	Sollenberger,
Boorse,	Guthrie,	Mooney,	Sorg,
Bower,	Gyger,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenshield,	Murray,	Stimmel,
Brown,	Helm,	Myers,	Stockham,
Brunner,	Henry,	Najaka,	Stonier,
Bucchin,	Hewitt,	Naumann,	Stuart,
Cadwalader,	Hocker,	Needham,	Swope,
Capano,	Hoffman,	Neff,	Tahl,
Cassidy,	Hoopes,	Nelson,	Thomassy,
Chervenak,	Horan,	O'Connor,	Thompson,
Chudoff,	Imbt,	O'Dare,	Tittle,
Clevenger,	Jennings,	O'Donnell,	Tompkins,
Cochran,	Johnson,	O'Neill,	Toomey,
Cole,	Johnston,	Orban,	Turner,
Cook,	Jones,	Patten,	Upshur,
Cooper,	Jump,	Petrosky,	Vaughan,
Cordier,	Kean,	Pichney,	Verona,
Costa,	Kelley,	Pickens,	Wachhaus,
Crowley,	Kemp,	Polaski,	Wagner,
Dague,	Kent,	Powers,	Waldron,
Dalrymple,	Kirley,	Price,	Wallin,
Davison,	Kline,	Propert,	Walton,
De Long,	Kohl,	Ragot,	Waterhouse,
Demech,	Kratz,	Readinger,	Watkins,
Dennison,	Krise,	Reagan,	Watson,
Dix,	Kurtz,	Reese, D. P.,	Weidner,
Dye,	Laughner,	Reese, R. E.,	Weiss,
Efenberg,	Layer,	Reilly, J. M.,	Wescott,
Elder,	Lee,	Reilly, W. J.,	Wheeler,
Erb,	Leisey,	Richter,	Wolf,
Evans,	Livingston,	Riley,	Wood,
Ewing,	Livingstone,	Robbins,	Worley,
Feola,	Loftus,	Robertson,	Yeakel,
Fish,	Lovett,	Root,	Yester,
Fiss,	Lyons,	Rose,	Yetzer,
Flack,	Madden,	Rowen,	Young,
Fleming,	Madigan,	Royer,	Lichtenwalter,
Foor,	Mazza,	Sarraf,	Speaker.

NAYS—0

NOT VOTING—6

Depuy,	McDonald,	Trout,	West,
Hall,	Morrison,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 863, as follows:

An Act to further amend section three of the act approved the thirteenth day of May one thousand nine hundred twenty-seven (P. L. 988) entitled "An act providing for and regulating the State registration of nurses and licensed attendants the annual recording of registration certificates and regulating the profession of nursing and repealing certain existing laws" further providing for emergency registration of nurses

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section three of the act approved the thirteenth day of May one thousand nine hundred twenty-seven (P. L. 988) entitled "An act providing for and regulating the State registration of nurses and licensed attendants the annual recording of registration certificates and regulating the profession of nursing and repealing certain existing laws" as last amended by the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 514) is hereby further amended to read as follows

Section 3 No application for original registration as a registered nurse shall be considered unless accompanied by a fee of ten ($10.00) dollars Every applicant to be eligible for examination as a registered nurse must furnish evidence satisfactory to the board that he or she is twenty-one years of age or over is a citizen of the United States is of good moral character has completed work equal to a standard high school course as evaluated by the Department of Public Instruction and has graduated from a school of nursing which gives at least a two years' course of instruction or has received instruction in different schools of nursing connected with hospitals for periods of time amounting to at least a two year's course as aforesaid and then graduated which school or combination of schools of nursing must be on the approved list issued by the State Board of Examiners for Registration of Nurses as hereinafter provided Provided That a graduate nurse registered in any state of the United States where the requirements for registration in the judgment of the board are at least equal to the requirements of law for such nurses in Pennsylvania may at the discretion of the board be registered without examination upon application in writing on forms provided by the board and upon the payment of a fee of ten ($10.00) dollars And provided that any applicant who is a citizen of the United States and who was eligible for examination for registration in the Commonwealth of Pennsylvania as a registered nurse prior to September first one thousand nine hundred and thirty-eight may upon application in writing on forms provided by the board and upon the payment of a fee of ten ($10.00) dollars be granted registration by examination based upon the submission of evidence showing that he or she had met the requirements for registration in the State of Pennsylvania which obtained at the time of his or her graduation from an accredited school of nursing or without examination if the applicant shall show to the satisfaction of the board that he or she graduated prior to June first one thousand nine hundred and twelve from a reputable hospital or sanitarium or training school where a systematic course of practical instruction in nursing was given This amendment shall become effective immediately upon final enactment and continue [for the duration of the present war between the United States and any foreign country and one year after cessation of hostilities] until the thirtieth day of June one thousand nine hundred forty-eight

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—199

Aaronson,	Frost,	McCormack,	Sax,
Andrews,	Gallagher,	McCosker,	Scanlon,
Bane,	Getchey,	McCullough,	Schuster,
Barrett,	Gibson,	McKinney,	Scott,
Baumunk,	Goff,	McMillen,	Serrill,
Beech,	Goodling,	Mihm,	Shoemaker,
Bender,	Gorman,	Mikula,	Simons,
Bentzel,	Graybill,	Miller,	Smith, C. C.,
Bloom,	Greenwood,	Mills,	Smith, C. M.,
Boies,	Greer,	Mintes,	Snider,
Bonawitz,	Griffiths,	Mohr,	Sollenberger,
Boorse,	Guthrie,	Mooney,	Sorg,
Bower,	Gyger,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenshield,	Murray,	Stimmel,
Brown,	Helm,	Myers,	Stockham,
Brunner,	Henry,	Najaka,	Stonier,
Bucchin,	Hewitt,	Naumann,	Stuart,
Cadwalader,	Hocker,	Needham,	Swope,
Capano,	Hoffman,	Neff,	Tahl,
Cassidy,	Hoopes,	Nelson,	Thomassy,
Chervenak,	Horan,	O'Connor,	Thompson,
Chudoff,	Imbt,	O'Dare,	Tittle,
Clevenger,	Jennings,	O'Donnell,	Tompkins,
Cochran,	Johnson,	O'Neill,	Toomey,
Cole,	Johnston,	Orban,	Turner,
Cook,	Jones,	Patten,	Upshur,
Cooper,	Jump,	Petrosky,	Vaughan,
Cordier,	Kean,	Pichney,	Verona,
Costa,	Kelley,	Pickens,	Wachhaus,
Crowley,	Kemp,	Polaski,	Wagner,
Dague,	Kent,	Powers,	Waldron,
Dalrymple,	Kirley,	Price,	Wallin,
Davison,	Kline,	Propert,	Walton,
De Long,	Kohl,	Ragot,	Waterhouse,
Demech,	Kratz,	Readinger,	Watkins,
Dennison,	Krise,	Reagan,	Watson,
Dix,	Kurtz,	Reese, D. P.,	Weidner,
Dye,	Laughner,	Reese, R. E.,	Weiss,
Efenberg,	Layer,	Reilly, J. M.,	Wescott,
Elder,	Lee,	Reilly, W. J.,	Wheeler,
Erb,	Leisey,	Richter,	Wolf,
Evans,	Livingston,	Riley,	Wood,
Ewing,	Livingstone,	Robbins,	Worley,
Feola,	Loftus,	Robertson,	Yeakel,
Fish,	Lovett,	Root,	Yester,
Fiss,	Lyons,	Rose,	Yetzer,
Flack,	Madden,	Rowen,	Young,
Fleming,	Madigan,	Royer,	Lichtenwalter,
Foor,	Mazza,	Sarraf,	Speaker.

NAYS—0

NOT VOTING—6

Depuy,	McDonald,	Trout,	West,
Hall,	Morrison,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 873, entitled:

An Act to repeal the act approved the twenty-eighth day of May, one thousand nine hundred forty-three (P. L. 784), entitled "An act prescribing temporary emergency war provisions with respect to the administration of certain provisions of the school laws of this Commonwealth; relating to days for school to be in session; closing schools and suspending classes; temporary assignment and reassignment of teachers; extension of transportation facilities; payment of tuition in lieu of transportation; and granting temporary farm and conservation employment certificates for certain pupils, under certain conditions; providing for full state subsidies when employing teachers holding special wartime certificates; authorizing boards of school directors (or boards of public education), subject to the approval of the district or county superintendent, to put such provisions into operation."

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. LOVETT. Mr. Speaker, I wonder if I might ask the sponsor of the bill to explain what this bill does.

Mr. STOCKHAM. Mr. Speaker, this bill is a repealer, repealing the temporary war conditions for teachers' certificates.

Mr. LOVETT. Mr. Speaker, we understand from all of the cities that teachers are very scarce in Pennsylvania. We have a lot of people teaching now without certificates. I just wonder what we are going to do about it—about filling vacancies when you discontinue these certificates.

Mr. STOCKHAM. I believe, Mr. Speaker, that this was a war measure. It is intended to restore the competency requirements in the schools of the Commonwealth and its purpose it to clarify the discrepancies wherever they may be.

Mr. LOVETT. Mr. Speaker, do I understand the gentleman to say that providing you pass this bill all teachers now working under these temporary certificates will be dismissed?

Mr. STOCKHAM. I believe that this bill repeals the act that created the emergency, and consequently that would follow.

Mr. LOVETT. Does the gentleman think, Mr. Speaker, that the emergency is now over due to the fact that we have a scarcity of teachers in Pennsylvania?

Mr. STOCKHAM. Mr. Speaker, it is as of June 1948, that the suspension takes place.

Mr. LOVETT. May I ask the gentleman, Mr. Speaker, if we will have another special session of the Legislature between now and June 1948?

Mr. STOCKHAM. Mr. Speaker, may I ask the gentleman from Westmoreland whether he expects another session before 1949?

Mr. LOVETT. I expect one, Mr. Speaker, but I don't know whether I am going to get it.

Mr. Speaker, I feel that due to the fact that the emergency is still here and we do not have sufficient teachers that we should not pass this bill at this time. I ask that the bill go over in its order so that we may be able to give it some consideration, and find out whether or not I am correct when I say that the emergency is still here in regard to teachers. I ask that the bill go over in order.

Mr. STOCKHAM. Mr. Speaker, there is no reason that I can see for this bill's going over. It clarifys the situation and is effective as of June 1948.

Mr. ANDREWS. Mr. Speaker, if the Chairman of the Education committee is now in the House I would like to interrogate him.

The SPEAKER. Is the Chairman of the Education committee in the House?

Mr. SORG. Mr. Speaker, I understand that he is readily available. If the gentleman desires to pass this bill over temporarily for a later time to-day we will try to reach him for you.

The SPEAKER. Will the House give its unanimous consent for the Chair to withdraw its decision that the House has agreed to the bill on third reading? The Chair hears no objection and consent is granted.

BILL PASSED OVER

The SPEAKER. This bill will be passed over temporarily and will be taken up later in the afternoon if there is no objection. The Chair hears none, and the bill is passed over.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 876, as follows:

An Act empowering all corporations incorporated under the laws of the State of Pennsylvania for purposes not for profit to change alter and amend by-laws such provisions of their charters as are purely administrative and validating such changes alterations and amendments heretofore made

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 All corporations within the Commonwealth of Pennsylvania incorporated for purposes not for profit under any general or special law of the Commonwealth of Pennsylvania prior to the third day of July one thousand nine hundred thirty-three have and shall have the right by by-laws to change alter and amend such provisions of their charters as are purely administrative in their nature any limitations contained in the charters of such corporations to the contrary notwithstanding

Section 2 All by-laws heretofore adopted making any such change alteration or amendment and the changes alterations and amendments so made are hereby ratified confirmed and made to the same extent as though the same had been previously by law

Section 3 All acts or parts of acts inconsistent with the provisions of this act are hereby repealed

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—199

Aaronson,	Frost,	McCormack,	Sax,
Andrews,	Gallagher,	McCosker,	Scanlon,
Bane,	Getchey,	McCullough,	Schuster,
Barrett,	Gibson,	McKinney,	Scott,
Baumunk,	Goff,	McMillen,	Serrill,
Beech,	Goodling,	Mihm,	Shoemaker,
Bender,	Gorman,	Mikula,	Simons,
Bentzel,	Graybill,	Mills,	Smith, J. C.,
Bloom,	Greenwood,	Miller,	Smith, C. M.,
Boies,	Greer,	Mintess,	Snider,
Bonawitz,	Griffiths,	Mohr,	Sollenberger,
Boorse,	Guthrie,	Mooney,	Sorg,
Bower,	Gyger,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, J. A.,	Stank,
Brice,	Haudenshield,	Murray,	Stimmel,
Brown,	Helm,	Myers,	Stockham,
Brunner,	Henry,	Najaka,	Stonier,
Bucchin,	Hewitt,	Naumann,	Stuart,
Cadwalader,	Hocker,	Needham,	Swope,
Capano,	Hoffman,	Neff,	Tahl,
Cassidy,	Hoopes,	Nelson,	Thomassy,
Chervenak,	Horan,	O'Connor,	Thompson,
Chudoff,	Imbt,	O'Dare,	Tittle,
Clevenger,	Jennings,	O'Donnell,	Tompkins,
Cochran,	Johnson,	O'Neill,	Toomey,
Cole,	Johnston,	Orban,	Turner,
Cook,	Jones,	Patten,	Upshur,
Cooper,	Jump,	Petrosky,	Vaughan,
Cordier,	Kean,	Pichney,	Verona,
Costa,	Kelley,	Pickens,	Wachhaus,
Crowley,	Kemp,	Polaski,	Wagner,
Dague,	Kent,	Powers,	Waldron,
Dalrymple,	Kirley,	Price,	Wallin,
Davison,	Kline,	Propert,	Walton,
De Long,	Kohl,	Ragot,	Waterhouse,
Demech,	Kratz,	Readinger,	Watkins,
Dennison,	Krise,	Reese, D. P.,	Watson,
Dix,	Kurtz,	Reese, R. E.,	Weidner,
Dye,	Laughner,	Reilly, J. M.,	Weiss,
Eisenberg,	Layer,	Reilly, W. J.,	Wescott,

Eldcr,	Lee,	Richter,	Wheeler,
Erb,	Leisey,	Riley,	Wolf,
Evans,	Livingston,	Robbins,	Wood,
Ewing,	Livingstone,	Robertson,	Worley,
Feola,	Loftus,	Reagan,	Yeakel,
Fish,	Lovett,	Root,	Yester,
Fiss,	Lyons,	Rose,	Yetzer,
Flack,	Madden,	Rowen,	Young,
Fleming,	Madigan,	Royer,	Lichtenwalter,
Foor.	Mazza,	Sarraf,	Speaker.

NAYS—0

NOT VOTING—6

Depuy,	McDonald,	Trout,	West,
Hall,	Morrison.		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 887, as follows:

An Act relating to the regulation of rates for insurance which may be written by stock or mutual casualty insurance companies associations or exchanges including fidelity surety and guaranty bonds and all other forms of motor vehicle insurance and title insurance to rating and advisory organizations conferring on the Insurance Commissioner the power and duty of supervising and regulating persons associations companies and corporations and of enforcing the provisions of this act prescribing and regulating the practice and precedure before the commissioner and procedure for review by the courts giving the Court of Common Pleas of Dauphin County exclusive jurisdiction over certain proceedings prescribing penalties and providing for enforcement thereof and repealing inconsistent acts

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Purpose of Act The purpose of this act is to promote the public welfare by regulating insurance rates to the end that they shall not be excessive inadequate or unfairly discriminatory to enable authorized insurers to meet all requirements of the insuring public of this Commonwealth and to authorize and regulate cooperative action among insurers in rate making and in other matters within the scope of this act Nothing in this act is intended (1) to prohibit or discourage reasonable competition or (2) to prohibit or encourage uniformity in insurance rates rating systems rating plans or practices This act shall be liberally interpreted to carry into effect its purpose as herein set forth

Section 2 Scope of Act This act applies to all classes and kinds of insurance which may be written by stock or mutual casualty insurance companies associations or exchanges and including fidelity surety and guaranty bonds and all forms of motor vehicle insurance and to title insurance on risks or operations in this Commonwealth except

(a) reinsurance other than joint reinsurance to the extent stated in section eleven

(b) accident and health insurance

(c) insurance against loss of or damage to aircraft or against liability arising out of the ownership maintenance or use of aircraft

(d) workman's compensation insurance

(e) excess insurance covering loss in excess of at least ten thousand dollars ($10,000) from any one event issued to self-insurers where the rate is not made by a rating organization

If any kind of insurance subdivision or combination thereof or type of coverage subject to this act is also subject to regulation by another rate regulatory act of this Commonwealth an insurer to which both rates are otherwise applicable shall file with the Insurance Commissioner hereinafter referred to as commissioner a designation as to which rate regulatory act shall be applicable to it with respect to such kind of insurance or combination thereof or type of coverage

Section 3 Making of Rates All rates shall be made in accordance with the following provisions

(a) Due consideration shall be given to past and prospective loss experience within and outside this Commonwealth to physical hazards to safety and loss prevention factors to underwriting practice and judgment to the extent appropriate to catastrophe hazards if any to a reasonable margin for underwriting profit and contingencies to dividends savings or unabsorbed premium deposits allowed or returned by insurers to their policyholders members or subscribers to past and prospective expenses both country wide and those specially applicable to this Commonwealth and to all other relevant factors within and outside this Commonwealth

(b) The systems of expense provisions included in the rates for use by any insurer or group of insurers may differ from those of other insurers or group of insurers to reflect the requirements of the operating methods of any such insurer or group with respect to any kind of insurance or with respect to any subdivision or combination thereof for which subdivision or combination separate provisions are applicable

(c) Risks may be grouped by classifications for the establishment of rates and minimum premiums Classification rates may be modified to produce rates for individual risks in accordance with rating plans which establish standards for measuring variations in hazards or expense provisions or both Such standards may measure any differences among risks that can be demonstrated to have a probable effect upon losses or expenses

(d) Rates shall not be excessive inadequate or unfairly discriminatory between risks involving identical rate making factors

Section 4 Rate Filings

(a) Every insurer shall file with the commissioner every manual of classifications rules and rates every rating plan and every modification of any of the foregoing which it proposes to use Every such filing shall state the proposed effective date thereof and shall indicate the character and extent of the coverage contemplated When a filing is not accompanied by the information upon which the insurer supports such filing and the commissioner does not have sufficient information to determine whether such filing meets the requirements of the act he may require such insurer to furnish the information upon which it supports such filing Any filing may be supported by (1) the experience or judgment of the insurer or rating organization making the filing (2) the experience of other insurers or rating organizations or (3) any other factors which the insurer or rating organization deems relevant A filing and any supporting information shall be open to public inspection after the filing becomes effective

(b) An insurer may satisfy its obligation to make such filings by becoming a member of or a subscriber to a licensed rating organization which makes usch filings and by authorizing the commissioner to accept such filings on its behalf Provided nothing contained in this act shall be construed as requiring any insurer to become a member of or a subscriber to any rating organization

(c) The commissioner shall review such of the filings as it may be necessary to review in order to carry out the purposes of this act

(d) Subject to the exception specified in subsection (e) of this section each filing shall be on file for a waiting period of thirty (30) days before it becomes effective which period may be extended by the commissioner for an additional period not to exceed thirty (30) days upon written notice within such waiting period to the insurer or rating organization which made the filing Upon written application by such insurer or rating organization the commissioner may authorize a filing or a part thereof

which he has reviewed to become effective before the expiration of the waiting period or any extension thereof A filing shall be deemed to meet the requirements of this act and to become effective unless disapproved as hereinafter provided by the commissioner within the waiting period or any extension thereof

(e) Any special filing with respect to a contrast or policy covering a risk involving rate making factors not contemplated in previous filings shall become effective when filed and shall be deemed to meet the requirements of this act until such time as the commissioner reviews the filing and so long thereafter as the filing remains in effect

(f) Under such rules and regulations as he shall adopt the commissioner may by written order suspend or modify the requirements of filing as to any kind of insurance subdivision or combination thereof os as to classes of risks the rates for which cannot practicably be filed before they are used Such orders rules and requlations shall be made known to insurers and rating organizations affected thereby The commissioner may make such examination as he may deem advisable to ascertain whether any rates affected by such order meet the standards set forth in subsection (d) of section three

(g) Upon the written consent of the insured stating his reasons therefor filed with and approved by the commissioner a rate in excess of that provided by a filing otherwise applicable may be used on any specific risk The rate shall become effective when such consent is filed and shall be deemed to meet the requirements of this act until such time as the commissioner reviews the filing and so long thereafter as the filing remains in effect

(h) Beginning ninety (90) days after the effective date of this act no insurer shall make or issue a contract or policy except in accordance with filings or rates which are in effect for said insurer as provided in this act or in accordance with subsections (f) or (g) of this section

Section 5 Disapproval of Filings

(a) Upon the review at any time by the commissioner of a filing he shall before isuing an order of disapproval hold a hearing upon not less than ten (10) days' written notice specifying the matters to be considered at such hearing to every insurer and rating organization which made such filing and if after such hearing he finds that such filing or a part thereof does not meet the requirements of this act he shall issue an order specifying in what respect he finds that it so fails and stating when within a reasonable period thereafter such filing or a part thereof shall be deemed no longer effective if the filing or a part thereof has become effective under the provisions of section four Provided however That an insurer or rating organization shall have the right at any time to withdraw a filing or a part thereof subject to the provisions of section seven in the case of a deviation filing Copies of said order shall be sent to every insurer and rating organization Said order shall not affect any contrast or policy made or issued prior to the expiration of the period set forth in said order

(b) Any person or organization aggrieved with respect to any filing which in effect may make written application to the commissioner for a hearing thereon Provided however That the insurer or rating organization that made the filing shall not be authorized toproceed under this subsection Such application shall specify the grounds to be relied upon by the applicant If the commissioner shall find that the application is made in good faith that the applicant would be so aggrieved if his grounds are established and that such grounds otherwise justify holding such a hearing he shall within thirty (30) days after receipt of such application hold a hearing upon not less than ten (10) days' written notice to the applicant and to every insurer and rating organization which made such filing

If after such hearing the commissioner finds that the filing or a part thereof does not meet the requirements of this act he shall issue an order specifying in what respects he finds that such filing or a part thereof fails to meet the requirements of this act and stating when within a reasonable period thereafter such filing or a part thereof shall be deemed no longer effective Copies of said order shall be sent to the applicant and to every such insurer and rating organization Said order shall not affect any contrast or policy made or issued prior to the expiration of the period set forth in said order

(c) No filing nor any modification thereof shall be disaproved if the rates in connection therewith meet the requirements of this act

Section 6 Rating Organizations

(a) A corporation an unincorporated association a partnership or an individual whether located within or outside this Commonwealth may make application to the commissioner for license as a rating organization for such kinds of insurance or subdivisions thereof as are specified in its application and shall file therewith (1) a copy of its constitution its articles of agreement or association or its certificate of incorporation and of its by-laws rules and regulations governing the conduct of its business (2) a list of its members and subscribers (3) the name and address of this Commonwealth upon whom notices or orders of the commissioner or precess affecting such rating organization may be served and (4) a statement of its qualifications as a rating organization If the commissioner finds that the applicant is competent trustworthy and otherwise qualified to act as a rating organization and that its constitution articles of agreement or association or certificate of incorporation and its by-laws and regulations governing the conduct of its business conform to the requirements of law he shall issue a license specifying the kinds of insurance or subdivisions thereof for which the applicant is authorized to act as a rating organization Every such application shall be granted or denied in whole or in part by the commissioner within sixty (60) days of the date of its filing with him Licenses issued pursuant to this section shall remain in effect for three (3) years unless sooner suspended or revoked by the commissioner The fee for said license shall be twenty-five dollars ($25) Licenses issued pursuant to this section may be suspended or revoked by the commissioner after hearing upon notice in the event the rating organization ceases to meet the requirements of this subsection Every rating organization shall notify the commissioner promptly of every change in (1) its constitution its articles of agreement or association or its certificate of incorporation and its by-laws rules and regulations governing the conduct of its business (2) its list of members and subscribers and (3) the name and address of the resident of this Commonwealth designated by it upon whom notices or orders of the commissioner or process affecting such rating organization may be served

(b) Subject to rules and regulations which have been approved by the commissioner as reasonable each rating organization shall permit any insurer not a member to be a subscriber to its rating services for any kind of insurance or subdivision thereof for which it is authorized to act as a rating organization Notice of proposed changes in such rules and regulations shall be given to subscribers Each rating organization shall furnish its rating services without discrimination to its members and subscribers The reasonableness of any rule or regulation in its application to subscribers or the refusal of any rating organization to admit an insurer as a subscriber shall at the request of any subscriber or any such insurer be reviewed by the commissioner at a hearing held upon at least ten days' written notice to such rating organization and to such subscriber or insurer If the commissioner finds that such rule or regulation is unreasonable in its application to subscribers he shall order that such rule or regulation shall not be aplicable to subscribers If the rating organization fails to grant or reject an insurer's application for subscribership within thirty (40) days after it was made the insurer may request a review by the commissioner as if the application had been rejected If the commissioner finds that the insurer has been refused admittance to the rating organization as a subscriber without justification he shall order the rating organization to admit the insurer as a subscriber If he finds that the action of the rating organization was justified he shall make an order affirming its action

(c) No rating organization shall adopt any rule the effect of which would be to prohibit or regulate the payment of dividends savings or unabsorbed premium deposits allowed or returned by insurers to their policyholders members or subscribers

(d) No rating organization shall refuse to rate in accordance with this act or to file any proposed change in or addition to its filings relating to the character and extent of coverage provided that such organization may make such filing on behalf of the proponent thereof only

(e) Cooperation among rating organizations or among rating organizations and insurers and concert of action among insurers under the same general management and control in rate making or in other matters within the scope of this act is hereby authorized provided the filings resulting therefrom are subject to all the provisions of this act which are applicable to filings generally The commissioner may review such activities and practices and if after a hearing he finds that any such activity or practice is unfair or unreasonable or otherwise inconsistent with the provisions of this act he may issue a written order specifying in what respects such activity or practice is unfair or unreasonable or otherwise inconsistent with the provisions of this act and requiring the discontinuance of such activity or practice

Section 7 Deviations Every member of or subscriber to a rating organization shall adhere to the filings made on its behalf by such organization except that any such insurer may file with the commissioner a uniform percentage decrease or increase to be applied to the premiums produced by the rating system so filed for a kind of insurance or for a class of insurance which is found by the commissioner to be a proper rating unit for the application of such uniform percentage decrease or increase or for a subdivision of a kind of insurance (1) comprised of a group of manual classifications which is treated as a separate unit for rate making purposes or (2) for which separate expense provisions are included in the filings of the rating organization Such deviation filing shall specify the basis for the modification and shall be accompanied by the data upon which the applicant relies A copy of the filing and data shall be sent simultaneously to such rating organization Any such deviation filing shall be on file for a waiting period of thirty (30) days before it becomes effective and shall be subject to the provisions of section five Each deviation shall be effective for a period of not less than one (1) year from the date such deviation is filed unless terminated sooner with the approval of the commissioner or in accordance with the provisions of section five

Section 8 Appeal by Minority Any member of or subscriber to a rating organization may appeal to the commissioner from the action or decision of such rating organization in the promulgation of rates or with regard to any proposed change in or addition to the filings of such rating organization and the commissioner shall after a hearing held upon not less than ten (10) days' written notice to the appellant and to such rating organization issue an order approving or disapproving the action or decision of such rating organization Provided however That if the appeal is from the action of the rating organization with regard to a rate on a proposed change in or addition to its filings he shall approve the rate applied by the rating organization or such rate as may be suggested by the appellant if either rate be in accordance with this act

If such appeal is based upon the failure of the rating organization to make a filing on behalf of such member or subscriber which is based on a system of expense provisions which differs in accordance with the right granted in subsection (b) of section three from the system of expense provisions included in a filing made by the rating organization the commissioner shall if he grants the appeal order the rating organization to make the requested filing for use by the appellant In deciding such appeal the commissioner shall apply the standards set forth in section three

Section 9 Information to be Furnished Insureds Hearings and Appeals of Insureds Every rating organization and every insurer which makes its own rates shall within a reasonable time after receiving written request therefor and upon payment of such reasonable charge as it may make furnish to any insured affected by a rate made by it or to the authorized representative of such insured all pertinent information as to such rate

Every rating organization and every insurer which makes its own rates shall provide within this Commonwealth reasonable means whereby any person aggrieved by the application of its rating system may be heard in person or by his authorized representative on his written request to review the manner in which such rating system has been applied in connection with the insurance afforded him If the rating organization or insurer fails to grant or reject such request within thirty (30) days after it is made the applicant may proceed in the same manner as if his application had been rejected Any party affected by the action of such rating organizations or such insurer on such request may within thirty (30) days after written notice of such action appeal to the commissioner who after a hearing held upon not less than ten days' written notice of the appellant and to such rating organization or insurer may affirm or reverse such action

Section 10 Advisory Organizations

(a) Every group association or other organization of insurers whether located within or outside this Commonwealth which assists insurers which make their own filings or rating organizations in rate making by the collection and furnishing of loss or expense statistics or by the submission of recommendations but which does not make filings under this act shall be known as an advisory organization

(b) Every advisory organization shall file with the commissioner (1) a copy of its constitution its articles of agreement or association or its certificate of incorporation and of its by-laws rules and regulations governing its activities (2) a list of its members (3) the name and address of a resident of this Commonwealth upon whom notices or orders of the commissioner or process issued at his direction may be served and (4) an agreement that the commissioner may examine such advisory organization in accordance with the provisions of section twelve of this act

(c) It after a hearing the commissioner finds that the furnishing of such information or assistance involves any act or practice which is unfair or unreasonable or otherwise inconsistent with the provisions of this act he may issue a written order specifying in what respects such act or practice is unfair or unreasonable or otherwise inconsistent with the provisions of this act and requiring the discontinuance of such act or practice

(d) No insurer which makes its own filings nor any rating organization shall support its filings by statistics or adopt rate making recommendations furnished to it by an advisory organization which has not complied with this section or with an order of the commissioner involving such statistics or recommendations issued under subsection (c) of this section If the commissioner finds such insurer or rating organization to be in violation of this subsection he may issue an order requiring the discontinuance of such violation

Section 11 Joint Underwriting or Joint Reinsurance

(a) Every group association or other organization of insurers which engages in joint underwriting or joint reinsurance shall be subject to regulation with respect thereto as herein provided subject however with respect to joint underwriting to all provisions of this act and with respect to joint reinsurance to sections twelve and sixteen to twenty-one of this act

(b) If after a hearing the commissioner finds that any activity or practice of any such group association or other organization is un unfair or unreasonable or otherwise inconsistent with the provisions of this act he may issue a written order specifying in what respects such activity or practice is unfair or unreasonable or otherwise inconcistent with the provisions of this act and requiring the discontinuance of such activity or practice

(c) The provisions of this section shall not apply to the group action of insurers under the same general management and control

Section 12 Examinations The commissioner shall at least once in five (5) years make or cause to be made an examination of each rating organization licensed in this Commonwealth as provided in section six and he may as often as he may deem it expedient make or cause to be made an examination of each advisory organization referred to in section ten and of each group association or other organization referred to in seceion eleven The reasonable costs of any such examination shall be paid by the rating organization advisory organization or group association or other organization examined upon presentation to it of a detailed account of such costs The officer manager agents and employes of such rating organization advisory organization or group association or other organization may be examined at any time under oath and shall exhibit all books records accounts or agreements governing its method of operation The commissioner shall furnish two copies of the examination report to the organization qroup or association examined and shall notify such organization group or association that it may within twenty days thereafter request a hearing on said report or on any facts or recommendations therein Before filing any such report for public inspection the commissioner shall grant a hearing to the organization group or association examined The report of any such examination when filed for public inspection shall be admissable in evidence in any action or proceeding brought by the commissioner against the organization group or association examined or its officers or agents and shall be prima facie evidence of the facts stated therein The commissioner may withhold the report of any such examination from public inspection for such time as he may deem proper In lieu of any such examination the commissioner may accept the report of an examination made by the insurance supervisory official of another state pursuant to the laws of such state

Section 13 Rate Administration Authority and Duties of Commissioner Rules and Regulations

(a) Recording and Reporting of Loss and Expense Experience The commissioner shall promulgate reasonable rules and statistical plans reasonably adapted to each of the rating systems on file with him which may be modified from time to time and which shall be used thereafter by each insurer in the recording and reporting of its loss and countrywide expense experience in order that the experience of all insurers may be made available at least annually in such form and detail as may be necessary to aid him in determining whether rating systems comply with the standards set forth in this act Such rules and plans may also provide for the recording and reporting of expense experience items which are specially applicable to this Commonwealth and are not susceptible of determination by a prorating of countrywide expense experience In promulgating such rules and plans the commissioner shall give due consideration to the rating systems on file with him and in order that such rules and plans may be as uniform as is practicable among several states to the rules and to the form of the plans used for such systems in other states Such rules and plans shall not place an unreasonable burden of expense on any insurer No insurer shall be required to record or report its loss experience on a classification basis that is inconsistent with the rating system filed by it nor shall any insurer be required to report its experience to any agency of which it is not a member or subscriber The commissioner may designate one or more rating organizations or other agencicies to assist him in gathering such experience and making compilations thereof and such compilations shall be made available subject to reasonable rules promulgated by the commissioner to insurers and rating organizations

(b) Interchange of Rating Plan Data Reasonable rules and plans may be promulgated by the commissioner for the interchange of data necessary for the application of rating plans

(c) Consultation with Other States In order to further uniform administration of rate regulatory laws the commissioner and every insurer and rating organization may exchange information and experience data with insurance supervisory official insurers and rating organizations in other states and may consult with them with respect to rate making and the aplication of rating systems

(d) Authority and Duties of Commissioner Rules and Regulations In addition to any powers hereinbefore expressly enumerated in this act the commissioner shall have full power and authority and it shall be his duty to enforce and carry out by regulations orders or otherwise all and singular the provisions of this act and the full intent thereof The commissioner may make such reasonable rules and regulations not inconsistent with this act or any amendment thereof as may be necessary or proper in the exercise of his powers or for the performance of his duties under this act

Section 14 False or Misleading Information No person or organization shall wilflly withhold information from or knowingly give false or misleading information to the commissioner any statistical agency designated by the commissioner any rating organization or any insurer which will affect the rates or premiums chargeable under this act

Section 15 Assigned Risks Agreements may be made among insurers with respect to the equitable apportionment among them of insurance which may be afforded applicants who are in good faith entitled to but who are unable to procure such insurance through ordinary methods and such insurers may agree among themselves on the use of reasonable rate modifications for such insurance such agreement and rate modifications to be subject to the approval of the commissioner

Section 16 Penalties The commissioner may if he finds that any person or organization has violated any provision of this act impose a penalty of not more than fifty dollars ($54) for each such violation but if he finds such violation to be wilful he may impose a penalty of not more than five hundred dollars ($500) for each such violation Such penalties may be in addition to any other penalty provided by law

The commissioner may suspend the license of any rating organization or insurer which fails to comply with an order of the commissioner within the time limited by such order or any extension thereof which the commissioner may grant The commissioner shall not suspend the license of any rating organization or insurer for failure to comply with an order until the time prescribed for an appeal therefrom has expired or if an appeal has been taken until such order has been affirmed The commissioner may determine when a suspension of license shall become effective and it shall remain in effect for the period fixed by him unless he modifies or rescinds such suspension or until the order upon which such suspension is based is modified recinded or reversed

No penalty shall be imposed and no license shall be suspended or revoked except upon a written order of the commissioner stating his findings made after a hearing held upon not less than ten (10) days' written notice to such person or organization specifying the alleged violation

Section 17 Hearing Procedure and Judical Review

(a) Any insurer rating organization or person aggrieved by any action of the commissioner except disapproval of a filing or a part thereof as provided for in section five hereof or by any rule or regulation adopted and promulgated by the commissioner shall have the right to file a complaint with the commissioner and to have a hearing thereon before the commissioner Pending such hearing and the decision thereon the commissioner may suspend or postpone the effective date of his previous action rule or regulation

(b) All such hearings and all hearings provided for in section five hereof shall be conducted and the decision of the commissioner on the issue or filing involved shall be rendered in accordance with the provisions of the Administrative Agency Law approved the fourth day of June

one thousand nine hundred forty-five (P. L. 1388) or any amendment thereof relating to adjudication procedure

(c) Any insurer rating organization or person aggrieved by any adjudication including a disapproval of a filing or portion thereof under the provisions of section five hereof shall have a right to appeal therefrom to the Court of Common Pleas of Dauphin County and have a judicial review of such adjudication within the time and in the manner with the same effect by the Administrative Agency Law or any amendment thereof and the rules of civil procedure promulgated by the Supreme Court of Pennsylvania or any amendment thereof having to do with judicial review of adjudications of agencies of the Commonwealth

Section 18 Constitutionality If any section subsection subdivision paragraph sentence or clause of this act is held invalid or unconstitutional such decision shall not affect the remaining portions of this act

Section 19 Short Title This act shall be known and may be cited as "The Casualty and Surety Rate Regulatory Act"

Section 20 Laws Repealed All acts and parts of acts inconsistent herewith are hereby repealed

Section 21 Effective Date This act shall become effective on the first day of October one thousand nine hundred forty-seven

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—199

Aaronson,	Frost,	McCormack,	Sax,
Andrews,	Gallagher,	McCosker,	Scanlon,
Bane,	Getchey,	McCullough,	Schuster,
Barrett,	Gibson,	McKinney,	Scott,
Baumunk,	Goff,	McMillen,	Serrill,
Beech,	Goodling,	Mihm,	Shoemaker,
Bender,	Gorman,	Mikula,	Simons,
Bentzel,	Graybill,	Miller,	Smith, C. C.,
Bloom,	Greenwood,	Mills,	Smith, C. M.,
Boies,	Greer,	Mintess,	Snider,
Bonawitz,	Griffiths,	Mohr,	Sollenberger,
Boorse,	Guthrie,	Mooney,	Sorg,
Bower,	Gyger.	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenshield,	Murray,	Stimmel,
Brown,	Helm,	Myers,	Stockham,
Brunner,	Henry,	Najaka,	Stonier,
Bucchin,	Hewitt,	Naumann,	Stuart,
Cadwalader,	Hocker,	Needham,	Swope,
Capano,	Hoffman,	Neff,	Tahl,
Cassidy,	Hoopes,	Nelson,	Thomassy,
Chervenak,	Horan,	O'Connor,	Thompson,
Chudoff,	Imbt,	O'Dare,	Tittle,
Clevenger,	Jennings,	O'Donnell,	Tompkins,
Cochran,	Johnson,	O'Neill,	Toomey,
Cole,	Johnston,	Orban,	Turner,
Cook,	Jones,	Patten,	Upshur,
Cooper,	Jump,	Petrosky,	Vaughan,
Cordier,	Kean,	Pichney,	Verona,
Costa,	Kelley,	Pickens,	Wachhaus,
Crowley,	Kemp,	Polaski,	Wagner,
Dague,	Kent,	Powers,	Waldron,
Dalrymple,	Kirley,	Price,	Wallin,
Davison,	Kline,	Propert,	Walton,
De Long,	Kohl,	Ragot,	Waterhouse,
Demech,	Kratz,	Readinger,	Watkins,
Dennison,	Krise,	Reagan,	Watson,
Dix,	Kurtz,	Reese, D. P.,	Weidner,
Dye,	Laughner,	Reese, R. E.,	Welsh,
Efenberg,	Layer,	Reilly, J. M.,	Wescott,
Elder,	Lee,	Reilly, W. J.,	Wheeler,
Erb,	Leisey,	Richter,	Wolf,
Evans,	Livingston,	Riley,	Wood,
Ewing,	Livingstone,	Robbins,	Worley,
Feola,	Loftus,	Robertson,	Yeakel,
Fish,	Lovett,	Root,	Yester,
Fiss,	Lyons,	Rose,	Yetzer,
Flack,	Madden,	Rowen,	Young,
Fleming,	Madigan,	Royer,	Lichtenwalter,
Foor,	Mazza,	Sarraf,	Speaker.

NAYS—0

NOT VOTING—6

Depuy,	McDonald,	Trout,	West,
Hall,	Morrison,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 888, as follows:

An Act relating to the regulation of rates for insurance which may be written by stock or mutual fire marine or fire and marine insurance companies associations or exchanges to rating and advisory organizations to reports by rating organizations and insurers to the Pennsylvania State Police conferring on the Insurance Commissioner the power and duty of supervising and regulating persons associations companies and corporations and of enforcing the provisions of this act prescribing and regulating the practice and procedure before the commissioner and procedure for review by the courts giving the court of common pleas of Dauphin County exclusive jurisdiction over certain proceedings prescribing penalties and providing for enforcement thereof and repealing inconsistent acts

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Purpose of Act The purpose of this act is to promote the public welfare by regulating insurance rates to the end that they shall not be excessive inadequate or unfairly discriminatory to enable authorized insurers to meet all requirements of the insuring public of this Commonwealth and to authorize and regulate cooperative action among insurers in rate making and in other matters within the scope of this act Nothing in this act is intended (1) to prohibit or discourage reasonable competition or (2) to prohibit or encourage uniformity in insurance rates rating systems rating plans or practices This act shall be liberally interpreted to carry into effect its purposes as herein set forth

Section 2 Scope of Act This act applies to all classes and kinds of nsurance whch may be wrtten by stock or mutual fire marine or fire and marine insurance companies associations or exchanges on risks located in this Commonwealth Inland marine insurance shall be deemed to include insurance now or hereafter defined by statute or by interpretation thereof or if not so defined or interpreted by ruling of the Insurance Commissioner hereinafter referred to as commissioner or as established by general custom of the business as inland marine insurance

This act shall apply

(a) To reinsurance other than joint reinsurance to the extent stated in section eleven

(b) To insurance of vessels or craft their cargoes marine builders' risk marine protection and indemnity or other risks commonly insured under marine as distinguished from inland marine insurance policies

(c) To insurance of hulls of aircraft including their accessories and equipment or against liability arising out of the ownership maintenance or use of aircraft

(d) To motor vehicle insurance not to insurance against liability arising out of the ownership maintenance or use of motor vehicles

(e) To perpetual policies of insurance issued in consideration of an initial deposit of moneys with the insurer to be held by it during the time such policies are in force

and to be returned to the insureds in whole or in part upon cancellation of the policies

(f) To insurance written on an assessment basis by a mutual insurance company However insurance written on an assessment basis may be subjected to the provisions of this act by the company filing with the insurance commissioner an agreement subjecting such insurance to the provisions of this act

If any kind of insurance subdivision or combination thereof or type of coverage subject to this act is also subject to regulation by another rate regulatory act of this Commonwealth an insurer to which both acts are otherwise applicable shall file with the commissioner a designation as to which rate regulatory act shall be applicable to it with respect to such kind of insurance subdivision or combination thereof or type of coverage

Section 3 Making of Rates (a) Rates shall be made in accordance with the following provisions

(1) Manual minimum class rates rating schedules or rating plans shall be made and adopted except in the case of specific inland marine rates on risks specially rated and except in the case of special rates on other than inland marine risks where manual minimum class rates rating schedules or rating plans are not readily adaptable

(2) Rates shall not be excessive inadequate or unfairly discriminatory between risks involving essentially the same rate making factors

(3) Due consideration shall be given to past and prospective loss experience within and outside this Commonwealth to physcal hazards to safety and loss prevention factors to underwriting practice and judgment to the extent appropriate to the conflagration and catastrophe hazards to a reasonable margin for underwriting profit and contingencies to dividends savings or unabsorbed premium deposits allowed or returned by insurers to their policyholders members or subscribers to past and prospective expenses both countrywide and those specially applicable to this Commonwealth and to all other relevant factors within and outside this Commonwealth and in the case of fire insurance rates consideration shall be given to the experience of the fire insurance business during a period of not less than the most recent five year period for which such experience is available

(b) Rates made in accordance with this section may be used subject to the provisions of this act

Section 4 Rate Filings (a) Every insurer shall file with the commissioner except as to inland marine risks whch by general custom of the business are not written according to manual rates or rating plans every manual minimum class rate rating schedule or rating plan every other rating rule and every modificaton of any of the foregoing which it proposes to use and shall file every special rate on other than inland marine risks as mentioned in section three (a) (1) which it uses Every such filing shall state the proposed effective date thereof and shall indicate the character and extent of the coverage contemplated When a filing is not accompanied by the information upon which the insurer supports such filing and the commissioner does not have sufficient information to determine whether such filing meets the requirements of the act he may require such insurer to furnish the information upon which it supports such filing Any filing may be supported by (1) the experience or judgment of the insurer or rating organization making the filing (2) the experience of other insurers or rating organizations or (3) any other factors which the insurer or rating organization deems relevant A filing and any supporting information shall be open to public inspection after the filing becomes effective Specific inland marine rates on risks specially rated made by a rating organization shall be filed with the commissioner

(b) An insurer may satisfy its obligation to make such filings by becoming a member of or a subscriber to a licensed rating organization which makes such filings and by authorizing the commissoner to accept such filings on its behalf Provided That nothing contained in this act shall be construed as requiring any insurer to become a member of or a subscriber to any rating organization

(c) The commissioner shall review such of the filings as it may be necessary to review in order to carry out the purposes of this act

(d) Subject to the exceptions specified in subsections (e) and (f) of this section each filing shall be on file for a waiting period of thirty days before it becomes effective which period may be extended by the commissioner for an additional period not to exceed thirty days upon written notice within such waiting period to the insurer or rating organization which made the filing Upon wrtten application by such insurer or rating organization the commissioner may authorize a filing or a part thereof which he has reviewed to become effective before the expiration of the waiting period or any extension thereof A filing shall be deemed to meet the requirements of this act and to become effective unless disapproved as hereinafter provided by the commissioner within the waiting period or any extension thereof

(e) Specific inland marine rates on risks specially rated by a rating organization shall become effective when filed and shall be deemed to meet the requirements of this act until such time as the commissioner reviews the filing and so long thereafter as the filing remains in effect

(f) Any special rate mentioned in section three (a) (1) on a contract or policy covering other than inland marine risks shall be deemed to meet the requirements of this act until such time as the commissioner reviews the filing and so long thereafter as the filing remains in effect

(g) Under such rules and regulations as he shall adopt the commissioner may be written order suspend or modify the requirement of filing as to any kind of insurance subdivision or combination thereof or as to classes of risks the rates for which cannot practicably be filed before they are used Such orders rules and regulations shall be made known to insurers and rating organizations affected thereby The commissioner may make such examination as he may deem advisable to ascertain whether any rates affected by such order meet the standards set forth n subdivision (2) of subsection (a) of section three

(h) Upon the written consent of the insured stating his reasons therefor filed with and approved by the commissioner a rate in excess of that provided by a filing otherwise applicable may be used on any specific risk The rate shall become effective when such consent is filed and shall be deemed to meet the requirements of this act until such time as the commissioner reviews the filing and so long thereafter as the filing remains in effect

(i) Beginning ninety days after the effective date of this act no insurer shall make or issue a contract or policy except in accordance with the filings or rates which are in effect for said insurer as provided in this act or in accordance with subsections (g) or (h) of this section This subsection shall not apply to contracts or policies for inland marine risks as to which filings are not required

Section 5 Disapproval of Filings (a) Upon the review at any time by the commissioner of a filing he shall before issuing an order of disapproval hold a hearing upon not less than ten days' written notice specifying the matters to be considered at such hearing to every insurer and rating organization which made such filing and if after such hearing he finds that such filing or a part thereof does not meet the requirements of this act he shall issue an order specifying in what respects he finds that it so fails and stating when within a reasonable period thereafter such filing or a part thereof shall be deemed no longer effective if the filing or a part thereof has become effective under the provisions of section four Provided however an insurer or rating organization shall have the right at any time to withdraw a filing or a part thereof subject to the provisions of section seven in the case of a deviation filing Copies of said order shall be sent to every such insurer and rating organization Said order shall not affect any contract or policy made or ssued prior to the expira of the period set forth in said order

(b) Any person or organization aggrieved with respect to any filing which is in effect may make written application to the commission for a hearing thereon Provided

however the insurer or rating organization that made the filing shall not be authorized to proceed under this subsection Such application shall specify the grounds to be relied upon by the applicant If the commissioner shall find that the application is made in good faith that the applicant would be so aggrieved if his grounds are established and that such grounds otherwise justify holding such a hearing he shall within thirty days after receipt of such application hold a hearing upon not less than ten days' written notice to the applicant and to every insurer and rating organization which made such filing

If after such hearing the commissioner finds that the filng or a part thereof does not meet the requirements of this act he shall issue an order specifying in what respects he finds such filing or a part thereof fails to meet the requirements of this act and stating when within a reasonable period thereafter such filing or a part thereof shall be deemed no longer effective Copies of said order shall be sent to the applicant and to every such insurer and rating organization Said order shall not affect any contract or policy made or issued prior to the expiration of the period set forth in said order

(c) No filing nor any modification thereof shall be disapproved if the rates in connection therewith meet the requirements of this act

Section 6 Rating Organizations (a) A corporation an unincorporated association a partnership or an individual whether located within or outside this Commonwealth may make application to the commissioner for license as a rating organization for such kinds of insurance or subdivision or class of risk or a part or combination thereof as are specified in its application and shall file therewith (1) a copy of its constitution its articles of agreement or association or ts certficate of incorporation and of its by-laws rules and regulations governing the conduct of its business (2) a list of its members and subscribers (3) the name and address of a resident of this Commonwealth upon whom notices or orders of the commissioner or process affecting such rating organization may be served and (4) a statement of its qualifications as a rating organization If the commissioner finds that the applicant is competent trustworthy and otherwise qualified to act as a rating organization and that its constitution articles of agreement or association or certificate of incorporation and its by-laws rules and regulations governing the conduct of its business conform to the requirements of law he shall issue a license specifying the kinds of insurance or subdivision or class of risk or part or combination thereof for which the applicant is authorized to act as a rating organization Every such application shall be granted or denied in whole or in part by the commissioner within sixty days of the date of its filing with him Licenses issued pursuant to this section shall remain in effect for three year unless sooner suspended or revoked by the commissioner The fee for said license shall be twenty-five dollars Licenses issued pursuant to this section may be suspended or revoked by the commissioner after hearing upon notice in the event the rating organization ceases to meet the requirements of this subsection Every rating organization shall notify the commissioner promptly of every change in (1) its constitution its articles of agreement or association or its certificate of incorporation and its by-laws rules and regulations governing the conduct of its business (2) its list of members and subscribers and (3) the name and address of the resident of this Commonwealth designated by it upon whom notices or orders of the commissioner or process affecting such rating organizaton may be served

(b) Subject to rules and regulations which have been approved by the commissioner as reasonable each rating organion shall permit any insurer not a member to be a subscriber to its rating services for any kind of insurance subdivision or class of risk or a part or combination thereof for which it is authorized to act as a rating organization Notice of proposed changes in such rules and regulations shall be given to subscribers Each ratings organization shall furnish its rating services without discrimination to its members and subscribers The reasonableness of any rule or regulaton in its application to subscribers or the refusal of any rating organization to admit an insurer as a subscriber shall at the request of any subscriber or any such insurer be reviewed by the commissioner at a hearing held upon at least ten days' written notice to such rating organization and to such subscriber or insurer If the commissioner finds that such rule or regulation is unreasonable in its application to subscribers he shall order that such rule or regulation shall not be applicable to subscribers If the rating organizaton fails to grant or reject an insurer's application for subscribership within thirty days after it was made the insurer may request a review by the commissioner as if the application had been rejected If the commissioner finds that the insurer has been refused admittance to the rating organization as a subscriber without justification he shall order the rating organization to admit the insurer as a subscriber If he finds that the rating organization was justified he shall make an order affirming its action

(c) No rating organization shall adopt any rule the effect of which would be to prohibit or regulate the payment of dividends savings or unabsorbed premium deposits allowed or returned by insurers to their policyholders members or subscribers

(d) No rating organization shall refuse to rate in accordance with this act or to file proposed change in or addition to its filings relating to the character and extent of coverage provided that such organization may make such filing on behalf of the proponent thereof only

(e) Cooperation among rating organizations or among rating organizations and insurers and concert of action among insurers under the same general management and control in rate making or in other matters within the scope of this act is hereby authorized provided the filings resulting therefrom are subject to all the provisions of this act which are applicable to filings generally The commissioner may review such activities and practices and if after a hearing he finds that any such activity or practice is unfair or unreasonable or otherwise inconsistent with the provisions of this act he may issue a written order specifying in what respect such activity or practice is unfair or unreasonable or otherwise inconsistent with the provisions of this act and requiring the discontinuance of such activity or practice

(f) Any rating organization may provide for the examination of policies daily reports binders renewal certificates endorsements or other evidences of insurance or the cancellation thereof and may make reasonable rules governing their submission Such rules shall contain a provision that in the event any insurer does not within sixty days furnish satisfactory evidence to the rating organizations of the correction of any error or omission previously called to its attention by the rating organization it shall be the duty of the rating organization to notify the commissioner thereof All information so submitted for examination shall be confidential

(g) Any rating organization may subscribe for a purchase actuarial technical or other services and such services shall be available to all members and subscribers without discrimination

Section 7 Deviations Every member of or subscriber to a rating organization shall adhere to the filings made on its behalf by such organization except that any such insurer may file with the commissioner a deviation from the class rates schedules rating plans or rules respecting any kind of insurance or class of risk within a kind of insurance or combination thereof Such deviation filing shall specify the basis for the modification and a copy thereof shall be sent simultaneously to such rating organization Any such deviation filing shall be on file for a waiting period of thirty days before it becomes effective and shall be subject to the provisions of section five Each deviation shall be effective for a period of not less than one year from the date such deviation is filed unless terminated sooner with the approval of the commissioner or in accordance with the provisions of section five

Section 8 Appeal by Minority Any member of or subscriber to a rating organization may appeal to the com-

missioner from the action or decision of such rating organization in the promulgation of rates or with regard to any proposed change in or addition to the filings of such rating organization and the commissioner shall after a hearing held upon not less than ten days' written notice to the appellant and to such rating organization issue an order approving or disapproving the action or decision of such rating organization provided however if the appeal is from the action of the rating organization with regard to a rate on a proposed change in or addition to its filings he shall approve the rate applied by the rating organization or such rate as may be suggested by the appellant if either rate be in accordance with this act

Section 9 Information to be Furnished Insureds and State Police Hearings and Appeals of Insureds Every rating organization and every insurer which makes its own rates shall within a reasonable time after receiving written request therefor and upon payment of such reasonable charge as it may make furnish to any insured affected by a rate made by it or to the authorized representative of such insured all pertinent information as to such rate Every rating organization and every insurer which makes its own rates shall provide within this Commonwealth reasonable means whereby any person aggrieved by the application of its rating system may be heard in person or by his authorized representative on his written request to review the manner in which such rating system has been applied in connection with the insurance afforded him If the rating organization or insurer fails to grant or reject such request within thirty days after it is made the applicant may proceed in the same maner as if his application had been rejected Any party affected by the action of such rating organization or such insurer on such request may within thirty days after written notice of such action appeal to the commissioner who after a hearing held upon not less than ten days' written notice to the appellant and to such rating organization or insurer may affirm or reverse such action

Every rating organization and every insurer which makes its own rates shall supply or permit to be copied the data and shall file the reports as required by the act aproved the twenty-seventh day of April one thousand nine hundred twenty-seven (P. L. 450) entitled "An act relating to fires and fire prevention imposing duties and conferring powers upon the State Police authorizing the appointment of the chiefs of fire departments and certain public officers and others as assistants to said State Police and defining their powers and duties providing for the investigation of the cause origin and circumstance of fires and the inspection of all and the removal or change of certain buildings imposing duties on school authorities and on certain corporations associations and fire rating agencies providing for the attendance of witnesses before the said State Police and the enforcement of its orders and prescribing penalties" or its amendments or supplements

Section 10 Advisory Organizations (a) Every group association or other organization of insurers whether located within or outside this Commonwealth which assists insurers which make their own filings or rating organization in rate making by the collection and furnishing of loss or expense statistics or by the submission of recommendations but which does not make filings under this act shall be known as an advisory organization

(b) Every advisory organization shall file with the commissioner (1) a copy of its constitution its articles of agreement or association or its certificate of incorporation and of its by-laws and regulations governing its activities (2) a list of its members (3) the name and address of a resident of this Commonwealth upon whom notices or orders of the commissioner or process issued at his direction may be served and (4) an agreement that the commissioner may examine such advisory organization in accordance with the provisions of section twelve of this act

(c) If after a hearing the commissoner finds that the furnishing of such information or asistance involves any act or practice which is unfair or unreasonable or otherwise inconsistent with the provisions of this act he may issue a written order specifying in what respects such act or practice is unfair or unreasonable or otherwise inconsistent with the provisions of this act and requiring the discontinuance of such act or practice

(d) No insurer which makes its own filings nor any rating organization shall support its filings by statistics or adopt rate making recommendations furnished to it by an advisory organization which has not complied with this section or with an order of the commissioner involving such statistics on recommendations issued under subsection (c) of this section If the commissioner finds such insurer or rating organization to be in violation of this subsection he may issue an order requiring the discontinuance of such violation

Section 11 Joint Underwriting or Joint Reinsurance (a) Every group association or other organization of insurers which engages in joint underwriting or joint reinsurance shall be subject to regulation with respect thereto as herein provided subject however with respect to joint underwriting to all provisions of this act and with respect to joint reinsurance to sections twelve and fifteen to twenty of this act

(b) If after a hearing the commissioner finds that any activity or practice of any such group association or other orgaization is unfair or unreasonable or otherwise inconsistent with the provisions of this act he may issue a written order specifying in what respects such activity or practice is unfair or unreasonable or otherwise inconsistent with the provisions of this act and requiring the discontinuance of such activity or practice

(c) The provisions of this section shall not apply to the group action of insurers under the same general management an control

Section 12 Examinations The commissioner shall at least once in five years make or cause to be made an examination of each rating organization licensed in this Commonwealth as provided in section six and he may as often as he may deem it expedient make or cause to be made an examination of each advisory organization referred to in section ten and of each group association or other organization referred to in section eleven The reasonable casts of any such examination shall be paid by the rating organization advisory organization or group association or other organization examined upon presentation to it of a detailed account of such costs The officers manager agents and employes of such rating organization advisory organization or group association or other organization may be examined at any time under oath and shall exhibit all books records accounts documents or agreements governing its method of operation The commissioner shall furnish two copies of the examination report to the organization group or association that it may within twenty days thereafter request a hearing on said report or on any facts or recommendations therein Before filing any such report for public inspection the commissioner shall grant a hearing to the organization group or association examined The report of any such examination when filed for public inspection shall be admissible in evidence in any action proceeding brought by the commissioner against the organization group or association examined or its officers or agents and shall be prima facie evidence of the facts stated therein The commissioner may withhold the report of any such examination from public inspection for such time as he may deem proper In lieu of any such examination the commissioner may accept the report of an examination made by the insurance supervisory official of another state pursuant of the laws of such state

Section 13 Rate Administration Authority and Duties of Commissioner Rules and Regulations (a) Recording and Reporting of Loss and Expense Experience The commissioner shall promulgate reasonable rules and statistical plans reasonably adapted to each of the rating systems on file with him which may be modified from time to time and which shall be used thereafter by each insurer in the recording and reporting of its loss and countrywide expense experience in order that the experience of all insurers may be made available at least

annually in such form and detail as may be necessary to aid him in determining whether rating systems comply with the standards set forth in this act Such rules and plans may also provide for the recording and reporting of expense experience items which are specially applicable to this Commonwealth and are not susceptible of determination by a prorating of countrywide expense experience In promulgating such rules and plans the commissioner shall give due consideration to the rating systems on file with him and in order that such rules and plans may be as uniform as its practicable among the several states to the rules and to the form of the plans used for such rating systems in other states Such rules and plans shall not place an unreasonable burden of expense on any insurer No insurer shall be required to record or report its loss experience on a classification basis that is inconsistent with the rating system filed by it nor shall any insurer be required to report its experience to any agency of which it is not a member or subscriber The commissioner may designate one or more rating organizations or other agencies to assist him in gathering such experience and making compilations thereof and such compilations shall be made available subject to reasonable rules promulgated by the commissioner to insurers and rating organizations

(b) Interchange of Rating Plan Data Reasonable rules and plans may be promulgated by the commissioner for the interchange of data necessary for the application of rating plans

(c) Consultation with Other States In Order to further uniform administration of rate regulatory lews the commissioner and every insurer and rating organization may exchange information and experience data with insurance supervisory officials insurers and rating organizations in other states and may consult with them with respect to rate making and the application of rating systems

(d) Authority and Duties of Commissioner Rules and Regulations In addition to any powers hereinbefore expressly enumerated in this act the commissioner shall have full power and authority and it shall be his duty to enforce and carry out by regulations orders or otherwise all and singular the provisions of this act and the full intent thereof The commissioner may make such reasonable rules and regulations not inconsistent with this act or any amendment thereof as may be necessary or proper in the exercise of his powers or for the performance of his duties under this act

Section 14 False or Misleading Information No persons or organization shall wilfully withhold information from or knowingly give false or misleading information to the commissioner any statistical agency designated by the commissioner any rating organization or any insurer which will affect the rates or premiums chargeable under this act A violation of this section shall subject the one guilty of such violation to the penalties provided in section fifteen of this act

Section 15 Penalties The commissioner may if he finds that any person or organization has violated any provision of this act impose a penalty of not more than fifty dollars ($50) for each such violation but if he finds such violation to be wilful he may impose a penalty of not more than five hundred dollars ($500) for each such violation Such penalties may be in addition to any other penalty provided by law

The commissioner may suspend the license of any rating organization or insurer which fails to comply with an order of the commissioner within the time limited by such order or any extension thereof which the commissioner may grant The commissioner shall not suspend the license of any rating organization or insurer for failure to comply with an order until the time prescribed for an appeal therefrom has expired or if an appeal has been taken until such order has been affirmed The commissioner may determine when a suspension of license shall become effective and it shall remain in effect for the period fixed by him unless he modifies or recinds such suspension or until the order upon which such suspension is based is modified rescinded or reversed

No penalty shall be imposed and no license shall be suspended or revoked except upon a written order of the commissioner stating his findings made after a hearing held upon not less than ten days' written notice to such person or organization specifying the alleged violation

Section 16 Hearing Procedure and Judical Review (a) Any insurer rating organization or person aggrieved by any action of the commissioner except disapproval of a filing or a part thereof as provided for in section five hereof or by any rule or regulation adopted and promulgated by the commissioner shall have the right to file a complaint with the commissioner and to have a hearing thereon before the commissioner Pending such hearing and the decision thereon the commissioner may suspend or postpone the effective date of his previous action rule or regulation

(b) All such hearings and all hearings provided for in section five hereof shall be conducted and the decision of the commissioner on the issue or filing involved shall be rendered in accordance with the provisions of the Administrative Agency Law approved the forth day of June one thousand nine hundred forty-five (P. L. 1388) or any amendment thereof relating to adjudication procedure

(c) Any insurer rating organization or person aggrieved by any adjudication including a disapproval of a filing or portion thereof under the provisions of section five hereof shall have a right to appeal therefrom to the court of common pleas of Dauphin County and have a judicial review of such adjudication within the time and in the manner and with the same effect as is provided by the Administrative Agency Law or any amendment thereof and the rules of civil procedure promulgated by the Supreme Court of Pennsylvania or any amendment thereof having to do with judicial review of adjudications of agencies of the Commonwealth

Section 17 Constitutionality It any section subsection subdivision paragraph sentence or clause of this act is held invalid or unconstitutional such decision shall not affect the remaining portions of this act

Section 18 Short Title This act shall be known and may be cited as "The Fire Marine and Inland Marine Rate Regulatory Act"

Section 19 Laws Repealed The following acts and parts of acts and all amendments thereof are hereby repealed

(1) Sections two hundred fifteen and two hundred seventeen of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 789) known as "The Insurance Department Act of one thousand nine hundred and tyenty-one"

(2) Sections five hundred forty-one to five hundred fifty-three inclusive of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) known as "The Insurance Company Law 1921"

(3) All other acts and parts of acts inconsistent herewith

Section 20 Effective Date This act shall become effective on the first day of October one thousand nine hundred forty-seven

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—199

Aaronson,	Frost,	McCormack,	Sax,
Andrews,	Gallagher,	McCosker,	Scanlon,
Bane,	Getchey,	McCullough,	Schuster,
Barrett,	Gibson,	McKinney,	Scott,
Baumunk,	Goff,	McMillen,	Serrill,
Beech,	Goodling,	Mihm,	Shoemaker,
Bender,	Gorman,	Mikula,	Simons,
Bentzel,	Graybill,	Miller,	Smith, C. C.,
Bloom,	Greenwood,	Mills,	Smith, C. M.,
Boies,	Greer,	Mintess,	Snider,
Bonawitz,	Griffiths,	Mohr,	Sollenberger,

Boorse,	Guthrie,	Mooney,	Sorg,
Bower,	Gyger,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenshield,	Murray,	Stimmel,
Brown,	Helm,	Myers,	Stockham,
Brunner,	Henry,	Najaka,	Stonier,
Bucchin,	Hewitt,	Naumann,	Stuart,
Cadwalader,	Hocker,	Needham,	Swope,
Capano,	Hoffman,	Neff,	Tahl,
Cassidy,	Hoopes,	Nelson,	Thomassy,
Chervenak,	Horan,	O'Connor,	Thompson,
Chudoff,	Imbt,	O'Dare,	Tittle,
Clevenger,	Jennings,	O'Donnell,	Tompkins,
Cochran,	Johnson,	O'Neill,	Toomey,
Cole,	Johnston,	Orban,	Turner,
Cook,	Jones,	Patten,	Upshur,
Cooper,	Jump,	Petrosky,	Vaughan,
Cordier,	Kean,	Pichney,	Verona,
Costa,	Kelley,	Pickens,	Wachhaus,
Crowley,	Kemp,	Polaski,	Wagner,
Dague,	Kent,	Powers,	Waldron,
Dalrymple,	Kirley,	Price,	Wallin,
Davison,	Kline,	Propert,	Walton,
De Long,	Kohl,	Ragot,	Waterhouse,
Demech,	Kratz,	Readinger,	Watkins,
Dennison,	Krise,	Reagan,	Watson,
Dix,	Kurtz,	Reese, D. P.,	Weidner,
Dye,	Laughner,	Reese, R. E.,	Weiss,
Efenberg,	Layer,	Reilly, J. M.,	Wescott,
Elder,	Lee,	Reilly, W. J.,	Wheeler,
Erb,	Leisey,	Richter,	Wolf,
Evans,	Livingston,	Riley,	Wood,
Ewing,	Livingstone,	Robbins,	Worley,
Feola,	Loftus,	Robertson,	Yeakel,
Fish,	Lovett,	Root,	Yester,
Fiss,	Lyons,	Rose,	Yetzer,
Flack,	Madden,	Rowen,	Young,
Fleming,	Madigan,	Royer,	Lichtenwalter,
Foor,	Mazza,	Sarraf,	Speaker.

NAYS—0

NOT VOTING—6

Depuy,	McDonald,	Trout,	West,
Hall,	Morrison,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 890, as follows:

An Act to further amend the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 789) entitled as amended "An act relating to insurance establishing an insurance department and amending revising and consolidating the law relating to the licensing qualification regulation examination suspension and dissolution of insurance companies Lloyds associations reciprocal and inter-insurance exchanges and certain societies and orders the examination and regulation of fire insurance rating bureaus and the licensing and regulation of insurance agents and brokers the service of legal process upon foreign insurance companies associations or exchanges providing penalties and repealing existing laws" making the provisions thereof applicable to rating organizations authorizing the commissioner to collect prescribe fees and fines and penalties of such organizations excluding from the definition of agent and broker in the case of title insurance companies attorneys licensed real estate agents and brokers and repealing certain sections

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one hundred three of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 789) entitled as amended "An act relating to insurance establishing an insurance department and amending revising and consolidating the law relating to the licensing qualification regulation examination suspension and dissolution of insurance companies Lloyds associations reciprocal and inter-insurance exchanges and certain societies and orders the eamination and regulation of fire insurance rating bureaus and the licensing and regulation of insurance agents and brokers the service of legal process upon foreign insurance companies associations or exchanges providing penalties and repealing existing laws" as last amended by the act approved the twenty-second day of une one thousand nine hundred thirty-one (P. L. 616) is hereby further amended to read as follows

Section 103 Application of Act The provisions of this act shall apply to all companies associations and exchanges transacting any class of insurance business to rating organizations and to all insurance agents and insurance brokers The provisions of this act excepting sections two hundred and nineteen (219) three hundred and five (305) five hundred one (501) five hundred and two (502) five hundred four (504) five hundred and five (505) five hundred and six (506) five hundred and seven (507) five hundred and eight (508) five hundred and nine (509) five hundred and ten (510) and six hundred and seven (607) hereof shall not apply to fraternal benefit societies orders or associations conducted not for profit and having a lodge system with ritualistic form of work and representative form of government or to beneficial or relief associations conducted not for profit formed by churches societies classes firms or corporations with or without ritualistic form of work the privilege of membership in which are confined to the members of such churches societies or classes and to members and employes of such firms or corporations The provisions of this act excepting sections two hundred and thirteen (213) two hundred and fourteen (214) two hundred and sixteen (216) two hundred and nineteen (219) five hundred and one (501) five hundred and two (502) five hundred and three (503) five hundred and four (504) five hundred and five (505) five hundred and six (506) five hundred and seven (507) five hundred and eight (508) five hundred and nine (509) and five hundred and ten (510) hereof shall not apply to domestic mutual fire insurance companies of this Commonwealth incorporated under special acts of Assembly or under the act of May first one thousand eight hundred and seventy-six with unlimited or limited liability to assessment for payment of expenses and of losses and loss adjustments set forth in the policy contract or in the promissory notes attached to said policy

Section 2 Section two hundred eleven of said act as last amended by the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 936) is hereby further amended to read as follows

Section 211 Fees The Insurance Commissioner shall charge and collect fees as follows For valuation of lifepolicies not exceeding one cent for each thousand dollars of insurance valued but in no case shall the minimum fee be less than ten dollars ($10) for filing copy of charter twenty-five dollars for the filing annual or other statement twenty dollars for license to company association or exchange or certified copy or duplicate thereof two dollars for license to a rating organization the fee prescribed by the Act of Assembly creating such rating organization for license as excess insurance broker one hundred dollars for license as insurance broker ten dollars for individual and twenty-five dollars for each license in the name of a copartnership or corporation including individual ilcenses for any duly qualified individuals without extra charge for officers or solicitors not exceeding three for agents' license for each domestic company association and exchange fifty cents for agents' license for each foreign company association and exchange two dollars for each copy of any paper filed in the department twenty cents per folio and one dollar for certifying the same for any other certificate required two dollars for making examinations the expense of the examination All

fees collected shall be daily covered into the State Treasury

Section 3 Section two hundred sixteen of said act as amended by the act approved the seventh day of April one thousand nine hundred twenty-seven (P. L. 161) is hereby further amended to read as follows

Section 216 Powers with Regard to Examinations For the purpose of any such examinations the Insurance Commissioner his deputy or his examiners shall have free access to all the books and papers of any such company association exchange [bureau] or corporation which relate to its business and to the books and papers kept by any of its agents and may summon and administer the oath to and examine as winesses the directors officers agents and trustees of any such company associaion exchange [bureau] or corporation and any other person relative to its affairs transactions and condition He shall publish the result of his examination of the affairs of any company association or exchange [or bureau] whenever he deems it for the interest of the policyholders so to do All the expenses incurred in and about the examination of companies associations exchanges [bureaus] or corporations including compensation of the deputies examiners and other employes of the department assisting in said examination shall be charged to and paid by the company association exchange [bureau] or corporation examined in equitable proportions at such times and in such manner as the commissioner shall by general rule or regulation prescribe

Section 4 Section two hundred eighteen of said act as amended by the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 441) is hereby further amended to read as follows

Section 218 Collection of Unpaid Taxes Fines and Penalties The taxes imposed by this act shall be collected by the Department of Revenue and the fines and penalties provided in this act and in any other act prescribing fines and penalties which may be imposed by the Insurance Commissioner shall in case of non-payment after notice from the Insurance Commissioner be collected as taxes upon corporations or individuals are now collected by law and for this purpose the Insurance Commissioner shall have all the powers now conferred by law upon the Department of Revenue in the settlement of accounts subject however to the approval of the Department of the Auditor General and to the right of any party aggrieved to file a petition for resettlement petition for review and appeal as in other cases

Section 5 Section six hundred one of said act as amended by the act approved the eighth day of May one thousand nine hundred twenty-nine (P. L. 1660) is hereby further amended to read as follows

Section 601 Insurance Agents Defined An agent is an individual copartnership or corporation authorized in writing by a company association or exchange

(a) To solicit risks and collect premiums and to issue or countersign policies in its behalf or

(b) To solicit risks and collect premiums in its behalf

A person copartnership association or corporation not a duly licensed insurance broker who for or without compensation solicits insurance on behalf of any insurance company association or exchange or transmits for a person copartnership association or corporation other than himself or itself an application for a policy of insurance to or from such company association or exchange or offers or assumes to act in the negotiation of such insurance or in any manner aids in transacting the insurance business of any such company association or exchange by negotiating for or placing risks or delivering policies or collecting premiums for such company association or exchange shall be an insurance agent within the intent of this act and shall thereby become liable to all the duties requirements liabilities and penalties to which an agent of such company association or exchange is subject Provided however That the word "agent" shall not include non-resident salaried employes of foreign exchanges which maintain no offices in this Commonwealth and pay no commissions to such employes or officers or salaried employes of any insurance company association or exchange which is authorized to transact business in this Commonwealth who do not solicit negotiate or place risks or as to title insurance duly admitted attorneys-at-law licensed real estate agents or real estate brokers

Section 6 Section six hundred twenty-three of said act as amended by the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 616) is hereby further amended to read as follows

Section 623 Penalties for Acting as Broker Without a License and Transacting Business with an Unlicensed Broker Any person copartnership or corporation transacting business as an insurance broker within this Commonwealth or soliciting insurance or transmitting for a partnership copartnership association or corporation other than himself or itself an application for a policy of insurance or offering or assuming to act in the negotiation of such insurance or in any manner aiding in transacting an insurance business or negotiating for or placing risks or delivering policies or collecting premiums for policies which are effective in this State without a license as broker or in the case of title insurance without being admitted to practice as an attorney-at-law or being licensed as a real estate broker or real estate agent unless he or she or it be acting as a licensed agent and then only for the companies he she or it is duly licensed by this Commonwealth to represent shall be deemed guilty of a misdemeanor and upon conviction thereof shall pay a fine not exceeding one thousand dollars Any company association or exchange or the agent of any company association or exchange accepting application or orders for insurance or securing any insurance business through anyone acting without a license as aforesaid [issued by the Insurance Commissioner of the Commonwealth of Pennsylvania] shall be guilty of a misdemeanor and upon conviction thereof shall pay a fine not exceeding one thousand dollars

Section 7 The provisions of this act shall become effective on the first day of October one thousand nine hundred forty-seven

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—199

Aaronson,	Frost,	McCormack,	Sax,
Andrews,	Gallagher,	McCosker,	Scanlon,
Bane,	Getchey,	McCullough,	Schuster,
Barrett,	Gibson,	McKinney,	Scott,
Baumunk,	Goff,	McMillen,	Serrill,
Bentzel,	Goodling,	Mihm,	Shoemaker,
Beech,	Gorman,	Mikula,	Simons,
Bender,	Graybill,	Miller,	Smith, C. C.,
Bloom,	Greenwood,	Mills,	Smith, C. M.,
Boies,	Greer,	Mintess,	Snider,
Bonawitz,	Griffiths,	Mohr,	Sollenberger,
Boorse,	Guthrie,	Mooney,	Sorg,
Bower,	Gyger,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenshield,	Murray,	Stimmel,
Brown,	Helm,	Myers,	Stockham,
Brunner,	Henry,	Najaka,	Stonier,
Bucchin,	Hewitt,	Naumann,	Stuart,
Cadwalader,	Hocker,	Needham,	Swope,
Capano,	Hoffman,	Neff,	Tahl,
Cassidy,	Hoopes,	Nelson,	Thomassy,
Chervenak,	Horan,	O'Connor,	Thompson,
Chudoff,	Imbt,	O'Dare,	Tittle,
Clevenger,	Jennings,	O'Donnell,	Tompkins,
Cochran,	Johnson,	O'Neill,	Toomey,
Cole,	Johnston,	Orban,	Turner,
Cook,	Jones,	Patten,	Upshur,
Cooper,	Jump,	Petrosky,	Vaughan,
Cordier,	Kean,	Pichney,	Verona,

Costa,	Kelley,	Pickens,	Wachhaus,
Crowley,	Kemp,	Polaski,	Wagner,
Dague,	Kent,	Powers,	Waldron,
Dalrymple,	Kirley,	Price,	Wallin,
Davison,	Kline,	Propert,	Walton,
De Long,	Kohl,	Ragot,	Waterhouse,
Demech,	Kratz,	Readinger,	Watkins,
Dennison,	Krise,	Reagan,	Watson,
Dix,	Kurtz,	Reese, R. E.,	Weidner,
Dye,	Laughner,	Reese, D. P.,	Weiss,
Efenberg,	Layer,	Reilly, J. M.,	Wescott,
Elder,	Lee,	Reilly, W. J.,	Wheeler,
Erb,	Leisey,	Richter,	Wolf,
Evans,	Livingston,	Riley,	Wood,
Ewing,	Livingstone,	Robbins,	Worley,
Feola,	Loftus,	Robertson,	Yeakel,
Fish,	Lovett,	Root,	Yester,
Fiss,	Lyons,	Rose,	Yetzer,
Flack,	Madden,	Rowen,	Young,
Fleming,	Madigan,	Royer,	Lichtenwalter,
Foor,	Mazza,	Sarraf,	Speaker.

NAYS—0

NOT VOTING—6

Depuy,	McDonald,	Trout,	West,
Hall,	Morrison,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 895, as follows:

An Act to add a new section six hundred twenty-six to the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 789) entitled as amended "An act relating to insurance department and amending revising and consolidating the law relating to the licensing qualification regulation examination suspension and dissolution of insurance companies Lloyds associations reciprocal and interinsurance exchanges and certain societies and orders the examination and regulation of fire insurance rating bureaus and the licensing and regulation of insurance agents and brokers the service of legal process upon foreign insurance companies associations or exchanges providing penalties and repealing existing laws" authorizing insurance companies associations and exchanges to pay commissions to licensed brokers

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 789) entitled as amended "An act relating to insurance establishing an insurance department and amending revising and consolidating the law relating to the licensing qualification regulation examination suspension and dissolution of insurance companies Lloyds associations reciprocal and inter-insurance exchanges and certain societies and orders the examination and regulation of fire insurance rating bureaus and the licensing and regulation of insurance agents and brokers the service of legal process upon foreign insurance companies associations or exchanges providing penalties and repealing existing laws" is hereby amended by adding immediately after section six hundred twenty-five a new section to read as follows

Section 626 Payment of Commissions to Brokers Any insurance company association or exchange or the agent thereof may pay money commission or brokerage or give or allow anything of value to a duly licensed insurance broker for or on account of the solicitation or negotiation of contracts for insurance on property or risks within the Commonwealth

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—199

Aaronson,	Frost,	McCormack,	Sax,
Andrews,	Gallagher,	McCosker,	Scanlon,
Bane,	Getchey,	McCullough,	Schuster,
Barrett,	Gibson,	McKinney,	Scott,
Baumunk,	Goff,	McMillen,	Serrill,
Beech,	Goodling,	Mihm,	Shoemaker,
Bender,	Gorman,	Mikula,	Simons,
Bentzel,	Graybill,	Miller,	Smith, C. C.,
Bloom,	Greenwood,	Mills,	Smith, C. M.,
Boies,	Greer,	Mintess,	Snider,
Bonawitz,	Griffiths,	Mohr,	Sollenberger,
Boorse,	Guthrie,	Mooney,	Sorg,
Bower,	Gyger,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenshield,	Murray,	Stimmel,
Brown,	Helm,	Myers,	Stockham,
Brunner,	Henry,	Najaka,	Stonier,
Bucchin,	Hewitt,	Naumann,	Stuart,
Cadwalader,	Hocker,	Needham,	Swope,
Capano,	Hoffman,	Neff,	Tahl,
Cassidy,	Hoopes,	Nelson,	Thomassy,
Chervenak,	Horan,	O'Connor,	Thompson,
Chudoff,	Imbt,	O'Dare,	Tittle,
Clevenger,	Jennings,	O'Donnell,	Tompkins,
Cochran,	Johnson,	O'Neill,	Toomey,
Cole,	Johnston,	Orban,	Turner,
Cook,	Jones,	Patten,	Upshur,
Cooper,	Jump,	Petrosky,	Vaughan,
Cordier,	Kean,	Pichney,	Verona,
Costa,	Kelley,	Pickens,	Wachhaus,
Crowley,	Kemp,	Polaski,	Wagner,
Dague,	Kent,	Powers,	Waldron,
Dalrymple,	Kirley,	Price,	Wallin,
Davison,	Kline,	Propert,	Walton,
De Long,	Kohl,	Ragot,	Waterhouse,
Demech,	Kratz,	Readinger,	Watkins,
Dennison,	Krise,	Reagan,	Watson,
Dix,	Kurtz,	Reese, D. P.,	Weidner,
Dye,	Laughner,	Reese, R. E.,	Weiss,
Efenberg,	Layer,	Reilly, J. M.,	Wescott,
Elder,	Lee,	Reilly, W. J.,	Wheeler,
Erb,	Leisey,	Richter,	Wolf,
Evans,	Livingston,	Riley,	Wood,
Ewing,	Livingstone,	Robbins,	Worley,
Feola,	Loftus,	Robertson,	Yeakel,
Fish,	Lovett,	Root,	Yester,
Fiss,	Lyons,	Rose,	Yetzer,
Flack,	Madden,	Rowen,	Young,
Fleming,	Madigan,	Royer,	Lichtenwalter,
Foor,	Mazza,	Sarraf,	Speaker.

NAYS—0

NOT VOTING—6

Depuy,	McDonald,	Trout,	West,
Hall,	Morrison,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order.

The House proceeded to the third reading and consideration of House Bill No. 897, as follows:

An Act to further amend the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and

and foreign insurance companies Lloyds associations reciprocal and inter-surance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" excluding from the provisions thereof fire rating bureaus revising the provisions relating to discrimination and the penalties therefor and relating to reports by subscribers to reciprocals and inter-insurance exchanges

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one hundred three of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" is hereby amended to read as follows

Section 103 Scope of Act Except as in this act otherwise provided to provisions of this act in so far as they are applicable shall apply (a) To all domestic insurance companies incorporated under the provisions of this act (b) to all domestic insurance companies incorporated under general or special laws since the thirteenth day of October one thousand eight hundred and fifty-seven (c) to all domestic insurance companies heretofore incorporated which have accepted the provisions of the Constitution and the general insurance laws enacted since the thirteenth day of October one thousand eight hundred and fifty-seven (d) to all domestic insurance companies incorporated under any general or special law prior to the thirteenth day of October one thousand eight hundred and fifty-seven which by the terms of their charters or the acts under which they were incorporated hold charters subject to alteration or revocation (e) to all other domestic insurance companies incorporated by general or special law prior to the thirteenth day of October one thousand eight hundred and fifty-seven which accept the provisions of this act as hereinafter provided (f) to all foreign insurance companies doing business in this Commonwealth and (g) to all domestic and foreign associations and exchanges doing insurance business in this Commonwealth [and (h) to all domestic and foreign fire rating bureaus doing business in this Commonwealth]

All insurance companies to which this act applies and which have the required capital and reserve may transact any one or more of the classes of insurance authorized by section two hundred and two (202) of this act in the same manner and to the same extent as insurance companies incorporated under the provisions of this act

No insurance company heretofore created and to which this act applies shall be deprived of any right which it enjoys under its charter to engage in any business other than insurance Nothing in this act shall be construed to interfere with the charter provisions or operations of any domestic mutual fire insurance company heretofore organized under any general or special law of this Commonwealth

Section 2 Section three hundred fifty-three of said act as added by the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 904) is hereby amended to read as follows

Section 353 Unfair [Discrimination] Unfair Discrimination Prohibited Discrimination between individuals of the same class in the amount of permiums or rates charged for any policy of life health and accident [personal liability or casualty] insurance [except fidelity or surety bonds] covered by this act and any other lines and kinds of insurance not within the scope of The Fire Marine and Inland Marine Regulatory Act and The Casualty and Surety Rate Regulatory Act or in the benefits payable thereon or in any of the terms or conditions of such policy or in any other manner whatsoever is prohibited

Any person corporation insurance company association or exchange that shall either as principal or agent issue or cause to be issued any policy or contract of insurance within this Commonwealth contrary to this section shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars ($500.00)

Upon satisfactory evidence of the violation of this section by any such person corporation insurance company association or exchange the Insurance Commissioner may in his discretion pursue any one or more of the following courses of action (1) Suspend or revoke the license of such offending person corporation insurance company association or exchange (2) refuse for a period of not to exceed one year thereafter to issue a new license to such person corporation insurance company association or exchange (3) impose a penalty of not more than [one thousand] five hundred ($500) dollars for each and every act in violation of this act When the Insurance Commissioner shall take action in any of the ways above recited the person corporation insurance company association or exchange aggrieved may appeal therefrom to the court of common pleas of Dauphin County

Any adjudication of the Insurance Commissioner shall be subject to review in accordance with the provisions of the Administrative Agency Law and any amendments thereto

Section 3 Section one thousand seven of said act is hereby amended to read as follows

Section 1007 Reports by Attorney Examinations by Insurance Commissioner Such attorney shall make a report to the Insurance Commissioner for each calendar year on or before the first day of March showing the financial condition of affairs at the office where such contracts are issued and shall furnish such additional information and reports as he may require Such attorney shall not be required to furnish the names and addresses of any subscribers nor the loss ratio of any particular subscriber

The business affairs and assets of such organizations shall be subject to examination by the Insurance Commissioner

Section 4 The provisions of this act shall become effective the first day of October one thousand nine hundred forty-seven

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—199

Aaronson,	Frost,	McCormack,	Sax,
Andrews,	Gallagher,	McCosker,	Scanlon,
Bane,	Getchey,	McCullough,	Schuster,
Barrett,	Gibson,	McKinney,	Scott,
Baumunk,	Goff,	McMillen,	Serrill,
Beech,	Goodling,	Mihm,	Shoemaker,
Bender,	Gorman,	Mikula,	Simons,
Bentzel,	Graybill,	Miller,	Smith, C. C.,
Bloom,	Greenwood,	Mills,	Smith, C. M.,
Boies,	Greer,	Mintess,	Snider,
Bonawitz,	Griffiths,	Mohr,	Sollenberger,
Boorse,	Guthrie,	Mooney,	Sorg,
Bower,	Gyger,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenshield,	Murray,	Stimmel,

Brown,	Helm,	Myers,	Stockham,
Brunner,	Henry,	Najaka,	Stonier,
Bucchin,	Hewitt,	Naumann,	Stuart,
Cadwalader,	Hocker,	Needham,	Swope,
Capano,	Hoffman,	Neff,	Tahl,
Cassidy,	Hoopes,	Nelson,	Thomassy,
Chervenak,	Horan,	O'Connor,	Thompson,
Chudoff,	Imbt,	O'Dare,	Tittle,
Clevenger,	Jennings,	O'Donnell,	Tompkins,
Cochran,	Johnson,	O'Neill,	Toomey,
Cole,	Johnston,	Orban,	Turner,
Cook,	Jones,	Patten,	Upshur,
Cooper,	Jump,	Petrosky,	Vaughan,
Cordier,	Kean,	Pichney,	Verona,
Costa,	Kelley,	Pickens,	Wachhaus,
Crowley,	Kemp,	Polaski,	Wagner,
Dague,	Kent,	Powers,	Waldron,
Dalrymple,	Kirley,	Price,	Wallin,
Davison,	Kline,	Propert,	Walton,
De Long,	Kohl,	Ragot,	Waterhouse,
Demech,	Kratz,	Readinger,	Watkins,
Dennison,	Krise,	Reagan,	Watson,
Dix,	Kurtz,	Reese, D. P.,	Weidner,
Dye,	Laughner,	Reese, R. E.,	Weiss,
Efenberg,	Layer,	Reilly, J. M.,	Wescott,
Elder,	Lee,	Reilly, W. J.,	Wheeler,
Erb,	Leisey,	Richter,	Wolf,
Evans,	Livingston,	Riley,	Wood,
Ewing,	Livingstone,	Robbins,	Worley,
Feola,	Loftus,	Robertson,	Yeakel,
Fish,	Lovett,	Root,	Yester,
Fiss,	Lyons,	Rose,	Yetzer,
Flack,	Madden,	Rowen,	Young,
Fleming,	Madigan,	Royer,	Lichtenwalter,
Foor,	Mazza,	Sarraf,	Speaker.

NAYS—0

NOT VOTING—6

Depuy,	McDonald,	Trout,	West,
Hall,	Morrison,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 898, as follows:

An Act to further amend section five hundred thirty-two of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by permitting additional or increated appropriations by first class school districts in certain cases

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section five hundred thirty-two of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as last amended by the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 774) is hereby further amended to read as follows

Section 532 The board of school directors of each school district of the class shall annually at or before the time of levying the annual school taxes prepare an approximate estimate of the amount of funds that will be required by the school district in its several departments for the following fiscal year Such annual estimate shall be apportioned to the several classes of expenditures of the districts as the board of school directors thereof may determine The total amount of such estimate shall not exceed the amount of funds including the proposed annual tax levy and State appropriation available for school purposes in the district

The board of school directors shall at least fifteen days prior to the time final action is taken on any budget publish by advertisement at least once in two newspapers of general circulation printed in the municipality in which such school district is located notice that such proposed budget has been prepared and is open to public inspection at the office of the board of school directors and such advertisement shall include a notice of public hearing on the proposed budget scheduled for at least ten days before final action is taken upon any budget

The board of public education in school districts of the first class may during any fiscal year make additional appropriations or increase the existing appropriations to meet emergencies the funds therefor to be provided from unexpended balances in existing appropriations from unappropriated revenues if any or from temporary loans Such additional appropriations and such temporary loans shall be authorized by the affirmative vote of two-thirds of all the members of the board

The board of public education shall have the power to transfer any unencumbered balance or any portion thereof from one appropriation to another or from one spending agency to another by the affirmative vote of two-thirds of all the members of the board

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—199

Aaronson,	Frost,	McCormack,	Sax,
Andrews,	Gallagher,	McCosker,	Scanlon,
Bane,	Getchey,	McCullough,	Schuster,
Barrett,	Gibson,	McKinney,	Scott,
Baumunk,	Goff,	McMillen,	Serrill,
Beech,	Goodling,	Mihm,	Shoemaker,
Bender,	Gorman,	Mikula,	Simons,
Bentzel,	Graybill,	Miller,	Smith, C. C.,
Boies,	Greenwood,	Mills,	Smith, C. M.,
Bloom,	Greer,	Mintess,	Snider,
Bonawitz,	Griffiths,	Mohr,	Sollenberger,
Boorse,	Guthrie,	Mooney,	Sorg,
Bower,	Gyger,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenshield,	Murray,	Stimmel,
Bucchin,	Helm,	Myers,	Stockham,
Brown,	Henry,	Najaka,	Stonier,
Brunner,	Hewitt,	Naumann,	Stuart,
Cadwalader,	Hocker,	Needham,	Swope,
Capano,	Hoffman,	Neff,	Tahl,
Cassidy,	Hoopes,	Nelson,	Thomassy,
Chervenak,	Horan,	O'Connor,	Thompson,
Chudoff,	Imbt,	O'Dare,	Tittle,
Clevenger,	Jennings,	O'Donnell,	Tompkins,
Cochran,	Johnson,	O'Neill,	Toomey,
Cole,	Johnston,	Orban,	Turner,
Cook,	Jones,	Patten,	Upshur,
Cooper,	Jump,	Petrosky,	Vaughan,
Cordier,	Kean,	Pichney,	Verona,
Costa,	Kelley,	Pickens,	Wachhaus,
Crowley,	Kemp,	Polaski,	Wagner,
Dague,	Kent,	Powers,	Waldron,
Dalrymple,	Kirley,	Price,	Wallin,
Davison,	Kline,	Propert,	Walton,
De Long,	Kohl,	Ragot,	Waterhouse,

Demech,	Kratz,	Readinger,	Watkins,
Dennison,	Krise,	Reagan,	Watson,
Dix,	Kurtz,	Reese, D. P.,	Weidner,
Dye,	Laughner,	Reese, R. E.,	Weiss,
Efenberg,	Layer,	Reilly, J. M.,	Wescott,
Elder,	Lee,	Reilly, W. J.,	Wheeler,
Erb,	Leisey,	Richter,	Wolf,
Evans,	Livingston,	Riley,	Wood,
Ewing,	Livingstone,	Robbins,	Worley,
Feola,	Loftus,	Robertson,	Yeakel,
Fish,	Lovett,	Root,	Yester,
Fiss,	Lyons,	Rose,	Yetzer,
Flack,	Madden,	Rowen,	Young,
Fleming,	Madigan,	Royer,	Lichtenwalter,
Foor,	Mazza,	Sarraf,	Speaker.

NAYS—0

NOT VOTING—6

Depuy,	McDonald,	Trout,	West,
Hall,	Morrison,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 905, as follows:

An Act to amend and reenact section one of the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 491) entitled "An act reducing for a limited period of time the training period of internship in osteopathic hospitals in order to qualify for examination for license by the Osteopathic Surgeon's Examining Board to practice major surgery and suspending inconsistent laws" further regulating the training period of internship in osteopathis hospitals

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one of the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 491) entitled "An act reducing for a limited period of time the training period of internship in osteopathic hospitals in order to qualify for examination for license by the Osteopathic Surgeons' Examining Board to practice major surgery and suspending inconsistent laws" is hereby amended and reenacted to read as follows

Section 1 [For the duration of the present war between the United States and any foreign country and one year after the cessation of hostilities] Until the thirtieth day of June one thousand nine hundred forty-eight a minimum of nine months for each year's required internship shall constitute the necessary legal training for an intern in an osteopathic hospital approved for intern training to qualify for admission to an examination for licensure by the Osteopathic Surgeons' Examining Board to practice major surgery in Pennsylvania

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—199

Aaronson,	Frost,	McCormack,	Sax,
Andrews,	Gallagher,	McCosker,	Scanlon,
Bane,	Getchey,	McCullough,	Schuster,
Barrett,	Gibson,	McKinney,	Scott,
Baumunk,	Goff,	McMillen,	Serrill,
Beech,	Goodling,	Mihm,	Shoemaker,
Bender,	Gorman,	Mikula,	Simons,
Bentzel,	Graybill,	Miller,	Smith, C. C.,
Boies,	Greenwood,	Mills,	Smith, C. M.,
Bloom,	Greer,	Mintess,	Snider,
Bonawitz,	Griffiths,	Mohr,	Sollenberger,
Boorse,	Guthrie,	Mooney,	Sorg,
Bower,	Gyger,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenshield,	Murray,	Stimmel,
Brown,	Helm,	Myers,	Stockham,
Brunner,	Henry,	Najaka,	Stonier,
Bucchin,	Hewitt,	Naumann,	Stuart,
Cadwalader,	Hocker,	Needham,	Swope,
Capano,	Hoffman,	Neff,	Tahl,
Cassidy,	Hoopes,	Nelson,	Tittle,
Chervenak,	Horan,	O'Connor,	Thomassy,
Chudoff,	Imbt,	O'Dare,	Thompson,
Clevenger,	Jennings,	O'Donnell,	Tompkins,
Cochran,	Johnson,	O'Neill,	Toomey,
Cole,	Johnston,	Orban,	Turner,
Cook,	Jones,	Patten,	Upshur,
Cooper,	Jump,	Petrosky,	Vaughan,
Cordier,	Kean,	Pichney,	Verona,
Costa,	Kelley,	Pickens,	Wachhaus,
Crowley,	Kemp,	Polaski,	Wagner,
Dague,	Kent,	Powers,	Waldron,
Dalrymple,	Kirley,	Price,	Wallin,
Davison,	Kline,	Propert,	Walton,
Dennison,	Kohl,	Ragot,	Waterhouse,
De Long,	Kratz,	Readinger,	Watkins,
Demech,	Krise,	Reagan,	Watson,
Dix,	Kurtz,	Reese, D. P.,	Weidner,
Dye,	Laughner,	Reese, R. E.,	Weiss,
Efenberg,	Layer,	Reilly, J. M.,	Wescott,
Elder,	Lee,	Reilly, W. J.,	Wheeler,
Erb,	Leisey,	Richter,	Wolf,
Evans,	Livingston,	Riley,	Wood,
Ewing,	Livingstone,	Robbins,	Worley,
Feola,	Loftus,	Robertson,	Yeakel,
Fish,	Lovett,	Root,	Yester,
Fiss,	Lyons,	Rose,	Yetzer,
Flack,	Madden,	Rowen,	Young,
Fleming,	Madigan,	Royer,	Lichtenwalter,
Foor,	Mazza,	Sarraf,	Speaker.

NAYS—0

NOT VOTING—6

Depuy,	McDonald,	Trout,	West,
Hall,	Morrison,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 908, as follows:

An Act to add four new sections to the act approved the the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloys associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" regulating ownership by domestic insurance companies of the capital stock of other insurance companies conferring powers upon the Insurance Commissioner prescribing procedure before the commissioner and on appeal and conferring powers and duties upon the Court of Common Pleas of Dauphin County

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds association reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealinf existing laws" is hereby amended by adding immediately after section three hundred thirty-seven four new sections to read as follows

Section 337.1 Any domestic insurance company may retain or acquire the whole or any part of the capital stock of other insurance companies provided no insurance company shall by reason of such retention or acquisition of such capital stock conduct its business with the public in a manner which substantially lessens competition or tends to create a monopoly and provided further such retention or acquisition is consistent with the provisions of the law relating to the investment of the funds of domestic insurance companies

Section 337.2 Any person otherwise qualified may be a director of two or more insurance companies when such interlocking directorate is not used as a means of substantially lessening competition or tending to create a monopoly

Section 337.3 Whenever the Insurance Commissioner has reason to believe that there is a violation of section three hundred thirty-seven point one or section three hundred thirty-seven point two of this act he shall serve upon the insurance company or the director concerned a complaint setting forth the facts alleged to constitute such violation with which complaint there shall be given a notice in writing of a time and place of a hearing before the Insurance Commissioner to be held not less than thirty days after the service of such complaint and requiring such insurance company or director to show cause why an order should not be made by the Insurance Commissioner directing such insurance company or director to cease and desist from such violation

All hearings provided for in this section shall be conducted and the decision of the Insurance Commissioner on the issue involved shall be rendered in accordance with the provisions of the Administrative Agency Law approved June fourth one thousand nine hundred forty-five (P. L. 1388) or any amendment thereof relating to adjudication procedure

If upon such hearing the Insurance Commissioner finds that there has been a violation of section three hundred thirty-seven point one or section three hundred thirty-seven point two of this act he shall issue and cause to be served upon such insurance company or director an order reciting the facts found by him and setting forth the respects in which there has been a violation of section three hundred thirty-seven point one or section three hundred thirty-seven point two of this act and directing such insurance company or director to cease and desist from such violation

Any insurance company or director aggrieved by any such order issued by the Insurance Commissioner under the provisions of this act shall have a right to appeal therefrom to the Court of Common Pleas of Dauphin County and have a judicial review of such order within the time and in the manner and with the same effect as is provided by the Administrative Agency Law or any amendment thereof and the rules of civil procedure promulgated by the Supreme Court of Pennsylvania or any amendment thereof having to do with judicial review of adjudications of agencies of the Commonwealth

Section 337.4 Nothing contained in the foregoing three sections shall authorize any order judgment or decree directing any domestic insurance company to divest itself of the capital stock of another insurance company

Section 2 The provisions of this act shall become effective the first day of October one thousand nine hundred forty-seven

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—199

Aaronson,	Frost,	McCormack,	Sax,
Andrews,	Gallagher,	McCosker,	Scanlon,
Bane,	Getchey,	McCullough,	Schuster,
Barrett,	Gibson,	McKinney,	Scott,
Baumunk,	Goff,	McMillen,	Serrill,
Beech,	Goodling,	Mihm,	Shoemaker,
Bender,	Gorman,	Mikula,	Simons,
Bentzel,	Graybill,	Miller,	Smith, C. C.,
Bloom,	Greenwood,	Mills,	Smith, C. M.,
Boies,	Greer,	Mintess,	Snider,
Bonawitz,	Griffiths,	Mohr,	Sollenberger,
Boorse,	Guthrie,	Mooney,	Sorg,
Bower,	Gyger,	Moore, C. E.,	Sprout,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenshield,	Murray,	Stimmel,
Brown,	Helm,	Myers,	Stockham,
Brunner,	Henry,	Najaka,	Stonier,
Bucchin,	Hewitt,	Naumann,	Stuart,
Cadwalader,	Hocker,	Needham,	Swope,
Capano,	Hoffman,	Neff,	Tabb,
Cassidy,	Hoopes,	Nelson,	Thomassy,
Chervenak,	Horan,	O'Connor,	Thompson,
Chudoff,	Imbt,	O'Dare,	Tittle,
Clevenger,	Jennings,	O'Donnell,	Tompkins,
Cochran,	Johnson,	O'Neill,	Toomey,
Cole,	Johnston,	Orban,	Turner,
Cook,	Jones,	Patten,	Upshur,
Cooper,	Jump,	Petrosky,	Vaughan,
Cordier,	Kean,	Pichney,	Verona,
Costa,	Kelley,	Pickens,	Wachhaus,
Crowley,	Kemp,	Polaski,	Wagner,
Dague,	Kent,	Powers,	Waldron,
Dalrymple,	Kirley,	Price,	Wallin,
Davison,	Kline,	Propert,	Walton,
De Long,	Kohl,	Ragot,	Waterhouse,
Demech,	Kratz,	Readinger,	Watkins,
Dennison,	Krise,	Reagan,	Watson,
Dix,	Kurtz,	Reese, D. P.,	Weidner,
Dye,	Laughner,	Reese, R. E.,	Weiss,
Efenberg,	Layer,	Reilly, J. M.,	Wescott,
Elder,	Lee,	Reilly, W. J.,	Wheeler,
Erb,	Leisey,	Richter,	Wolf,
Evans,	Livingston,	Riley,	Wood,
Ewing,	Livingstone,	Robbins,	Worley,
Feola,	Loftus,	Robertson,	Yeakel,
Fish,	Lovett,	Root,	Yester,
Fiss,	Lyons,	Rose,	Yetzer,
Flack,	Madden,	Rowen,	Young,
Fleming,	Madigan,	Royer,	Lichtenwalter,
Foor,	Mazza,	Scarf,	Speaker.

NAYS—0

NOT VOTING—6

Depuy,	McDonald,	Trout,	West,
Hall,	Morrison,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 910, as follows:

An Act relating to unfair methods and unfair or deceptive acts and practices in the business of insurance defining and prohibiting such methods acts and practices conferring on the Insurance Commissioner the power and duty of enforcing the provisions of this act prescribing and regulating the practice and procedure before the commissioner and procedure for review by the courts conferring upon the Court of Common Pleas of Dauphin County exclusive jurisdiction over certain proceedings prescribing penalties and providing for enforcement thereof and repealing inconsistent acts

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Purpose of Act The purpose of this act is (1) to regulate the business of insurance as contemplated by Public Law 15 79th Congress and (2) to define acts methods and practices by any and all persons engaged in the business of insurance which constitute unfair methods of competition and unfair or deceptive acts or practices

Section 2 Unfair Methods and Unfair or Deceptive Acts or Practices Prohibited No person partnership or corporation engaged in the business of insurance shall engage in unfair methods of competition or in unfair or deceptive acts or practices in the conduct of such business Such acts and practices are defined and declared to consist of the following

(a) Misrepresentations and False Advertising of Policy Contracts No person partnership or corporation engaged in the business of insurance in this Commonwealth shall make issue or circulate or cause to be made issued or circulated any estimate illustration circular or statement of any sort misrepresenting the terms of any policy issued or to be issued or the benefits or advantages promised thereby or the dividends or share of the surplus to be received thereon or shall use any name or title of any policy or class of policies misrepresenting the true nature thereof nor shall any such person partnership or corporation make any misrepresentation to any person insured in any company for the purpose of inducing or tending to induce a policyholder in any company to lapse forfeit or surrender his insurance

(b) False Information and Advertising Generally No person partnership or corporation engaged in the business of insurance in this Commonwealth shall make publish disseminate circulate or place before the public or cause directly or indirectly to be made published disseminated circulated or placed before the public in a newspaper or other publication or in the form of a notice circular pamphlet letter or poster or over any radio station or in any other way an advertisement announcement or statement of any sort containing any assertion representation or statement with respect to the business of insurance or with respect to any person partnership or corporation in the conduct of his or its insurance business which is untrue deceptive or misleading

(c) Defamation No person partnership or corporation engaged in the business of insurance in this Commonwealth shall make publish disseminate or circulate directly or indirectly or aid abet or encourage the making publishing disseminating or circulating of any oral or written statement pamphlet circular article or literature which is false and which is wilfully calculated to injure any other such person partnership or corporation

(d) Boycott Coercion and Intimidation No person partnership or corporation engaged in the business of insurance in this Commonwealth shall enter into any agreement to commit or by any concerted action commit any act of boycott coercion or intimidation resulting or tending to result in unreasonable restraint of or a monopoly in trade or commerce

(e) False Financial Statements No person partnership or corporation engaged in the business of insurance in this Commonwealth shall file with any supervisory or other public official or shall make publish disseminate circulate or deliver to any person or place before the public or cause directly or indirectly to be made published disseminated circulated delivered to any person or placed before the public any financial statement of an insurer which does not accurately state its true financial condition

(f) Stock Operations and Advisory Board Contracts No insurance company doing business in this Commonwealth shall issue or permit its agents officers or employes to issue or deliver agency company stock or other capital stock or benefit certificates or shares in any common-law corporation or securities of any special or advisory board or other contracts of any kind promising returns and profits as an inducement to insurance and no corporation or stock company acting as agent of an insurance company nor any of its agents officers or employees shall be permitted to sell agree or offer to sell or give or offer to give directly or indirectly in any manner whatsoever any share of stock securities bonds or agreement of any form or nature promising returns and profits as an inducement to insurance or in connection therewith

Section 3 Power and Duty of Commissioner The Insurance Commissioner shall have the duty of enforcing the provisions of this act and shall have power to examine and investigate into the affairs of every person partnership or corporation engaged in the business of insurance in order to determine whether such person partnership or corporation has been or is engaged in any of the acts methods and practices prohibited by this act

Section 4 Notice of Hearing When the commissioner shall have reason to believe that any person partnership or corporation has been or is engaging in any of such prohibited acts methods or practices and that action is called for he shall issue and serve upon such person partnership or corporation a statement of the charges and a notice of a hearing thereon to be held at a time and place fixed in the notice which shall not be less than ten days from the date of service thereof

Section 5 Hearing Witnesses Production of Books At the time and place fixed for the hearing such person partnership or corporation shall have an opportunity to be heard and to show cause why an order should not be made by the commissioner requiring such person partnership or corporation to cease and desist from the acts methods or practices constituting the alleged violation The commissioner upon such hearing may administer oaths examine and cross-examine witnesses receive oral and documentary evidence and shall have the power to subpoena witnesses compel their attendance and require the production of books papers records correspondence or other documents which he deems relevant to the inquiry

Section 6 Appearances Upon good cause shown the commissioner may permit any person partnership or corporation to intervene appear and be heard at such hearing

Section 7 Cease and Desist Order If after hearing the commissioner shall determine that the acts methods or practices which are the subject of the inquiry are prohibited under this act he shall reduce his findings to writing and shall issue and serve upon the person partnership or corporation charged with the violation an order requiring such person partnership or corporation to cease and desist from such acts methods or practices

Section 8 Procedure in Hearings and on Appeal In all particulars not hereinbefore specified the procedure before the Insurance Commissioner and on appeal to the Court of Common Pleas of Dauphin County and the right to make such appeal on the part of any person aggrieved by any final order decree decision determination or ruling of the commissioner shall be as prescribed by and provided for in the Administrative Agency Law approved June 4, 1945 and in the Rules of Civil Procedure promulgated by the Supreme Court of Pennsylvania and in any amendments of either thereof

Section 9 Penalties Any person partnership or corporation who violates an order of the commissioner to cease and desist after it has become final and while it is in effect shall forfeit to the people of the Commonwealth a sum not to exceed one thousand dollars ($1000) for each violation which may be recovered by a civil action In

determining the amount of such penalty consideration shall be given to whether or not such violation was wilful

Section 10 Procedure Additional The powers vested in the commissioner by this act and the forfeiture provided for violation of an order to cease and desist made pursuant thereto shall be in addition to any other procedures penalties fines or forfeitures authorized by law with respect to the methods acts and practices hereby declared to be unfair or deceptive

Section 11 Constitutionality If any section subsection subdivision paragraph sentence or clause of this act is held invalid or unconstitutional such decision shall not affect the remaining portions of this act

Section 12 Short Title This act shall be known and may be cited as "The Insurance Unfair Practices Act"

Section 13 Laws Repealed All acts and parts of acts inconsistent herewith are hereby repealed

Section 14 Effective Date The provisions of this act shall become effective the first day of January one thousand nine hundred forty-eight

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. ANDREWS. Mr. Speaker, I would like to suggest that the Chairman of the Insurance Committee have read into the record the brief which he has submitted to the House and to do it in connection with this bill.

I want to say with reference to the rating bills that the House has passed that I consider them as one of the notable achievements as far as insurance legislation in Pennsylvania is concerned, and that these bills go to an extent that I have never suspected in insuring to the insured the right that he has had difficulty in maintaining in the past. As I understand it, in the past the humble insured person, if he believed he was being discriminated against, had to try his case before an employe of the insurance company. Now that humblest person who holds insurance, as I read these bills, is entitled to appeal even up to the Commissioner of Insurance.

I want to congratulate the Chairman of the Insurance Committee upon the bills that he has so far submitted for the consideration of this House, and I wish as a matter of record he would read into the record the brief that he has submitted to us.

The SPEAKER. The Chair concurs with what the gentleman from Cambria has just stated.

Mr. KLINE. Mr. Speaker, I ask unanimous consent of the House to have the present brief which I have had prepared printed in the Legislative Journal.

The SPEAKER. The gentleman from Schuylkill, Mr. Kline, asks permission for the brief which has been prepared as an explanation to the series of insurance bills being passed, to be made a part of the record and printed in the Legislative Journal. The Chair hears no objection and permission is granted.

(Brief on Insurance Bills)

The purpose of Insurance Bills, House 887, 888, 890, 895, 897, 908, and 910, is to guarantee to the Commonwealth of Pennsylvania the right to continue to regulate and tax insurance companies doing business in Pennsylvania.

The right of a state to regulate and tax insurance companies doing business in the state was repeatedly recognized by the Supreme Court of the United States in a long list of decisions prior to June 5, 1944. On that date, the Supreme Court of the United States, in the case of United States v. Southeastern Underwriters' Assn., 322 U. S. 533, held that the business of insurance is interstate commerce and hence, subject to regulation by Congress. The effect of this decision was to give to the Federal Government the right to regulate and tax insurance and to make immediately applicable to the insurance business, all Acts which had been previously passed by Congress regulating interstate commerce, even though at the time of their enactment, insurance was not regarded as interstate commerce and hence, not subject to the provisions of the Federal Acts regulating interstate commerce.

Following a study of this "precedent-smashing" decision, Congress on March 9, 1945, enacted Public 15, in which it declared "that the continued regulation and taxation by the several States of the business of insurance is in the public interest." Section 2 (a) of the Act specifically provided that "The business of insurance, and every person engaged therein shall be subject to the laws of the several States which relate to the regulation or taxation of such business" and Section 2 (b) of the Act provides, among other things, that after January 1, 1948, the Sherman Anti-Trust Act, the Clayton Act and the Federal Trade Commission Act "shall be applicable to the business of insurance to the extent that such business is not regulated by State law." Section 3 (a) of the Act provided that until January 1, 1948, the Sherman Act, the Clayton Act, the Federal Trade Commission Act and Robinson-Patman Anti-Discriminatory Act shall not apply to the business of insurance.

In order to guarantee to the States the right to regulate and tax insurance business done in the States, the insurance industry constituted an All-Industry Committee to recommend to the States a pattern of legislation necessary to accomplish this purpose. The suggested pattern of legislation was then studied by the Pennsylvania All-Industry Committee and the House Bills referred to were unanimously agreed upon by the Committee as constituting legislation appropriate to guarantee to the Commonwealth of Pennsylvania the right to regulate and tax insurance business in Pennsylvania.

It is essential that the suggested Acts be enacted at this Session of the Legislature in order to have such Acts become effective prior to January 1, 1948, within the time limit fixed by Congress for action by the States in order to continue their right to regulate and tax insurance.

The Supreme Court of the United States has already held in Prudential Insurance Co. v. Benjamin, Insurance Commissioner, 328 U. S. 408, that the State of South Carolina has the right to tax foreign life insurance companies doing business in that State as a result of the authority conferred upon States by Public 15.

H. 887 is a Bill providing for the regulation of rates for insurance which may be written by stock or mutual casualty companies, associations or exchanges and conferring upon the Insurance Commissioner the power and duty to supervise and regulate casualty rates. Under existing law, the Insurance Commissioner has no power to supervise or regulate the rates charged by casualty companies in this Commonwealth. In order to meet the requirements of Public Law 15, it is necessary that the Commissioner be given the powers conferred upon him by this proposed Act.

H. 888 The purpose of this Bill is to expand and enlarge upon the powers of the Insurance Commissioner with regard to the regulation of rates for insurance written by stock or mutual fire and marine insurance companies.

Under present law, the Insurance Commissioner has some supervisory powers over the rates charged for fire insurance but the power is limited and is not sufficient in the opinion of counsel for the industry to meet the requirements of Public Law 15.

Therefore, the present Bill expands and enlarges the supervisory and regulatory powers of the Commissioner with regard to the rates charged by fire and marine insurance companies.

H. 887 and H. 888 also are designed to validate rating organizations and concert of action among companies in the establishing of rates and both Bills provide that the rates established, either independently or in concert, shall not be excessive, inadequate or unfairly discriminatory. Both Bills impose a duty on, and give to, the Insurance Commissioner of the Commonwealth of Pennsylvania adequate supervisory powers, to the end that the rates charged for insurance within the Commonwealth shall meet all of the requirements of these Bills.

H. 890 amends several sections of the Insurance Department Act of 1921 to make the provisions of this Act applicable to rating organizations which will be set up under H. 887 and H. 888.

H. 895 adds a new section to the Insurance Department Act of 1921 which will validate the payment of commissions to insurance brokers. Under the Robinson-Patman Act, a broker is prohibited from acting on behalf of both the buyer and seller. However, in the business of insurance it is a long established practice that while the broker is the agent of the buyer, he receives as compensation a commission from the seller (the insurance company). Since the Robinson-Patman Act was enacted at a time when it was thought that it did not apply to insurance, it is desirable to authorize the continuation of this well-established principle of insurance business.

H. 897 The purpose of this Bill is to amend several sections of the Insurance Company Act, excluding from the Act the sections which apply to fire rating bureaus since the rating organizations will be governed by H. 887 and H. 888. This Bill also enlarges the application of the discriminations provisions which relate to lines of insurance not subject to regulation under H. 887 and H. 888.

H. 908 The purpose of this Bill is to add four new sections to The Insurance Company Act which will validate the ownership of the capital stock of one insurance company by another insurance company and will authorize a director to be a director in two or more insurance companies. Such stock ownership has been recognized as proper under our present law; the insertion of these new sections validates an existing practice and gives the Insurance Commissioner the right to regulate the ownership and acquisition of the stock of one insurance company by another and to prevent the formation of combinations which would lead to monopoly or restraint of trade.

This Bill is intended to authorize the continuance of practices prohibited by the Clayton Act which was enacted at a time when insurance was not subject to the Clayton Act.

H. 910 The purpose of this Bill is to set up in Pennsylvania a Fair Trade Practices Act which will apply to the business of insurance. Unless this Bill is enacted, the Federal Trade Commission Act will be applicable and the Commonwealth will be deprived of its right to regulate trade practices in the insurance business. The provisions of this Act confer upon the Insurance Commissioner powers similar to those contained in the Federal Trade Commission Act insofar as they apply to the business of insurance. Many, if not all, of the provisions in this Act now appear either in The Insurance Department Act of 1921, The Insurance Company Act of 1921, or the Penal Code but it is felt that to assure the Commonwealth the right to continue to regulate the practices of the insurance business, it is advisable to enact legislation of this character.

Mr. BROWN. I do not, Mr. Speaker, intend to take any of the credit away from the Chairman of the Insurance Committee, but I do think the sponsor of this bill who had the job of inserting these many amendments should stand up and take a bow too. I would like for him to do so, because I have never witnessed so many amendments presented as fast as they were presented in connection with these bills. I think he is entitled to a bow too.

The SPEAKER. The Chair now recognizes the gentleman from Lebanon, Mr. Kurtz.

Mr. KURTZ. Mr. Speaker, I wish to thank the gentleman from Allegheny, Mr. Brown, for his kind remarks.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—199

Aaronson,	Frost,	McCormack,	Sax,
Andrews,	Gallagher,	McCosker,	Scanlon,
Bane,	Getchey,	McCullough,	Schuster,
Barrett,	Gibson,	McKinney,	Scott,
Baumunk,	Goff,	McMillen,	Serrill,
Beech,	Goodling,	Mihm,	Shoemaker,
Bender,	Gorman,	Mikula,	Simons,
Bentzel,	Graybill,	Miller,	Smith, C. C.,
Bloom,	Greenwood,	Mills,	Smith, C. M.,
Boies,	Greer,	Mintess,	Snider,
Bonawitz,	Griffiths,	Mohr,	Sollenberger,
Boorse,	Guthrie,	Mooney,	Sorg,
Bower,	Gyger,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenshield,	Murray,	Stimmel,
Brown,	Helm,	Myers,	Stockham,
Brunner,	Henry,	Najaka,	Stonier,
Bucchin,	Hewitt,	Naumann,	Stuart,
Cadwalader,	Hocker,	Needham,	Swope,
Capano,	Hoffman,	Neff,	Tahl,
Cassidy,	Hoopes,	Nelson,	Thomassy,
Chervenak,	Horan,	O'Connor,	Thompson,
Chudoff,	Imbt,	O'Dare,	Tittle,
Clevenger,	Jennings,	O'Donnell,	Tompkins,
Cochran,	Johnson,	O'Neill,	Toomey,
Cole,	Johnston,	Orban,	Turner,
Cook,	Jones,	Patten,	Upshur,
Cooper,	Jump,	Petrosky,	Vaughan,
Cordier,	Kelley,	Pichney,	Verona,
Costa,	Kean,	Pickens,	Wachhaus,
Crowley,	Kemp,	Polaski,	Wagner,
Dague,	Kent,	Powers,	Waldron,
Dalrymple,	Kirley,	Price,	Wallin,
Davison,	Kline,	Propert,	Walton,
De Long,	Kohl,	Ragot,	Waterhouse,
Demech,	Kratz,	Readinger,	Watkins,
Dennison,	Krise,	Reagan,	Watson,
Dix,	Kurtz,	Reese, R. E.,	Weidner,
Dye,	Laughner,	Reese, D. P.,	Weiss,
Efenberg,	Layer,	Reilly, J. M.,	Wescott,
Elder,	Lee,	Reilly, W. J.,	Wheeler,
Erb,	Leisey,	Richter,	Wolf,
Evans,	Livingston,	Riley,	Wood,
Ewing,	Livingstone,	Robbins,	Worley,
Feola,	Loftus,	Robertson,	Yeakel,
Fish,	Lovett,	Root,	Yester,
Fiss,	Lyons,	Rose,	Yetzer,
Flack,	Madden,	Rowen,	Young,
Fleming,	Madigan,	Royer,	Lichtenwalter,
Foor,	Mazza,	Sarraf,	Speaker.

NAYS—0

NOT VOTING—6

Depuy,	McDonald,	Trout,	West,
Hall,	Morrison,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 917, as follows:

An Act to repeal the act approved the nineteenth day of March one thousand nine hundred forty-three (P. L. 19) entitled "An act reducing for a limited period of time the training period of medical internship in hospitals in order to qualify for examination for license to practice medicine and surgery and suspending inconsistent laws"

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the nineteenth day of March one thousand nine hundred forty-three (P. L. 19) entitled "An act reducing for a limited period of time the training period of medical internship in hospitals in order to qualify for examination for license to practice medicine and surgery and suspending inconsistent laws" is hereby repealed

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—199

Aaronson,	Frost,	McCormack,	Sax,
Andrews,	Gallagher,	McCosker,	Scanlon,
Bane,	Getchey,	McCullough,	Schuster,
Barrett,	Gibson,	McKinney,	Scott,
Baumunk,	Goff,	McMillen,	Serrill,
Beech,	Goodling,	Mihm,	Shoemaker,
Bender,	Gorman,	Mikula,	Simons,
Bentzel,	Graybill,	Miller,	Smith, C. C.,
Bloom,	Greenwood,	Mills,	Smith, C. M.,
Boles,	Greer,	Mintess,	Snider,
Bonawitz,	Griffiths,	Mohr,	Sollenberger,
Boorse,	Guthrie,	Mooney,	Sorg,
Bower,	Gyger,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenshield,	Murray,	Stimmel,
Brown,	Helm,	Myers,	Stockham,
Brunner,	Henry,	Najaka,	Stonier,
Bucchin,	Hewitt,	Naumann,	Stuart,
Cadwalader,	Hocker,	Needham,	Swope,
Capano,	Hoffman,	Neff,	Tahl,
Cassidy,	Hoopes,	Nelson,	Thomassy,
Chervenak,	Horan,	O'Connor,	Thompson,
Chudoff,	Imbt,	O'Dare,	Tittle,
Clevenger,	Jennings,	O'Donnell,	Tompkins,
Cochran,	Johnson,	O'Neill,	Toomey,
Cole,	Johnston,	Orban,	Turner,
Cook,	Jones,	Patten,	Upshur,
Cooper,	Jump,	Petrosky,	Vaughan,
Cordier,	Kean,	Pichney,	Verona,
Costa,	Kelley,	Pickens,	Wachhaus,
Crowley,	Kemp,	Polaski,	Wagner,
Dague,	Kent,	Powers,	Waldron,
Dalrymple,	Kirley,	Price,	Wallin,
Davison,	Kline,	Propert,	Walton,
De Long,	Kohl,	Ragot,	Waterhouse,
Demech,	Krise,	Readinger,	Watkins,
Dennison,	Kurtz,	Reagan,	Watson,
Dix,	Laughner,	Reese, D. P.,	Weidner,
Dye,	Layer,	Reese, R. E.,	Weiss,
Efenberg,	Lee,	Reilly, J. M.,	Wescott,
Elder,	Leisey,	Reilly, W. J.,	Wheeler,
Erb,	Livingston,	Richter,	Wolf,
Evans,	Livingstone,	Riley,	Wood,
Ewing,	Loftus,	Robbins,	Worley,
Feola,	Lovett,	Robertson,	Yeakel,
Fish,	Lyons,	Root,	Yester,
Fiss,	Kratz,	Rose,	Yetzer,
Flack,	Madden,	Rowen,	Young,
Fleming,	Madigan,	Royer,	Lichtenwalter,
Foor,	Mazza,	Sarraf,	Speaker.

NAYS—0

NOT VOTING—6

Depuy,	McDonald,	Trout,	West,
Hall,	Morrison,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Boll No. 921, as follows:

An Act to repeal the act approved the twenty-second day of April one thousand nine hundred forty-three (P. L. 71) entitled "An act authorizing the State Board of Medical Education and Licensure to issue temporary permits to doctors of medicine legally licensed in other states to practice medicine and surgery in this State under certain conditions for a limited period of time"

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the twenty-second day of April one thousand nine hundred forty-three (P. L. 71) entitled "An act authorizing the State Board of Medical Education and Licensure to issue temporary permits to doctors of medicine legally licensed in other states to practise medicine and surgery in this State under certain conditions for a limited period of time" is hereby repealed

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—199

Aaronson,	Frost,	McCormack,	Sax,
Andrews,	Gallagher,	McCosker,	Scanlon,
Bane,	Getchey,	McCullough,	Schuster,
Barrett,	Gibson,	McKinney,	Scott,
Baumunk,	Goff,	McMillen,	Serrill,
Beech,	Goodling,	Mihm,	Shoemaker,
Bender,	Gorman,	Mikula,	Simons,
Bentzel,	Graybill,	Miller,	Smith, C. C.,
Bloom,	Greenwood,	Mills,	Smith, C. M.,
Boles,	Greer,	Mintess,	Snider,
Bonawitz,	Griffiths,	Mohr,	Sollenberger,
Boorse,	Guthrie,	Mooney,	Sorg,
Bower,	Gyger,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenshield,	Murray,	Stimmel,
Brown,	Helm,	Myers,	Stockham,
Brunner,	Henry,	Najaka,	Stonier,
Bucchin,	Hewitt,	Naumann,	Stuart,
Cadwalader,	Hocker,	Needham,	Swope,
Capano,	Hoffman,	Neff,	Tahl,
Cassidy,	Hoopes,	Nelson,	Thomassy,
Chervenak,	Horan,	O'Connor,	Thompson,
Chudoff,	Imbt,	O'Dare,	Tittle,
Clevenger,	Jennings,	O'Donnell,	Tompkins,
Cochran,	Johnson,	O'Neill,	Toomey,
Cole,	Johnston,	Orban,	Turner,
Cook,	Jones,	Patten,	Upshur,

Cooper,	Jump,	Petrosky,	Vaughan,
Cordier,	Kean,	Pichney,	Verona,
Costa,	Kelley,	Pickens,	Wachhaus,
Crowley,	Kemp,	Polaski,	Wagner,
Dague,	Kent,	Powers,	Waldron,
Dalrymple,	Kirley,	Price,	Wallin,
Davison,	Kline,	Propert,	Walton,
De Long,	Kohl,	Ragot,	Waterhouse,
Demech,	Krise,	Readinger,	Watkins,
Dennison,	Kurtz,	Reagan,	Watson,
Dix,	Laughner,	Reese, D. P.,	Weidner,
Dye,	Layer,	Reese, R. E.,	Weiss,
Efenberg,	Lee,	Reilly, J. M.,	Wescott,
Elder,	Leisey,	Reilly, W. J.,	Wheeler,
Erb,	Livingston,	Richter,	Wolf,
Evans,	Livingstone,	Riley,	Wood,
Ewing,	Loftus,	Robbins,	Worley,
Feola,	Lovett,	Robertson,	Yeakel,
Fish,	Lyons,	Root,	Yester,
Fiss,	Kratz,	Rose,	Yetzer,
Flack,	Madden,	Rowen,	Young,
Fleming,	Madigan,	Royer,	Lichtenwalter,
Foor,	Mazza,	Sarraf,	Speaker.

NAYS—0

NOT VOTING—6

Depuy,	McDonald,	Trout,	West,
Hall,	Morrison,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 936, as follows:

An Act to further amend section one of the act approved the twenty-sixth day of May one thousand nine hundred forty-three (P. L. 507) entitled "An act authorizing administrative boards within the Department of Public Instruction for the duration of the present War to admit examination and grant licenses or registration to certain applicants who are less than twenty-one but not less than twenty years of age" further regulating the professional examination licensure or registration of persons who are less than twenty years of age

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one of the act approved the twenty-sixth day of May one thousand nine hundred forty-three (P. L. 607) entitled "An act authorizing administrative boards within the Department of Public Instruction for the duration of the present War to admit to examination and grant licenses or registration to certain applicants who are less than twenty-one but not less than twenty years of age" as amended by the act approved the eighteenth day of May one thousand nine hundred forty-five (P. L. 653) is hereby further amended to read as follows

Section 1 Notwithstanding the provisions of any other law [for the duration of the present War in which the United States is engaged and for one year after the cessation of hostilities] until the thirtieth day of June one thousand nine hundred forty-eight any departmental administrative board within the Department of Public Instruction authorized to administer examinations for licensure or registration to practice a profession except the professions of medicine dentistry osteopathy and optometry may admit to examination and authorize the issuance of a license or registration to an applicant who is less than twenty-one years of age but not less than twenty years of age and who is a citizen of the United States

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—199

Aaronson,	Frost,	McCormack,	Sax,
Andrews,	Gallagher,	McCosker,	Scanlon,
Bane,	Getchey,	McCullough,	Schuster,
Barrett,	Gibson,	McKinney,	Scott,
Baumunk,	Goff,	McMillen,	Serrill,
Beech,	Goodling,	Mihm,	Shoemaker,
Bender,	Gorman,	Mikula,	Simons,
Bentzel,	Graybill,	Miller,	Smith, C. C.,
Bloom,	Greenwood,	Mills,	Smith, C. M.,
Boies,	Greer,	Mintess,	Snider,
Bonawitz,	Griffiths,	Mohr,	Sollenberger,
Boorse,	Guthrie,	Mooney,	Sorg,
Bower,	Gyger,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenshield,	Murray,	Stimmel,
Brown,	Helm,	Myers,	Stockham,
Brunner,	Henry,	Najaka,	Stonier,
Bucchin,	Hewitt,	Naumann,	Stuart,
Cadwalader,	Hocker,	Needham,	Swope,
Capano,	Hoffman,	Neff,	Tahl,
Cassidy,	Hoopes,	Nelson,	Thomassy,
Chervenak,	Horan,	O'Connor,	Thompson,
Chudoff,	Imbt,	O'Dare,	Tittle,
Clevenger,	Jennings,	O'Donnell,	Tompkins,
Cochran,	Johnson,	O'Neill,	Toomey,
Cole,	Johnston,	Orban,	Turner,
Cook,	Jones,	Patten,	Upshur,
Cooper,	Jump,	Petrosky,	Vaughan,
Cordier,	Kean,	Pichney,	Verona,
Costa,	Kelley,	Pickens,	Wachhaus,
Crowley,	Kemp,	Polaski,	Wagner,
Dague,	Kent,	Powers,	Waldron,
Dalrymple,	Kirley,	Price,	Wallin,
Davison,	Kline,	Propert,	Walton,
De Long,	Kohl,	Ragot,	Waterhouse,
Demech,	Kratz,	Readinger,	Watkins,
Dennison,	Krise,	Reagan,	Watson,
Dix,	Kurtz,	Reese, D. P.,	Weidner,
Dye,	Laughner,	Reese, R. E.,	Weiss,
Efenberg,	Layer,	Reilly, J. M.,	Wescott,
Elder,	Lee,	Reilly, W. J.,	Wheeler,
Erb,	Leisey,	Richter,	Wolf,
Evans,	Livingston,	Riley,	Wood,
Ewing,	Livingstone,	Robbins,	Worley,
Feola,	Loftus,	Robertson,	Yeakel,
Fish,	Lovett,	Root,	Yester,
Fiss,	Lyons,	Rose,	Yetzer,
Flack,	Madden,	Rowen,	Young,
Fleming,	Madigan,	Royer,	Lichtenwalter,
Foor,	Mazza,	Sarraf,	Speaker.

NAYS—0

NOT VOTING—6

Depuy,	McDonald,	Trout,	West,
Hall,	Morrison,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

CHESTER COUNTY WOMEN'S REPUBLICAN CLUB WELCOMED

The SPEAKER. The Chair is pleased to have as guests this afternoon the members of the Chester County Women's Republican Club, who are here as guests of the Members from Chester County, Messrs. Leisey, Gyger and Hoopes. They are here under the direction of their president, Mrs. Martha Passmore.

ANNOUNCEMENT

The SPEAKER. The Chair would like to make an announcement to the Members.

The Chair understands that there will distributed in the mail boxes of each and every Member of the House t[illegible], and tomorrow, and then at intervals during the Session, a new legislative service prepared and known as Purdons Pennsylvania Legislative Service, which contains all of the Acts from 1 to 12, punctuated and ready for use, together with other valuable information.

The Chair understands that the Members will be supplied with this very valuable service, and I am sure it will be of great benefit and help to all the Members.

It is being prepared by the West Publishing Company, and the chair understands it is given to the Members through the graciousness and kindness of the West Publishing Company, with their compliments.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 940, as follows:

An Act to amend subdivision (e) of article five of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eight classes and revising amending and consolidating the laws relating thereto" allowing counties of the second class to expend county moneys for aiding townships to construct or complete water systems

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subdivision (e) of article five of the act aproved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" is hereby amended by adding at the end thereof a new section to read as follows

Section 451 Aid to Townships for Water Systems The board of county commissioners of counties of the second class may appropriate moneys from the county treasury to aid townships to construct or complete water systems where such water systems have been first approved by the Sanitary Board in the State Department of Health

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—199

Aaronson,	Frost,	McCormack,	Sax,
Andrews,	Gallagher,	McCosker,	Scanlon,
Bane,	Getchey,	McCullough,	Schuster,
Barrett,	Gibson,	McKinney,	Scott,
Baumunk,	Goff,	McMillen,	Serrill,
Beech,	Goodling,	Mihm,	Shoemaker,
Bender,	Gorman,	Mikula,	Simons,
Bentzel,	Graybill,	Miller,	Smith, C. C.,
Bloom,	Greenwood,	Mills,	Smith, C. M.,
Boies,	Greer,	Mintess,	Snider,
Bonawitz,	Griffiths,	Mohr,	Sollenberger,
Boorse,	Guthrie,	Mooney,	Sorg,
Bower,	Gyger,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenshield,	Murray,	Stimmel,
Brown,	Helm,	Myers,	Stockham,
Brunner,	Henry,	Najaka,	Stonier,
Bucchin,	Hewitt,	Naumann,	Stuart,
Cadwalader,	Hocker,	Needham,	Swope,
Capano,	Hoffman,	Neff,	Tahl,
Cassidy,	Hoopes,	Nelson,	Thomassy,
Chervenak,	Horan,	O'Connor,	Thompson,
Chudoff,	Imbt,	O'Dare,	Tittle,
Clevenger,	Jennings,	O'Donnell,	Tompkins,
Cochran,	Johnson,	O'Neill,	Toomey,
Cole,	Johnston,	Orban,	Turner,
Cook,	Jones,	Patten,	Upshur,
Cooper,	Jump,	Petrosky,	Vaughan,
Cordier,	Kean,	Pichney,	Verona,
Costa,	Kelley,	Pickens,	Wachhaus,
Crowley,	Kemp,	Polaski,	Wagner,
Dague,	Kent,	Powers,	Waldron,
Dalrymple,	Kirley,	Price,	Wallin,
Davison,	Kline,	Propert,	Walton,
De Long,	Kohl,	Ragot,	Waterhouse,
Demech,	Kratz,	Readinger,	Watkins,
Dennison,	Krise,	Reagan,	Watson,
Dix,	Kurtz,	Reese, D. P.,	Weidner,
Dye,	Laughner,	Reese, R. E.,	Weiss,
Efenberg,	Layer,	Reilly, J. M.,	Wescott,
Elder,	Lee,	Reilly, V. J.,	Wheeler,
Erb,	Leisey,	Richter,	Wolf,
Evans,	Livingston,	Riley,	Wood,
Ewing,	Livingstone,	Robbins,	Worley,
Feola,	Loftus,	Robertson,	Yeakel,
Fish,	Lovett,	Root,	Yester,
Fiss,	Lyons,	Rose,	Yetzer,
Flack,	Madden,	Rowen,	Young,
Fleming,	Madigan,	Royer,	Lichtenwalter,
Foor,	Mazza,	Sarraf,	Speaker.

NAYS—0

NOT VOTING—6

Depuy,	McDonald,	Trout,	West,
Hall,	Morrison,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 957, as follows:

A Joint Resolution proposing an amendment to article nine section four of the Constitution of the Commonwealth of Pennsylvania increasing the maximum amount of State debt to supply the deficiencies in revenue

The General Assembly of the Commonwealth of Pennsylvania hereby resolves as follows

Section 1 The following amendment to the Constitution of the Commonwealth of Pennsylvania be and the same is hereby proposed in accordance with the eighteenth article thereof

That section four of article nine is hereby amended to read as follows

Section 4 No debt shall be created by or on behalf of the State except to supply casual deficiencies of revenue repel invasion suppress insurrection defend the State in war or to pay existing debt and the debt created to supply deficiencies in revenue shall never exceed in the aggregate at any one time fifty million dollars ($50,000,000) Provided however That in determining the limit upon State debt under the provisions of this section no account shall be taken of the debt created under the provisions of the section prior to amendment nor shall any account be taken of the amount of any debt created under the provisions of any other section of this article

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—199

Aaronson,	Frost,	McCormack,	Sax,
Andrews,	Gallagher,	McCosker,	Scanlon,
Bane,	Getchey,	McCullough,	Schuster,
Barrett,	Gibson,	McKinney,	Scott,
Baumunk,	Goff,	McMillen,	Serrill,
Beech,	Goodling,	Mihm,	Shoemaker,
Bender,	Gorman,	Mikula,	Simons,
Bentzel,	Graybill,	Miller,	Smith, C. C.,
Bloom,	Greenwood,	Mills,	Smith, C. M.,
Boles,	Greer,	Mintess,	Snider,
Bonawitz,	Griffiths,	Mohr,	Sollenberger,
Boorse,	Guthrie,	Mooney,	Sorg,
Bower,	Gyger,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenshield,	Murray,	Stimmel,
Brown,	Helm,	Myers,	Stockham,
Brunner,	Henry,	Najaka,	Stonier,
Bucchin,	Hewitt,	Naumann,	Stuart,
Cadwalader,	Hocker,	Needham,	Swope,
Capano,	Hoffman,	Neff,	Tahl,
Cassidy,	Hoopes,	Nelson,	Thomassy,
Chervenak,	Horan,	O'Connor,	Thompson,
Chudoff,	Imbt,	O'Dare,	Tittle,
Clevenger,	Jennings,	O'Donnell,	Tompkins,
Cochran,	Johnson,	O'Neill,	Toomey,
Cole,	Johnston,	Orban,	Turner,
Cook,	Jones,	Patten,	Upshur,
Cooper,	Jump,	Petrosky,	Vaughan,
Cordier,	Kean,	Pichney,	Verona,
Costa,	Kelley,	Pickens,	Wachhaus,
Crowley,	Kemp,	Polaski,	Wagner,
Dague,	Kent,	Powers,	Waldron,
Dalrymple,	Kirley,	Price,	Wallin,
Davison,	Kline,	Propert,	Walton,
De Long,	Kohl,	Ragot,	Waterhouse,
Demech,	Kratz,	Readinger,	Watkins,
Dennison,	Krise,	Reagan,	Watson,
Dix,	Kurtz,	Reese, D. P.,	Weidner,
Dye,	Laughner,	Reese, R. E.,	Weiss,
Ehrenberg,	Layer,	Reilly, J. M.,	Wescott,
Elder,	Lee,	Reilly, W. J.,	Wheeler,
Erb,	Leisey,	Richter,	Wolf,
Evans,	Livingston,	Riley,	Wood,
Ewing,	Livingstone,	Robbins,	Worley,
Feola,	Loftus,	Robertson,	Yeakel,
Fish,	Lovett,	Root,	Yester,
Fiss,	Lyons,	Rose,	Yetzer,
Flack,	Madden,	Rowen,	Young,
Fleming,	Madigan,	Royer,	Lichtenwalter,
Foor,	Mazza,	Sarraf,	Speaker.

NAYS—0

NOT VOTING—6

Depuy,	McDonald,	Trout,	West,
Hall,	Morrison,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1014, as follows:

An Act to further amend the fifth paragraph of section three hundred five of the act approved the twenty-ninth day of November one thousand nine hundred thirty-three (P. L. 15 1933-34) entitled as amended "An act to regulate and restrain the sale manufacture possession transportation importation traffic in and use of alcohol and alcoholic and malt or brewed beverages conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents the Department of Public Instruction other officers of the State government courts and district attorneys authorizing and operation of State stores for the sale of such beverages not for consumption on the premises and the granting of licenses subject to local option to sell such beverages for consumption on and off the premises forbidding importation or bringing of such beverages into the State except as herein provided certain sales or practices in connection with and transactions in such beverages by licensees and others providing for the forfeiture of certain property making disposition of the receipts from State stores and of fees and imposing penalties" permitting for a limited period of time wines to be sold without having affixed to the package the official seal of the board

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The fifth paragraph of section three hundred five of the act approved the twenty-ninth day of November one thousand nine hundred thirty-three (P. L. 15 1933-34) entitled as amended " An act to regulate and restrain the sale manufacture possession transportation importation traffic in and use of alcohol and alcoholic and malt or brewed beverages conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents the Department of Public Instruction other officers of the State government courts and district attorneys authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises and the granting of licenses subject to local option to sell such beverages for consumption on and off the premises forbidding importation or bringing of such beverages into the State except as herein provided prohibiting certain sales or practices in connection with and transaction in such beverages by licensees and others providing for the forfeiture of certain property making disposition of the receipts from State stores and of fees and imposing penalties" as last amended by the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 403) is hereby further amended to read as follows

Section 305 Sales by Pennsylvania Liquor Stores

* * * * *

No liquor or alcohol shall be sold to any purchaser except in a package bearing the official seal of the board required by this act which package shall not be opened on the premises of a Pennsylvania Liquor Store Provided however That in the case of wines no such official seal of the board shall be required to be affixed to the package for a period of two years commencing the first day of August one thousand nine hundred forty-seven No manager or other employe of the board employed in a Pennsylvania Liquor Store shall allow any liquor or alcohol to be consumed on the store premises nor shall any person consume any liquor or alcohol on such premises

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—198

Aaronson,	Gallagher,	McCosker,	Scanlon,
Andrews,	Getchey,	McCullough,	Schuster,
Bane,	Gibson,	McKinney,	Scott,
Barrett,	Goff,	McMillen,	Serrill,
Baumunk,	Goodling,	Mihm,	Shoemaker,
Beech,	Gorman,	Mikula,	Simons,
Bender,	Graybill,	Miller,	Smith, C. C.,
Bentzel,	Greenwood,	Mills,	Smith, C. M.,
Bloom,	Greer,	Mintess,	Snider,
Boles,	Griffiths,	Mohr,	Sollenberger,
Bonawitz,	Guthrie,	Mooney,	Sorg,
Boorse,	Gyger,	Moore, C. E.,	Sproul,

Bower,	Haller,	Moore, H. A.,	Stank,
Breisch,	Haudenshield,	Murray,	Stimmel,
Brice,	Helm,	Myers,	Stockham,
Brown,	Henry,	Najaka,	Stonier,
Brunner,	Hewitt,	Naumann,	Stuart,
Bucchin,	Hocker,	Needham,	Swope,
Cadwalader,	Hoffman,	Neff,	Tahl,
Capano,	Hoopes,	Nelson,	Thomassy,
Cassidy,	Horan,	O'Connor,	Thompson,
Chudoff,	Imbt,	O'Dare,	Tittle,
Clevenger,	Jennings,	O'Donnell,	Tompkins,
Cochran,	Johnson,	O'Neill,	Toomey,
Cole,	Johnston,	Orban,	Turner,
Cook,	Jones,	Patten,	Upshur,
Cooper,	Jump,	Petrosky,	Vaughan,
Cordier,	Kean,	Pichney,	Verona,
Costa,	Kelley,	Pickens,	Wachhaus,
Crowley,	Kemp,	Polaski,	Wagner,
Dague,	Kent,	Powers,	Waldron,
Dalrymple,	Kirley,	Price,	Wallin,
Davison,	Kline,	Propert,	Walton,
De Long,	Kohl,	Ragot,	Waterhouse,
Demech,	Kratz,	Readinger,	Watkins,
Dennison,	Krise,	Reagan,	Watson,
Dix,	Kurtz,	Reese, D. P.,	Weidner,
Dye,	Laughner,	Reese, R. E.,	Weiss,
Efenberg,	Layer,	Reilly, J. M.,	Wescott,
Elder,	Lee,	Reilly, W. J.,	Wheeler,
Erb,	Leisey,	Richter,	Wolf,
Evans,	Livingston,	Riley,	Wood,
Ewing,	Livingstone,	Robbins,	Worley,
Feola,	Loftus,	Robertson,	Yeakel,
Fish,	Lovett,	Root,	Yester,
Fiss,	Lyons,	Rose,	Yetzer,
Flack,	Madden,	Rowen,	Young,
Fleming,	Madigan,	Royer,	Lichtenwalter,
Foor,	Mazza,	Sarraf,	Speaker.
Frost,	McCormack,	Sax,	

NAYS—1

Chervenak,

NOT VOTING—6

Depuy,	McDonald,	Trout,	West,
Hall,	Morrison,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection

House Bill No. 1084, Printer's No. 224,

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1088, as follows:

An Act validating the charters and the registration of the corporate name of certain nonprofit corporations

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 All charters of incorporation heretofore granted by any of the courts of common pleas of this Commonwealth to applicants for incorporation and the registration of the corporate name of such corporations heretofore registered under the provisions of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 289) known as "The Nonprofit Corporation Law" shall be and the same are hereby validated and confirmed notwithstanding that such nonprofit corporations' charters were not approved by the court within six (6) months after the registration of such corporate name Provided That such application as filed and approved by the court and such registration of the corporate name otherwise complied with all the provisions of said act

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—199

Aaronscn,	Frost,	McCormack,	Sax,
Andrews,	Gallagher,	McCosker,	Scanlon,
Bane,	Getchey,	McCullough,	Schuster,
Barrett,	Gibson,	McKinney,	Scott,
Baumunk,	Goff,	McMillen,	Serrill,
Beech,	Goodling,	Mihm,	Shoemaker,
Bender,	Gorman,	Mikula,	Simons,
Bentzel,	Graybill,	Miller,	Smith, C. C.,
Bloom,	Greenwood,	Mills,	Smith, C. M.,
Boles,	Greer,	Mintess,	Snider,
Bonawitz,	Griffiths,	Mohr,	Sollenberger,
Boorse,	Guthrie,	Mooney,	Sorg,
Bower,	Gyger,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenshield,	Murray,	Stimmel,
Brown,	Helm,	Myers,	Stockham,
Brunner,	Henry,	Najaka,	Stonier,
Bucchin,	Hewitt,	Naumann,	Stuart,
Cadwalader,	Hocker,	Needham,	Swope,
Capano,	Hoffman,	Neff,	Tahl,
Cassidy,	Hoopes,	Nelson,	Thomassy,
Chervenak,	Horan,	O'Connor,	Thompson,
Chudoff,	Imbt,	O'Dare,	Tittle,
Clevenger,	Jennings,	O'Donnell,	Tompkins,
Cochran,	Johnson,	O'Neill,	Toomey,
Cole,	Johnston,	Orban,	Turner,
Cook,	Jones,	Patten,	Upshur,
Cooper,	Jump,	Petrosky,	Vaughan,
Cordier,	Kean,	Pichney,	Verona,
Costa,	Kelley,	Pickens,	Wachhaus,
Crowley,	Kemp,	Polaski,	Wagner,
Dague,	Kent,	Powers,	Waldron,
Dalrymple,	Kirley,	Price,	Wallin,
Davison,	Kline,	Propert,	Walton,
De Long,	Kohl,	Ragot,	Waterhouse,
Demech,	Kratz,	Readinger,	Watkins,
Dennison,	Krise,	Reagan,	Watson,
Dix,	Kurtz,	Reese, D. P.,	Weidner,
Dye,	Laughner,	Reese, R. E.,	Weiss,
Efenberg,	Layer,	Reilly, J. M.,	Wescott,
Elder,	Lee,	Reilly, W. J.,	Wheeler,
Erb,	Leisey,	Richter,	Wolf,
Evans,	Livingston,	Riley,	Wood,
Ewing,	Livingstone,	Robbins,	Worley,
Feola,	Loftus,	Robertson,	Yeakel,
Fish,	Lovett,	Root,	Yester,
Fiss,	Lyons,	Rose,	Yetzer,
Flack,	Madden,	Rowen,	Young,
Fleming,	Madigan,	Royer,	Lichtenwalter,
Foor,	Mazza,	Sarraf,	Speaker.

NAYS—0

NOT VOTING—6

Depuy,	McDonald,	Trout,	West,
Hall,	Morrison,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1143, as follows:

An Act providing that the Soldiers' and Sailors' Home at Erie Pennsylvania shall provide ample facilities for caring for any mentally deranged veterans or civilians who may be detained there temporarily

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Soldiers' and Sailors' Home at Erie Pennsylvania shall at all times provide ample facilities for the temporary care of any number of mentally deranged veterans or civilians till such time as such persons are committed to a mental institution or veteran's hospital

Section 2 A member of the staff of the said institution capable of providing care for mental patients shall be available at all times to administer sedatives or provide any other necessary aid for the mental patients provided for by this act

Section 3 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—199

Aaronson,	Frost,	McCormack,	Sax,
Andrews,	Gallagher,	McCosker,	Scanlon,
Bane,	Getchey,	McCullough,	Schuster,
Barrett,	Gibson,	McKinney,	Scott,
Baumunk,	Goff,	McMillen,	Serrill,
Beech,	Goodling,	Mihm,	Shoemaker,
Bender,	Gorman,	Mikula,	Simons,
Bentzel,	Graybill,	Miller,	Smith, C. C.,
Bloom,	Greenwood,	Mills,	Smith, C. M.,
Boies,	Greer,	Mintess,	Snider,
Bonawitz,	Griffiths,	Mohr,	Sollenberger,
Boorse,	Guthrie,	Mooney,	Sorg,
Bower,	Gyger,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenshield,	Murray,	Stimmel,
Brown,	Helm,	Myers,	Stockham,
Brunner,	Henry,	Najaka,	Stonier,
Bucchin,	Hewitt,	Naumann,	Stuart,
Cadwalader,	Hocker,	Needham,	Swope,
Capano,	Hoffman,	Neff,	Tahl,
Cassidy,	Hoopes,	Nelson,	Thomassy,
Chervenak,	Horan,	O'Connor,	Thompson,
Chudoff,	Imbt,	O'Dare,	Tittle,
Clevenger,	Jennings,	O'Donnell,	Tompkins,
Cochran,	Johnson,	O'Neill,	Toomey,
Cole,	Johnston,	Orban,	Turner,
Cook,	Jones,	Patten,	Upshur,
Cooper,	Jump,	Petrosky,	Vaughan,
Cordier,	Kean,	Pichney,	Verona,
Costa,	Kelley,	Pickens,	Wachhaus,
Crowley,	Kemp,	Polaski,	Wagner,
Dague,	Kent,	Powers,	Waldron,
Dalrymple,	Kirley,	Price,	Wallin,
Davison,	Kline,	Propert,	Walton,
De Long,	Kohl,	Ragot,	Waterhouse,
Demech,	Kratz,	Readinger,	Watkins,
Dennison,	Krise,	Reagan,	Watson,
Dix,	Kurtz,	Reese, D. P.,	Weidner,
Dye,	Laughner,	Reese, R. E.,	Weiss,
Efenberg,	Layer,	Reilly, J. M.,	Wescott,
Elder,	Lee,	Reilly, W. J.,	Wheeler,
Erb,	Leisey,	Richter,	Wolf,
Evans,	Livingston,	Riley,	Wood,
Ewing,	Livingstone,	Robbins,	Worley,
Feola,	Loftus,	Robertson,	Yeakel,
Fish,	Lovett,	Root,	Yester,
Fiss,	Lyons,	Rose,	Yetzer,
Flack,	Madden,	Rowen,	Young,
Fleming,	Madigan,	Royer,	Lichtenwalter,
Foor,	Mazza,	Sarraf,	Speaker.

NAYS—0

NOT VOTING—6

Depuy,	McDonald,	Trout,	West,
Hall,	Morrison,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Boll No. 1173, as follows:

An Act to amend the title of and the act approved the fifth day of May one thousand nine hundred twenty-seven (P. L. 817) entitled "An act authorizing and regulating the growth sale and distribution of forest tree seedlings and transplants by the Department of Forest and Waters regulating the use of such forest tree seedlings and transplants and imposing duties upon the Department of Agriculture with regard to the enforcement of this act" by extending its provisions to include shrubs and vines under certain curcumstances

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title and sections one two three and five of the act approved the fifth day of May one thousand nine hundred twenty-seven (P. L. 817) entitled "An act authorizing and regulating the growth sale and distribution of forest tree seedlings and thansplants by the Department of Forest and Waters regulating the use of such forest tree seedlings and transplants and imposing duties upon the Department of Agriculture with regard to the enforcement of this act" are hereby amended to read as follows

An Act authorizing and regulating the growth sale and distribution of forest tree seedlings [and] transplants shrubs and vines by the Department of Forest and Waters regulating the use of such forest tree seedlings [and] transplants shrubs and vines and imposing duties upon the Department of Agriculture with regard to the enforcement of this act

Section 1 Be it enacted &c That the Department of Forest and Waters is hereby authorized to grow forest tree seedlings [and] transplants shrubs and vines and to sell the same at a sum not to exceed the average cost of production and shipping to persons partnerships and corporations desiring to plant them The moneys collected by the Department from the sale and shipping of trees shrubs and vines under this act shall be paid into the State Treasury [for the use of the Commonwealth]

Section 2 Before the department shall sell any trees or shrubs or vines to any person partnership or corporation it shall require such person partnership or corporation to enter into an agreement or contract with the department in which such person partnership or corporation shall agree (a) That all forest tree seedlings and transplants so purchased shall be planted in Pennsylvania for watershed protection or for wood products or that all shrubs or vines so purchased shall be planted in Pennsylvania for soil erosion control reclamation of areas affected by open pit mining and for wildlife food and cover (b) That the trees shrubs or vines will not be sold by the purchaser for removal from the land [until they become] without the prior written approval of the department except in the case of trees which are large enough for use as wood products (c) That a report on the planting will be furnished by the planter when requested by the department (d) That the planted area will be protected as far as possible from fire grazing and trespassing (e) That if such trees shrubs or vines are sold or offered for sale for ornamental purposes the person partnership or corporation shall become liable to the Commonwealth for the payment of a penalty equal to three times the sale value of the trees sold and (f) Such other conditions and stipulations as the Department of Forest and Waters may require

Section 3 No trees shrubs or vines shall be sold by the Department under the provisions of this act that are to be planted for [windbreaks] hedges table trees potted trees or for shade or ornamental use

Section 5 It shall be unlawful for the Department of Agriculture to grant a permit certificate of inspection under section six [paragraph b of the act approved the tenth day of March one thousand nine hundred and twenty-seven entitled "An act relating to the protection of agriculture and horticulture from plant pests and amending revising consolidating and changing the law relating thereto defining the powers and duties of the Department of Agriculture relating thereto providing penalties and repealing present laws"] of the act approved the twenty-first day of April one thousand nine hundred thirty-seven (P. L. 318) known as "The Pennsylvania Plant Pest Act of 1937" and its amendments to landowners who are about to sell or remove unlawfully trees originally supplied from the State nurseries for future timber or shrubs and vines originally supplied for soil erosion control reclamation of areas affected by open pit mining or for wildlife food and cover

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—199

Aaronson,	Frost,	McCormack,	Sax,
Andrews,	Gallagher,	McCosker,	Scanlon,
Bane,	Getchey,	McCullough,	Schuster,
Barrett,	Gibson,	McKinney,	Scott,
Baumunk,	Goff,	McMillen,	Serrill,
Beech,	Goodling,	Mihm,	Shoemaker,
Bender,	Gorman,	Mikula,	Simons,
Bentzel,	Graybill,	Miller,	Smith, C. C.,
Bloom,	Greenwood,	Mills,	Smith, C. M.,
Boles,	Greer,	Mintess,	Snider,
Bonawitz,	Griffiths,	Mohr,	Sollenberger,
Boorse,	Guthrie,	Mooney,	Sorg,
Bower,	Gyger,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenshield,	Murray,	Stimmel,
Brown,	Helm,	Myers,	Stockham,
Brunner,	Henry,	Najaka,	Stonier,
Bucchin,	Hewitt,	Naumann,	Stuart,
Cadwalader,	Hocker,	Needham,	Swope,
Capano,	Hoffman,	Neff,	Tahl,
Cassidy,	Hoopes,	Nelson,	Thomassy,
Chervenak,	Horan,	O'Connor,	Thompson,
Chudoff,	Imbt,	O'Dare,	Tittle,
Clevenger,	Jennings,	O'Donnell,	Tompkins,
Cochran,	Johnson,	O'Neill,	Toomey,
Cole,	Johnston,	Orban,	Turner,
Cook,	Jones,	Patten,	Upshur,
Cooper,	Jump,	Petrosky,	Vaughan,
Cordier,	Kean,	Pichney,	Verona,
Costa,	Kelley,	Pickens,	Wachhaus,
Crowley,	Kemp,	Polaski,	Wagner,
Dague,	Kent,	Powers,	Waldron,
Dalrymple,	Kirley,	Price,	Wallin,
Davison,	Kline,	Propert,	Walton,
De Long,	Kohl,	Ragot,	Waterhouse,
Demech,	Kratz,	Readinger,	Watkins,
Dennison,	Krise,	Reagan,	Watson,
Dix,	Kurtz,	Reese, D. P.,	Weidner,
Dye,	Laughner,	Reese, R. E.,	Weiss,
Efenberg,	Layer,	Reilly, J. M.,	Wescott,
Elder,	Lee,	Reilly, W. J.,	Wheeler,
Erb,	Leisey,	Richter,	Wolf,
Evans,	Livingston,	Riley,	Wood,
Ewing,	Livingstone,	Robbins,	Worley,
Feola,	Loftus,	Robertson,	Yeakel,
Fish,	Lovett,	Root,	Yester,
Fiss,	Lyons,	Rose,	Yetzer,
Flack,	Madden,	Rowen,	Young,
Fleming,	Madigan,	Royer,	Lichtenwalter,
Foor,	Mazza,	Sarraf,	Speaker.

NAYS—0

NOT VOTING—6

Depuy,	McDonald,	Trout,	West,
Hall,	Morrison,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1174, as follows:

An Act to further amend clause (j) of section one thousand eight hundred two of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which th enumber and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by prescribing certain additional forest powers and duties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause (j) of section one thousand eight hundred two of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L.177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" as amended by the act approved the twenty-first day of June one thousand nine hundred thirty-seven (P. L. 1865) is hereby further amended to read as follows

Section 1802 Forest Powers and Duties The Department of Forests and Waters shall have the power and its duty shall be

* * * * *

(j) To distribute young forest trees shrubs and vines as provided by law to those desiring to plant them

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—199

Aaronson,	Frost,	McCormack,	Sax,
Andrews,	Gallagher,	McCosker,	Scanlon,
Bane,	Getchey,	McCullough,	Schuster,
Barrett,	Gibson,	McKinney,	Scott.
Baumunk,	Goff,	McMillen,	Serrill.
Beech,	Goodling,	Mihm,	Shoemaker,
Bender,	Gorman,	Mikula,	Simons,
Bentzel,	Graybill,	Miller,	Smith, C. C.,
Bloom,	Greenwood,	Mills,	Smith, C. M.,
Boles,	Greer,	Mintess,	Snider.
Bonawitz,	Griffiths,	Mohr,	Sollenberger,
Boorse,	Guthrie,	Mooney,	Sorg,
Bower,	Gyger,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stahl,
Brice,	Haudenshield,	Murray,	Stimmel,
Brown,	Helm,	Myers,	Stockham,
Brunner,	Henry,	Najeka,	Stonier,
Bucchin,	Hewitt,	Naumann,	Stuart,
Cadwalader,	Hocker,	Needham,	Swope,
Capano,	Hoffman,	Neff,	Tahl,
Cassidy,	Hoopes,	Nelson,	Thomassy,
Chervenak,	Horan,	O'Connor,	Thompson,
Chudoff,	Imbt,	O'Dare,	Tittle,
Clevenger,	Jennings,	O'Donnell,	Tompkins,
Cochran,	Johnson,	O'Neill,	Toomey,
Cole,	Johnston,	Orban,	Turner,
Cook,	Jones,	Patten,	Upshur,
Cooper,	Jump,	Petrosky,	Vaughan,
Cordier,	Kean,	Pichney,	Verona,
Costa,	Kelley,	Pickens,	Wachhaus,
Crowley,	Kemp,	Polaski,	Wagner,
Dague,	Kent,	Powers,	Waldron,
Dalrymple,	Kirley,	Price,	Wallin,
Davison,	Kline,	Propert,	Walton,
De Long,	Kohl,	Ragot,	Waterhouse,
Demech,	Kratz,	Readinger,	Watkins,
Dennison,	Krise,	Reagan,	Watson,
Dix,	Kurtz,	Reese, D. P.,	Weidner,
Dye,	Laughner,	Reese, R. E.,	Weiss,
Efenberg,	Layer,	Reilly, J. M.,	Wescott,
Elder,	Lee,	Reilly, W. J.,	Wheeler,
Erb,	Leisey,	Richter,	Wolf,
Evans,	Livingston,	Riley,	Wood,
Ewing,	Livingstone,	Robbins,	Worley,
Feola,	Loftus,	Robertson,	Yeakel,
Fish,	Lovett,	Root,	Yester,
Fiss,	Lyons,	Rose,	Yetzer,
Flack,	Madden,	Rowen,	Young,
Fleming,	Madigan,	Royer,	Lichtenwalter,
Foor,	Mazza,	Sarraf,	Speaker.

NAYS—0

NOT VOTING—6

Depuy,	McDonald,	Trout,	West,
Hall,	Morrison,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

The SPEAKER. If there is no objection, the Chair will return to House Bill 873, Printer's No. 306, on page 18 of today's calendar, which was passed over earlier in the session this afternoon.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 873, as follows:

An Act to repeal the act approved the twenty-eighth day of May one thousand nine hundred forty-three (P. L. 784) entitled "An act prescribing temporary emergency war provisions with respect to the administration of certain provisions of the school laws of this Commonwealth relating to days for school to be in session closing schools and suspending classes temporary assignment and reasignment of teachers extension of transportation facilities payment of tuition in lieu of transportation and granting temporary farm and conservation employment certificates for certain pupils under certain conditions providing for full state subsidies when employing teachers holding special wartime certificates authorizing boards of school directors (or boards of public education) subject to the approval of the district or county superintendent to put such provisions into operation"

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the twenty-eighth day of May one thousand nine hundred forty-three (P. L. 784) entitled "An act prescribing temporary emergency war provisions with respect to the administration of certain provisions of the school laws of this Commonwealth relating to days for school to be in session closing schools and suspending classes temporary assignment and reassignment of teachers extension of transportation facilities payment of tuition in lieu of transportation and granting temporary farm and conservation employment certificates for certain pupils under certain conditions providing for full state subsidies when employing teachers holding special wartime certificates authorizing boards of school directors (or boards of public education) subject to the approval of the district or county superintendent to put such provisions into operation" is hereby repealed

Section 2 The provisions of this act shall become effective on the thirtieth day of June one thousand nine hundred forty-eight

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. ANDREWS. Mr. Speaker, I desire to interrogate the Chairman of the Education Committee, the gentleman from Blair, Mr. Sollenberger.

The SPEAKER. Will the gentleman from Blair permit himself to be interrogated?

Mr. SOLLENBERGER. I shall, Mr. Speaker.

Mr. ANDREWS. Mr. Speaker, House Bill 873 repeals what was known as the Homsher Bill, does it not?

Mr. SOLLENBERGER. Yes, Mr. Speaker.

Mr. ANDREWS. Mr. Speaker, would the Chairman of the Education Committee explain in what manner the repeal of this act affects teachers' certification?

Mr. SOLLENBERGER. Mr. Speaker, I did not understand the latter part of the gentleman's question.

Mr. ANDREWS. Mr. Speaker, I was asking in what manner the repeal of this act affects the teachers' certification, temporary certificates that have been issued?

Mr. SOLLENBERGER. Mr. Speaker, in reply to the gentleman's question I would say that it affects the teachers' certificates only where the superintendent, whether he be county or district superintendent, has requested the Department of Public Instruction to put its stamp of approval upon a teacher for war emergency only, and that came from the local boards and the county or district superintendent,—that is that request did.

Mr. ANDREWS. Mr. Speaker, I have the act here. Will the Chairman of the Education Committee accept the statute and tell me in what chapter teachers' certificates appears, the section that deals with it.

Mr. SOLLENBERGER. Does the gentleman mean so far as the school code is concerned, Mr. Speaker?

Mr. ANDREWS. Yes, Mr. Speaker.

Mr. SOLLENBERGER. Mr. Speaker, off hand I don't believe I can answer that.

Mr. ANDREWS. Mr. Speaker, the reason I am asking the question is because the sponsor of the bill stated that this was a measure that was designed to, or in some way did affect the temporary certificates that were issued.

Mr. SOLLENBERGER. War certificates, Mr. Speaker.

Mr. ANDREWS. Mr. Speaker, would the gentleman accept the statute and tell me the section?

Mr. SOLLENBERGER. Mr. Speaker, the bill says here under 1943, Pamphlet Laws 784, the act approved the 28th day of May, Section 1.

Mr. ANDREWS: Mr. Speaker, does not this act provide for the temporary administration of the schools, shortening the term, permitting pupils to work on the farm?

Mr. SOLLENBERGER: Does the gentleman mean the Act of 1943?

Mr. ANDREWS: Yes, Mr. Speaker, the Act of 1943 which we are repealing.

Mr. SOLLENBERGER: It does, Mr. Speaker.

Mr. ANDREWS: Mr. Speaker, was not the purpose of the Act of 1943 actually to secure or to make it possible for the pupils in certain counties to work on the farms instead of going to school? Does this act repeal the provisions not in keeping with the other provisions of the School Code, and I am still asking, will the repeal of this Act in any way diminish the visible supply of teachers after this act becomes effective?

Mr. SOLLENBERGER: Mr. Speaker, not until June 30th, 1948. Of course, we cannot tell after that. This act is not effective until June 30, 1948.

Mr. ANDREWS. Mr. Speaker, I am still asking under what section of the 1943 act these certificates were issued and for what reason, the repeal of this act affects the teachers' certificates.

Mr. SOLLENBERGER: Mr. Speaker, I will say in answer to the gentleman's question, that I don't know just what he wants me to answer.

I might say that the title to the act reads:

> "Prescribing temporary emergency war provisions with respect to the administration of certain provisions of the school laws of the Commonwealth; relating to days for school to be in session; closing schools and suspending classes; temporary assignment and reassignment of teachers—."

This would only mean that part of the school code that comes under that specific act, that someone referred to as the Homsher Act.

Mr. ANDREWS: Mr. Speaker, would the repeal of this act in any way diminish the visible supply of teachers after June 1st, 1948, and may I ask the gentleman, if it will diminish the supply of teachers, to point to the section of the Act of 1943 which says so.

Mr. SOLLENBERGER: Mr. Speaker, how can we tell whether it is going to diminish the supply of teachers or not. It will so far as the war time emergency certificates are concerned, but we don't know if there are enough teachers going to come in between now and then to supply the demand.

Does that answer the gentleman's question?

Mr. ANDREWS: It does not. I fail to find in this bill the faintest reference to war time emergency certificates. It deals with the administration of schools and does not deal with the emergency certificates.

Perhaps, Mr. Speaker, this matter might be delayed until the Chairman has had an opportunity to read the Act of 1943.

Mr. SOLLENBERGER. I guess we will have to do that, Mr. Speaker. I have no answer for what the gentleman is asking me other than this bill.

Mr. ANDREWS: Might I suggest, Mr. Speaker, that we delay action on this bill until the Chairman of the Education Committee has had the opportunity to peruse the Act of 1943?

Mr. SOLLENBERGER: I will have to study that, Mr. Speaker. I still do not understand what Mr. Andrews is trying to say. He knows I cannot answer him. I don't know what to say. The only thing I have to go by is the general School Code.

Mr. O'CONNOR: Mr. Speaker, for the information of the Chairman of the Committee on Education and the Minority Leader I wish to state that the Act of 1943, which this bill proposes to repeal, does not deal with emergency certificates. Before 1943 emergency certificates were granted. I had quite a number of them when I was president of the board of education.

After the war it became necessary to let down the barriers a great deal more in order to get a supply of teachers. That is what Mr. Sollenberger referred to as a war time emergency certificate. By passing this act you will not in any manner affect the granting of emergency teacher's certificates as we did prior to 1943, and I think this is a good bill and should pass.

Mr. SOLLENBERGER: Now, Mr. Speaker, I understand now exactly what Mr. Andrews wanted to know, but up until now I did not. Mr. O'Connor is correct. The School Code is exactly what he said, this is a war time emergency, as far as the war time certificates are concerned which have been granted for several years, but this happens to be an emergency emergency certificate. I understand that is true.

Mr. ANDREWS: I thank the gentleman.

Mr. Speaker, I suspected that the explanation might have been a clever way of not letting the farmers out of Lancaster County and Berks County and some of these other counties know that the condition they struggled so valiantly for in 1943 was repealed. I congratulate the gentlemen upon their cleverness.

Mr. O'CONNOR: Mr. Speaker, I find it necessary to take issue with my colleague from Cambria, for whom I thought I was acting as attorney a moment ago, for the simple reason that the repeal of this act would not grant further privileges at this particular time than they now have.

I still believe that the Minority Floor Leader does not thoroughly understand what this bill does, but I renew my statement that is is a good bill.

Mr. SOLLENBERGER: Mr. Speaker, I just wanted to thank the gentleman from Cambria, Mr. O'Connor, for helping Mr. Andrews and myself out of this predicament. Neither understood the other. He is certainly our attorney and I thank him for his kindness.

Mr. LOVETT: Mr. Speaker, I desire to interrogate the gentleman from Blair, Mr. Sollenberger.

The SPEAKER: Will the gentleman from Blair permit himself to be interrogated?

Mr. SOLLENBERGER. I shall, Mr. Speaker.

Mr. LOVETT: Mr. Speaker, will the gentleman from Blair tell us how many certificates, war emergency certificates—certificates upon certificates, were issued during the war.

Mr. SOLLENBERGER: Mr. Speaker, I would say from the last report I had some three or four thousand. The gentleman is speaking of Pennsylvania now, is he not?

Mr. LOVETT: That is right. I am only interested in Pennsylvania. I haven't gone over to the other states.

Mr. SOLLENBERGER: At least that many, Mr. Speaker.

Mr. LOVETT: Three or four thousand, did the gentleman say?

Mr. SOLLENBERGER. Yes, Mr. Speaker.

Mr. LOVETT. Mr. Speaker, would the gentleman say in 1948 when this act becomes effective, that three or four thousand teachers will be out of positions in Pennsylvania?

Mr. SOLLENBERGER: No, Mr. Speaker, emergency certificates will still be available but war time emergencies will come to an end June 30, 1948, if this bill is enacted into law.

Mr. LOVETT: Do I understand the gentleman then to say, Mr. Speaker, that there will be no certificates affected by this bill—emergency certificates?

Mr. SOLLENBERGER. Emergency certificates, as we knew them, for several years may not be affected, but as to war time emergency certificates, where the teacher was brought in unprepared, just to fill in, that type of certificate will undoubtedly be declared void and will not be permitted to operate in our local school districts.

Mr. LOVETT: Mr. Speaker, how many are there of those certificates?

Mr. SOLLENBERGER: Mr. Speaker, I don't believe I can answer that. I would say there is something like 4,500 to 5,000 of them all told, and I think it is possible that there are a greater amount of war time emergencies than there are emergencies, because the Department of Public Instruction was trying to keep down the emergency certificates as much as they could until the Act of 1943 came home. Then they were definitely guided by local districts.

Mr. LOVETT: I thank the gentleman.

Mr. Speaker, as I understand this act now, after some difficulty in getting it explained, I feel that there is a possibility that we still could get all of the teachers we want under the emergency certificates. The only thing that I was interested in was, I was afraid that due to the way this House has been considering the increased pay for teachers that many more teachers would leave the profession and we would find ourselves without any teachers to teach our children. I now feel that the emergency certificates can still take care of the situation, providing we do something for the teachers with regard to their salaries, and I, therefore, do not oppose this act.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—199

Aaronson,	Frost,	McCormack,	Sax,
Andrews,	Gallagher,	McCosker,	Scanlon,
Bane,	Getchey,	McCullough,	Schuster,
Barrett,	Gibson,	McKinney,	Scott,
Baumunk,	Goff,	McMillen,	Serrill,
Beech,	Goodling,	Mihm,	Shoemaker,
Bender,	Gorman,	Mikula,	Simons,
Bentzel,	Graybill,	Miller,	Smith, C. C.,
Bloom,	Greenwood,	Mills,	Smith, C. M.,
Boles,	Greer,	Mintess,	Snider,
Bonawitz,	Griffiths,	Mohr,	Sollenberger,
Boorse,	Guthrie,	Mooney,	Sorg,
Bower,	Gyger,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenshield,	Murray,	Stimmel,
Brown,	Helm,	Myers,	Stockham,
Brunner,	Henry,	Najaka,	Stonier,
Bucchin,	Hewitt,	Naumann,	Stuart,
Cadwalader,	Hocker,	Needham,	Swope,
Capano,	Hoffman,	Neff,	Tahl,
Cassidy,	Hoopes,	Nelson,	Thomassy,
Chervenak,	Horan,	O'Connor,	Thompson,
Chudoff,	Imbt,	O'Dare,	Tittle,
Clevenger,	Jennings,	O'Donnell,	Tompkins,
Cochran,	Johnson,	O'Neill,	Toomey,
Cole,	Johnston,	Orban,	Turner,
Cook,	Jones,	Patten,	Upshur,
Cooper,	Jump,	Petrosky,	Vaughan,
Cordier,	Kean,	Pichney,	Verona,
Costa,	Kelley,	Pickens,	Wachhaus,
Crowley,	Kemp,	Polaski,	Wagner,
Dague,	Kent,	Powers,	Waldron,
Dalrymple,	Kirley,	Price,	Wallin,
Davison,	Kline,	Propert,	Walton,
De Long,	Kohl,	Ragot,	Waterhouse,
Demech,	Kratz,	Readinger,	Watkins,
Dennison,	Krise,	Reagan,	Watson,
Dix,	Kurtz,	Reese, D. P.,	Weidner,
Dye,	Laughner,	Reese, R. E.,	Weiss,
Efenberg,	Layer,	Reilly, J. M.,	Wescott,
Elder,	Lee,	Reilly, W. J.,	Wheeler,
Erb,	Leisey,	Richter,	Wolf,
Evans,	Livingston,	Riley,	Wood,
Ewing,	Livingstone,	Robbins,	Worley,
Feola,	Loftus,	Robertson,	Yeakel,
Fish,	Lovett,	Root,	Yester,
Fiss,	Lyons,	Rose,	Yetzer,
Flack,	Madden,	Rowen,	Young,
Fleming,	Madigan,	Royer,	Lichtenwalter,
Foor,	Mazza,	Sarraf,	Speaker.

NAYS—0

NOT VOTING—6

Depuy,	McDonald,	Trout,	West,
Hall,	Morrison,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

PERMISSION TO ADDRESS HOUSE

Mr. BROWN asked and obtained unanimous consent to address the House.

Mr. Speaker, in my remarks a few minutes ago I committed a grievous error, and the error is against the County of Lehigh. I do not want that error to stand.

I understand that in the preparation of the insurance bills, the co-sponsor, Mr. Stimmel, whose name I did not mention also did yoeman service, and inasmuch as we do not want to take any glory away from any of the sponsors of the bill, and also for the further reason that we do not want to put Lebanon above Lehigh, I would like the House to give a vote of thanks and appreciation to the gentleman from Lehigh, Mr. Stimmel.

The SPEAKER: I would request the gentleman from Lehigh to arise.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1215, as follows:

A Joint Resolution ratifying the proposed amendment to the Constitution of the United States relative to the terms of the President of the United States

The General Assembly of the Commonwealth of Pennsylvania hereby resolves as follows

Section 1 The proposed amendment to the Constitution of the United States providing as follows

"Section 1 No person shall be elected to the office of the President more than twice and no person who has held the office of President or acted as President for more than two years of a term to which some other person was elected President shall be elected to the office of the President more than once But this Article shall not apply to any person holding the office of President when this Article was proposed by the Congress and shall not prevent any person who may be holding the office of President or acting as President during the term within which this Article becomes operative from holding the office of President or acting as President during the remainder of such term

"Sec 2 This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the several States within seven years from the date of its submission to the States by the Congress" is hereby ratified by the General Assembly of the Commonwealth of Pennsylvania

Section 2 A certified copy of the foregoing resolution shall be forwarded to the Secretary of State of the United States in accordance with section two hundred five of the revised statutes of the United States and also to the President of the United States Senate and the Speaker of the United States House of Representatives

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. ANDREWS. Mr. Speaker, I had hoped yesterday that because this bill was at the end of the calendar that it would automatically find a place at the head of the calendar today, and it would not be necessary to discuss it after the House had been in session for some hours.

This resolution to ratify a proposed Federal amendment to the Constitution raises one of the most serious problems that this General Assembly has faced. The Constitutional Convention framed a Constitution for the purpose of enabling a number of sovereign states, a number of sovereign commonwealths to work together. The purpose of the Constitution was to form a more perfect union, and that constitution was not hammered out in the course of a day, or a month or a year. It took years to frame it, and when it was framed there were certain principles recognized. There were certain rights that were reserved to the states, and there were certain rights that were reserved to the people. Authority rests with the people; sovereignty rests with the people; it does not rest with Congress, it does not rest with legislatures. In preserving the rights of future generations, the founding fathers were careful to place as few restrictions upon the future as it was possible for them to place. They recognized the fact that they in their day had refused to be governed and controlled by the dead hands of the past, and they accepted as a cardinal principle of our democracy that it was not compatible with the spirit of democracy that they were framing unnecessarily to deny to the people and succeeding generations the right to govern themselves in accordance with their own convictions and in accordance with the needs that they faced.

Now, Mr. Speaker, we are facing perhaps one of the reactions against great men that George Washington aroused. No man was more denounced in his time than George Washington. There were many people who thought he wanted to be King. There were many members of the Constitutional Convention that believed that the President of the United States should be elected by legislatures. There was a fear in the hearts of some of those who were a part of the Constitutional Convention that the people could not be trusted. There were members of the Constitutional Convention who believed that the term of President should be limited to two years. There were members of the Constitutional Convention who believed that a President should be ineligible for reelection. I will not tire you with reading the debate in the Constitutional Convention, but the ultimate decision was that a President should be subject to reelection in accordance with the wishes of the people without any restriction so far as the Constitution is concerned.

Now, I presume that if one particular man had not happened to be elected President four times this resolution would not appear upon our calendar. I am asking in all seriousness whether you want to say to the people who live in the United States in the year 2000 perhaps, that we in our wisdom, in the year 1947 decreed that they are incapable of managing their own affairs, and that, therefore, we had to write into the Constitution a provision that the President was subject to reelection only once. There is no magic in formula two; it is no more magical than three or four. The magic lies in the fact that we have a nation of free people who in the days to come will be at least as capable of determining who they want to elect as President, how many times they want to elect him, as we are in our time.

One of the tragedies of constitutional government, a tragedy that Great Britain has escaped by having an unwritten constitution, lies in the fact that there are always those continually trying to write into the constitution provisions which serve a temporary need, but which can by no stretch of the imagination be policies that have a permanent value.

Throughout the years there has been an encroachment on the one hand by the Federal government upon the rights of the States, and an encroachment on the other hand upon the part of the government and governing bodies upon the rights of the people. So far we have had that contest pretty much in balance, but in every generation there has been that struggle between the central government and the reserved rights to the State; and the struggle between special interests, the passing political interests and the reserved rights of the people.

I am submitting to you, and I am submitting to the lawyers in this Assembly, that just as the states have certain reserved rights that the Federal government has no right to infringe upon, just so the American people have certain reserved rights that this generation has no right to infringe upon, and that this resolution impinges

upon the reserved rights of the American people in future generations, and in the name of democracy, which we believe is safe and which will endure, we have no right in our time to bind the hands of those who will live tomorrow.

Mr. SORG: Mr. Speaker, this generation has a perfect right to invoke the very provisions of the Constitutional Convention to which the gentleman referred with so very much respect. This generation has a perfect right to invoke that article of the Constitution which says that under circumstances this particular document can be changed, and particularly does it have the right in this instance because it is not this generation that is doing anything that has not been recognized throughout the years. This generation, in a measure such as this, merely gives legal effect to a long standing tradition, originally established by those who were closest to that Constitutional Convention.

I want to take issue with the gentleman in his remarks where he seems to indicate that there are personalities involved in a measure such as this. This proceeding, as I see it, is not only of the present, but it has a definite philosophy and a theory behind it. The need for it exists only because it does seem to be necessary to give legal effect to those principals that we have long recognized.

The most terse statement on the subject that covers it better, I am sure, than any of us could cover it, does not come from this generation, it comes from the age of the Constitutional Convention; it comes from those who were close to that Convention. We all know of course, the original stand taken by George Washington. We knew that when he took that stand he said he was tired, but of the same era was Thomas Jefferson, and we feel that he furnishes a precedent much more to the purpose or point even than that of George Washington.

Mr. Speaker, Thomas Jefferson states his reasons for declining the offer of a number of Legislatures, or at least the urging a number of Legislatures from different States, to seek a third term. Thomas Jefferson said, and I here quote:

> "That I should lay down my charge at a proper period is as much a duty as to have borne it faithfully. If some termination to the services of the Chief Magistrate be not fixed by the Constitution, or supplied by practice, his office, nominally for years, will, in fact, become for life; and history shows how easily that degenerates into an inheritance. Believing that a representative government, responsible at short periods of election, is that which produces the greatest sum of happiness to mankind, I feel it a duty to do no act which shall essentially impair that principle, and I should unwillingly be the person who, disregarding the sound precedent set by an illustrious predecessor, could furnish the first example of prolongation beyond the second term of office * * * Truth, also, requires me to add that I am sensible to that decline which advancing years brings on; and, feeling their physical, I ought not to doubt their mental effect. Happy if I am the first to perceive and obey this admonition of nature, and to solicit a retreat from cares too great for the wearied faculties of age."

As I have said before we have no measure here arising from this generation. We have only the placing in legal effect that which has long been recognized as true, proper and advisable for many, many years in this country.

Mr. ANDREWS. Mr. Speaker, I desire very briefly to respond to the gentleman from Elk, the Majority Leader. The powers that be, or the American people in this generation, under the Constitution would have the right to write into this Constitution a provision that the President can only hold a term for one year. They would have the right to write into the Constitution a provision that they could only hold a term for six months. They would have the right to write into the Constitution a provision that the President should be elected by the Senate. They would have the right to write into the Constitution a provison that the President should be elected by the House of Representatives. I concede all those rights, but no personal conviction upon the part of Thomas Jefferson or anybody else has a right to bind the liberty of action unnecessarily by constitutional enactment, and the gentleman from Elk is lawyer enough to know that through the years that has been the steadfast interpretation of our Constitution by the Supreme Court, that the people of one generation have no right to bind the liberty of action of the people in future generations.

Mr. SORG. Mr. Speaker, the gentleman uses two words. He confuses legal rights with moral obligations. He also uses the word "unnecessarily". Two-thirds of the Senate of the United States, two-thirds of the Members of the House of Representatives of the United States have seen fit, and have declared the necessity to give legal affect to that long continued tradition and have adopted the procedure of submitting the matter to all Legislatures in the United States. We are here now to determine just exactly that very formula, is it "necessary." With that, Mr. Speaker, I leave it entirely to the discretion of the Members of this House.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—162

Aaronson,	Goff,	Madden,	Sax,
Baumunk,	Goodling,	Madigan,	Scott,
Beech,	Gorman,	Mazza,	Serrill,
Bender,	Graybill,	McCormack,	Shoemaker,
Bloom,	Greenwood,	McCosker,	Simons,
Bonawitz,	Greer,	McCullough,	Smith, C. C.,
Boorse,	Griffiths,	McKinney,	Smith, C. M.,
Bower,	Guthrie,	McMillen,	Sollenberger,
Breisch,	Gyger,	Mikula,	Sorg,
Brice,	Haller,	Miller,	Sproul,
Brunner,	Haudenshield,	Mintess,	Stimmel,
Cadwalader,	Helm,	Mohr,	Stockham,
Cassiday,	Henry,	Moore, C. E.,	Stonier,
Clevenger,	Hewitt,	Moore, H. A.,	Stuart,
Cook,	Hocker,	Murray,	Tahl,
Cooper,	Hoffman,	Myers,	Thomassy,
Cordier,	Hoopes,	Najaka,	Thompson,
Costa,	Horan,	Naumann,	Tittle,
Crowley,	Imbt,	Neff,	Tompkins,
Dague,	Jennings,	Nelson,	Toomey,
Dalrymple,	Johnson,	O'Dare,	Turner,
Davison,	Johnston,	O'Donnell,	Upshur,
De Long,	Jones,	Orban,	Vaughan,
Demech,	Jump,	Patten,	Wachhaus,
Dennison,	Kean,	Pichney,	Wagner,
Dix,	Kelley,	Pickens,	Waldron,
Dye,	Kemp,	Price,	Wallin,
Efenberg,	Kent,	Propert,	Walton,
Elder,	Kline,	Ragot,	Waterhouse,

Erb,	Kohl,	Reagan,	Watkins,
Ewing,	Kratz,	Reese, D. P.,	Watson,
Feola,	Krise,	Reilly, J. M.,	Weidner,
Fish,	Kurtz,	Reilly, W. J.,	Wescott,
Fiss,	Laughner,	Richter,	Wolf,
Flack,	Layer,	Riley,	Wood,
Fleming,	Lee,	Robbins,	Worley,
Foor,	Leisey,	Robertson,	Yeakel,
Frost,	Livingston,	Root,	Young,
Gallagher,	Livingstone,	Rose,	Lichtenwalter,
Getchey,	Loftus,	Rowen,	Speaker.
Gibson,	Lyons,	Royer,	

NAYS—35

Andrews,	Cochran,	O'Neill,	Snider,
Bane,	Cole,	Petrosky,	Stank,
Barrett,	Evans,	Polaski,	Swope,
Bentzel,	Kirley,	Powers,	Verona,
Boles,	Lovett,	Readinger,	Weiss,
Brown,	Mihm,	Reese, R. E.,	Wheeler,
Bucchin,	Mooney,	Sarraf,	Yester,
Capano,	Needham,	Scanlon,	Yetzer,
Chervenak,	O'Connor,	Schuster,	

NOT VOTING—8

Chudoff,	Hall,	Mills,	Trout,
Depuy,	McDonald,	Morrison,	West,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 51 as follows:

An Act providing for the observance of September fourteenth of each year as National Anthem Day

Whereas, The War of 1812 was fought by the United States of America to maintain its independence as a nation and

Whereas, The support and aid given by the Commonwealth of Pennsylvania enabled the nation to emerge triumphant from the conflict and

Whereas, The leadership and valor of the Pennsylvanians in the armed forces resulted in glorious victories upon both land and sea and

Whereas, The inspiration of such conspicuous conduct must be cherished and preserved and

Whereas, The gallantry in combat of those who served is epitomized in our national anthem The Star Spangled Banner and whereas in the crystalline splendor of the national anthem are expressed the ideals that engendered and preserved our Great Nation and this Commonwealth

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The governor shall annually issue his Proclamation designating and setting apart September fourteenth as National Anthem Day and calling upon the people of the Commonwealth The public schools and other educational institutions the patriotic and veterans' organizations to observe the anniversary of the composition of the Star Spangled Banner during the Battle of Fort McHenry in the War of 1812 with appropriate exercises and otherwise to the end that the memory of the services rendered by the patriots in the armed forces of the United States in that conflict may be perpetuated as exemplified in the national anthem "The Star Spangled Banner"

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—199

Aaronson,	Frost,	McCormack,	Sax,
Andrews,	Gallagher,	McCosker,	Scanlon,
Bane,	Getchey,	McCullough,	Schuster,
Barrett,	Gibson,	McKinney,	Scott,
Baumunk,	Goff,	McMillen,	Serrill,
Beech,	Goodling,	Mihm,	Shoemaker,
Bender,	Gorman,	Mikula,	Simons,
Bentzel,	Graybill,	Miller,	Smith, C. C.,
Bloom,	Greenwood,	Mills,	Smith, C. M.,
Boles,	Greer,	Mintess,	Snider,
Bonawitz,	Griffiths,	Mohr,	Sollenberger,
Boorse,	Guthrie,	Mooney,	Sorg,
Bower,	Gyger,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenshield,	Murray,	Stimmel,
Brown,	Helm,	Myers,	Stockham,
Brunner,	Henry,	Najaka,	Stonier,
Bucchin,	Hewitt,	Naumann,	Stuart,
Cadwalader,	Hocker,	Needham,	Swope,
Capano,	Hoffman,	Neff,	Tahl,
Cassidy,	Hoopes,	Nelson,	Thomassy,
Chervenak,	Horan,	O'Connor,	Thompson,
Chudoff,	Imbt,	O'Dare,	Tittle,
Clevenger,	Jennings,	O'Donnell,	Tompkins,
Cochran,	Johnson,	O'Neill,	Toomey,
Cole,	Johnston,	Orban,	Turner,
Cook,	Jones,	Patten,	Upshur,
Cooper,	Jump,	Petrosky,	Vaughan,
Cordier,	Kean,	Pichney,	Verona,
Costa,	Kelley,	Pickens,	Wachhaus,
Crowley,	Kemp,	Polaski,	Wagner,
Dague,	Kent,	Powers,	Waldron,
Dalrymple,	Kirley,	Price,	Wallin,
Davison,	Kline,	Propert,	Walton,
De Long,	Kohl,	Ragot,	Waterhouse,
Demech,	Kratz,	Readinger,	Watkins,
Dennison,	Krise,	Reagan,	Watson,
Dix,	Kurtz,	Reese, D. P.,	Weidner,
Dye,	Laughner,	Reese, R. E.,	Weiss,
Efenberg,	Layer,	Reilly, J. M.,	Wescott,
Elder,	Lee,	Reilly, W. J.,	Wheeler,
Erb,	Leisey,	Richter,	Wolf,
Evans,	Livingston,	Riley,	Wood,
Ewing,	Livingstone,	Robbins,	Worley,
Feola,	Loftus,	Robertson,	Yeakel,
Fish,	Lovett,	Root,	Yester,
Fiss,	Lyons,	Rose,	Yetzer,
Flack,	Madden,	Rowen,	Young,
Fleming,	Madigan,	Royer,	Lichtenwalter,
Foor,	Mazza,	Sarraf,	Speaker.

NAYS—0

NOT VOTING—6

Depuy,	McDonald,	Trout,	West,
Hall,	Morrison,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

REPORTS FROM COMMITTEES

Mr. TITTLE from the Committee on Education, reported as committed, House Bill No. 1106, entitled:

An Act to amend the act, approved the second day of May, one thousand nine hundred forty-five (P. L. 401), entitled "An act defining and providing for the licensing and regulation of private trade schools and classes; conferring powers and imposing duties on the State Board for Vocational Education; and prescribing penalties," broadening the definition of private trade school and providing for the licensure of agents of such trade schools.

Mr. TURNER from the Committee on Banking and Building and Loan Associations, reported as amended, House Bill No. 1137, entitled:

An Act to further amend the act, approved the twenty-sixth day of May, one thousand nine hundred thirty-three (P. L. 1076), entitled "An act to provide for the organization, incorporation, operation, and supervision of cooperative savings and credit associations, to be termed credit unions; designating such credit unions as corporations, and defining their powers and duties; conferring certain powers and duties on the Department of Banking; and providing penalties," further defining the membership of credit Unions and permitting loans to other credit unions.

Mr. EFENBERG from the Committee on Banking and Building Loan Associations, reported as amended, Senate Bill No. 38, entitled:

An Act to further amend sections one and two of the act approved the thirty-first day of May one thousand eight hundred and ninety-three (P. L. 188) entitled "An act designating the days and half days to be observed as legal holidays and for the payment acceptance and protesting of bills notes drafts checks and other negotiable paper on such days" by making Saturdays bank holidays under certain conditions and repealing inconsistent laws.

Mr. SPROUL from the Committee on Townships, reported as amended Senate Bill No. 313, entitled:

An Act to reenact amend and revise the act approved the first day of May one thousand nine hundred and thirty-three (P. L. 103) as amended entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto."

Mr. GYGER from the Committee on Education, reported as committed House Bill No. 388, entitled

An Act to amend Section 202 of an act approved May 21, 1943, (P. L. 571) entitled "An act relating to assessment for taxation in counties of the fourth, fifth, sixth, seventh and eighth classes; designating the subjects, property and persons subject to and exempt from taxation for county, borough, town, township, school, except in cities and county institution district purposes; and providing for and regulating the assessment and valuation thereof for such purposes; creating in each such county a board for the assessment and revision of taxes; defining the powers and duties of such boards; providing for the acceptance of this act by cities; regulating the office of ward, borough, town and township assessors; abolishing the office of assistant triennial assessor in townships of the first class; providing for the appointment of a chief assessor, assistant assessors and other employes; providing for their compensation payable by such counties; prescribing certain duties of and certain fees to be collected by the recorder of deeds; and eliminating the triennial assessment," by adding to subsection 12 a new paragraph to be known as (d), and providing that exemption from liability for school taxes must also be approved by the State Council of Education.

Mr. ROBERTSON from the Committee on Judiciary, reported as amended, House Bill No. 1103, entitled

An Act to amend section two hundred seven and eight hundred nine of the act approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 364), entitled "An act relating to business corporations defining and providing for the orgnaization, merger, consolidation, reorganization, winding up and dissolution of such corporations; conferring certain rights, powers, duties and immunities upon them and their officers and shareholders; prescribing the conditions on which such corporations may exercise their powers; providing for the inclusion of certain existing corporations of the second class within the provisions of this act; prescribing the terms and conditions upon which foreign business corporations may be admitted, or may continue, to do business within the Commonwealth; conferring powers and imposing duties on the courts of common pleas, and certain State departments, commissioners, and officers; authorizing certain State departments, boards, commissions, or officers to collect fees for service required to be rendered by this act, imposing penalties; and repealing certain acts and parts of acts relating to corporations," requiring the recording of corporation charters and amendments thereto.

SENATE MESSAGE

HOUSE BILLS CONCURRED IN BY SENATE.

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 118.

An Act to further amend the third paragraph of section five of the act approved the eleventh day of June one thousand nine hundred thirty-five (P. L. 326) entitled "An act relating to counties of the first class defining deceased service persons providing for contributions by the county to the funeral expenses for such persons and their widows providing for the erection and care of markers headstones and flags and for the compilation of war records" authorizing the erection of headstones for deceased service persons whose bodies will not or cannot be returned to the United States and increasing amount of costs in certain cases.

HOUSE BILL No. 120.

An Act to further amend the third paragraph of section four hundred twenty-six of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh, and eighth classes; and revising, amending and consolidating the laws relating thereto," authorizing the erection of headstones for deceased service persons whose bodies will not or cannot be returned to the United States and increasing amount of costs in certain cases.

HOUSE BILL No. 332.

An Act to amend the title and section one of the act approved the twenty-eighth day of July one thousand nine hundred forty-one (P. L. 560) entitled "An act authorizing and empowering school districts of the first and second class to furnish food including milk to undernourished and poor school children in their districts and providing that the acceptance and distribution of surplus commodities furnished by the Federal Government to such school districts shall not affect or limit the provisions hereof" extending the provisions thereof to all classes of school districts.

HOUSE BILL No. 333.

An Act to provide for the establishment maintenance operation and expansion of nonprofit school lunch programs in schools in the Commonwealth of Pennsylvania.

HOUSE BILL No. 337.

An Act authorizing the Department of Property and Supplies with the approval of the Governor to convey to the Borough of Ebensburg Cambria County certain property located in Cambria County and commonly known as the "Keystone Airport."

HOUSE BILL No. 501

An Act to amend article seven, section seven hundred one, paragraph (i) of the act approved the ninth day of April, one thousand nine hundred twenty-nine (P. L.

177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor, Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by authorizing the substitution of a facsimile signature of the Governor on official documents requiring his signature or approval.

With the information that the Senate has passed the same without amendment.

SENATE MESSAGES

The Clerk of the Senate being introduced, presented extracts from the Journal of the Senate:

Senate Bills for concurrence: 7, 66, 136, 315, 334, 336, 338, 362, 364, 436, 370, 447, 472 475, 477.

TIME OF NEXT MEETING

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, April 14, 1947.

Resolved (if the House of Representatives concur) That when the Senate adjourns this week it reconvene on Monday, April 21, 1947, at four o'clock p. m. and when the House of Representatives adjourns this week it reconvene on Monday, April 21 at 4:30 o'clock, p. m.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 118.

An Act to further amend the third paragraph of section five of the act, approved the eleventh day of June, one thousand nine hundred thirty-five (P. L. 326), entitled "An act relating to counties of the first class, defining deceased service persons, providing for contributions by the county to the funeral expenses for such persons and their widows; providing for the erection and care of markers, headstones, and flags, and for the compilation of war records," authorizing the erection of headstones for deceased service persons whose bodies will not or cannot be returned to the United States, and increasing amount of costs in certain cases.

HOUSE BILL No. 120.

An Act to further amend the third paragraph of section four hundred twenty-six of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," authorizing the erection of headstones for deceased service persons whose bodies will not or cannot be returned to the United States and increasing amount of costs in certain cases.

HOUSE BILL No. 332.

An Act to amend the title and section one of the act approved the twenty-eighth day of July, one thousand nine hundred forty-one (P. L. 560), entitled "An act authorizing and empowering school districts of the first and second class to furnish food including milk, to undernourished and poor school children in their districts, and providing that the acceptance and distribution of surplus commodities furnished by the Federal Government to such school districts shall not affect or limit the provisions hereof," extending the provisions thereof to all classes of school districts.

HOUSE BILL No. 333.

An Act to provide for the establishment, maintenance, operation, and expansion of nonprofit school lunch programs in schools in the Commonwealth of Pennsylvania.

HOUSE BILL No. 337.

An Act authorizing the Department of Property and Supplies with the approval of the Governor to convey to the Borough of Ebensburg Cambria County certain property located in Cambria County and commonly known as the "Keystone Airport".

HOUSE BILL No. 501.

An Act to amend article seven section seven hundred one paragraph (i) of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant-Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by authorizing the substitution of a facsimile signature of the Governor on official documents requiring his signature or approval

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

HOUSE RESOLUTION No. 40

Mr. DAVID P. REESE. Mr. Speaker, I desire to call up House Resolution No. 40, Printer's No. 324.

The resolution was read, considered and adopted as follows:

In the House of Representatives, April 10, 1947.

Whereas, The operation of the Administrative Agency Law and the Pennsylvania Register Act, in the form in which they were adopted at the legislative session of 1945, are of questionable value to the Commonwealth and the public; and if they are to be permitted to remain on the statute books, should be carefully studied and revised therefore be it.

Resolved, That the Joint State Government Commission be hereby requested, during the interim between the present session of the General Assembly and the regular biennial session of 1949, to study the problems of making uniform the practice and procedure before administrative agencies of the State Government and of appeals therefrom, as well as the review of regulations promulgated by such agencies; and to study the problem of publishing all regulations of State agencies in one register, and making their validity contingent on such publications; and to present its recommendations together with drafts of proposed legislation for the consideration of the General Assembly at its next regular session.

RESOLUTION

Mr. KENT offered a resolution which was laid over under the Rules.

COMMITTEE MEETINGS

Game and Forestry, Room No. 331, Wednesday, April 16, 1947 at 10:30 a. m.

Labor Relations, Room No. 323, Wednesday, April 16, 1947 at 11 a. m.

Mines and Mining, Room No. 323, Wednesday, April 16, 1947 at 9:30 a. m.

Professional Licensure, Room No. 324, Wednesday, April 16, 1947 at 11 a. m.

State Government, Room No. 324, Wednesday, April 16, 1947 at 10:30 a. m.

There will be a Public Hearing before the Committee on City—County First Class on House Bill No. 987, on April 22, 1947 at 11 a. m. in the Minority Caucus Room.

There will be a Public Hearing before the Committee on Boroughs tomorrow morning, April 16, 1947, on House Bill No. 1216, in the New House Caucus Room at 9:00 a. m.

ADJOURNMENT

Mr. FEOLA: Mr. Speaker, I move that this House do now adjourn until Wednesday, April 16, 1947 at 1:00 p. m.

The motion was agreed to, and (at 3:43 p. m.) the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1947. 137th of the General Assembly.

Vol. 30. HARRISBURG, PA., WEDNESDAY, APRIL 16, 1947. No. 40.

SENATE

WEDNESDAY, April 16, 1947

The Senate met at 2:30 o'clock, p. m., Eastern Standard Time.

The PRESIDENT pro tempore (M. Harvey Taylor) in the Chair.

The PRESIDENT pro tempore. At this time the Chair wishes to call to the rostrum Senator Walker, from Allegheny County, to preside.

The PRESIDING OFFICER (John M. Walker) in the Chair.

PRAYER

The Chaplain, Rev. W. MURRAY YOUNG offered the following prayer:

Almighty and everlasting God, Thou who lovest the gates of Zion more than all the dwellings of Jacob, let our sacrifice of praise and prayer go up before Thee as sweet incense from off the altar of our hearts of devotion and reverence. May the High Priest of our inmost souls stand before the altar of intercession, within the Sanctum Sanctorum of our better selves, and effect our absolution from false pride, selfishness and arrogance, if of such we are guilty.

Prepare our hearts and minds for the tasks and duties of this day. May this Senatorial Body be aware of the high and holy privileges, responsibilities and compensations afforded it as these gentlemen within the body give attention to details, through careful thought, debate, and other fact-finding; to the end that just and fair decisions may be reached. Bless those of our number who may be ill; also the members of their families who have had laid upon them the weighty hand of affliction. May we be eternally grateful for every good and perfect gift which has come from Thee to us down through the years of our living. In the name of Christ, we pray. Amen.

JOURNAL APPROVED

The PRESIDING OFFICER. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. TALLMAN and Mr. MALLERY, further reading was dispensed with, and the Journal was approved.

NOMINATIONS BY THE GOVERNOR

NOTARIES PUBLIC

The Secretary to the Governor being introduced, presented in writing from His Excellency, the Governor of the Commonwealth, nominations for appointment as Notaries Public.

CONSIDERATION OF NOTARIES PUBLIC

Mr. TALLMAN. Mr. President, I move that the Senate do now proceed to the consideration of nominations for appointment as Notaries Public, sent to the Senate, by His Excellency, the Governor of the Commonwealth, on April 16, 1947.

Mr. WADE. Mr. President, I second the motion.

The motion was agreed to.

The nominations were read as follows:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 16, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Clarence H. Clasper, Oakmont.
John R. Napoleon, Pittsburgh, 1118 Penn Ave. (21).
Cyril A. Schiller, Pittsburgh, 126 Sixth St.
Mrs. Frances S. Sossong, Pittsburgh, 1514 Farmers Bank Building.
Miss Elizabeth E. Young, Pittsburgh, 1838 Oliver Bldg.

BUCKS COUNTY

Mrs. Margaret E. Mossbrook, Morrisville.

DELAWARE COUNTY

Miss B. J. Kinnear, Upper Darby Twp., 69th & Locust Sts., Upper Darby.

INDIANA COUNTY

Thomas M. Chisnell, Blairsville.

LAWRENCE COUNTY

M. E. Alexander, New Castle.
Miss Alice Sedgwick, New Castle.

LEHIGH COUNTY

Mrs. La Rue E. Luckey, Allentown.

LUZERNE COUNTY

Bernard A. Brislin, Hazleton.
Miss M. Eleanor Grisco, Shickshinny.

PHILADELPHIA COUNTY

Meyer H. Berger, Phila., 3913 N. Broad St. (40).
Frank J. Costa, Phila., 611 Kimball St
Mrs. Victoria W. Montefusco, Phila., 2138 W. Indiana Ave.

JAMES H. DUFF.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 16, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as Notaries Public, for terms of four years to compute from the dates set opposite their names:

LACKAWANNA COUNTY

H. E. Courtright, Scranton, April 29, 1947.

LUZERNE COUNTY

Frank P. Scrudato, Pittston, May 1, 1947.

JAMES H. DUFF.

NOMINATIONS FOR NOTARIES PUBLIC

A motion was made by Mr. TALLMAN and Mr. WADE,

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Wade,
Blass,	Hare,	Margie,	Wagner,
Carr,	Heyburn,	Rahauser,	Watson,
Chapman,	Holland,	Rosenfeld,	Wilson,
Crider,	Homsher	Ruth,	Wolfe,
Crowe,	Jaspan,	Scarlett,	Wood, L. H.,
Dent,	Klein,	Snowden,	Wood, T. N.,
DiSilvestro,	Lane,	Stevenson,	Woodring,
Doehla,	Leader,	Stiefel,	Walker,
Donlan,	Letzler,	Tallman,	Presiding Officer
Farrell,			

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

He also presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows, and referred to the Committee on Executive Nominations.

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 16, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominated for the advice and consent of the Senate George N. Highley, Malvern, Chester County, for appointment as Justice of the Peace in and for the Borough of Malvern, Chester County, until the first Monday of January, 1948, vice Harvey K. Shenk, resigned.

JAMES H. DUFF.

HOUSE MESSAGES

HOUSE CONCURS IN SENATE CONCURRENT RESOLUTION

The Clerk of the House of Representatives being introduced informed the Senate that the House has concurred in resolution from the Senate as follows:

TIME OF NEXT MEETING

In the Senate, April 14, 1947.

Resolved (if the House of Representatives concur), That when the Senate adjourns this week it reconvene on Monday, April 21, 1947, at four o'clock p. m., and when the House of Representatives adjourns this week it reconvene on Monday, April 21 at 4:30 o'clock, p. m.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 237

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 237, entitled:

An Act to amend sections one thousand seventeen and one thousand two hundred seven of the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "Third Class City Law," removing the maximum limits on salaries of councilmen and mayors.

HOUSE CONCURS IN SENATE BILL No. 51

He also returned to the Senate, Senate Bill No. 51, entitled:

An Act providing for the observance of September fourteenth of each year as National Anthem Day.

with the information that the House has passed the same without amendments.

HOUSE MESSAGES

HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives being introduced presented for concurrence bills of the House, as follows:

House Bill No. 6, entitled:

An Act to amend subsection four of section one thousand two hundred nine point one, of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "Public School Code", requiring librarians with five years of accredited study to be paid as teachers holding Master's Degrees.

Which was committed to the Committee on Education.

House Bill No. 234, entitled:

An Act to amend section seven of the act approved the twenty-fourth day of July, one thousand nine hundred forty-one (P. L. 490), entitled "Uniform Acknowledgment Act," regulating acknowledgments of written instruments made by corporations.

Which was committed to the Committee on Judiciary General.

House Bill No. 330, entitled:

An Act to amend sections eight nine and fourteen of the act approved the fifth day of May one thousand nine hundred twenty-one (P. L. 389) entitled "An act to regulate and control the manufacture sale offering for sale giving away and use of weights and measures and of weighing and measuring devices in the Commonwealth of Pennsylvania providing for the approval and disapproval of such weights measures and devices by the Bureau of Standards and prescribing penalties" providing for marking and changing penalties.

Which was committed to the Committee on State Government.

House Bill No. 331, entitled:

An Act to further amend clause (c) of section two of the act approved the twenty-third day of May one thousand nine hundred nineteen (P. L. 278), entitled "An act supplementary to an act approved the eleventh day of May one thousand nine hundred eleven entitled 'An act to provide for the appointment of county and city inspectors of weights and measures providing for their compensation and expenses prescribing their duties prohibiting vendors from giving false or insufficient weights and fixing the penalties for the violation of the provisions hereof" providing for the examination of the glassware used for testing milk and cream for butterfat with the Babcock test prohibiting the use of inaccurate testing glassware defining the term Standard Babcock Glassware and fixing penalties for the violations of the provisions of this act," regulating contents of Standard Babcock Pipette.

Which was committed to the Committee on State Government.

House Bill No. 358, entitled:

An Act to further amend the act, approved the nineteenth day of July, one thousand nine hundred thirty-five (P. L. 1356), entitled "Licensed Weightmasters Act," providing for transportation of solid fuel over a public highway; making exceptions to necessity of weightmaster's certificate; and designating certain acts as prima facie evidence of short weight.

Which was committed to the Committee on Mines and Mining.

House Bill No. 360, entitled:

An Act to repeal certain statutes relating to weights and measures.

Which was committed to the Committee on State Government.

House Bill No. 362, entitled:

An Act to amend section two of the act approved the eighteenth day of May one thousand nine hundred forty-five (P. L. 802), entitled "An act to fix the standard weights of containers for wheat and corn flours cornmeals hominy and hominy grits and to provide penalties for the violation of this act" extending provisions of the act.

Which was committed to the Committee on Agriculture.

House Bill No. 387, entitled:

An Act to further amend section one of the act approved the eighth day of April, one thousand eight hundred sixty-eight (P. L. 73), entitled "An act to authorize the recorder of deeds in the several counties of this Commonwealth to record the discharges of all honorably discharged officers and soldiers," providing for the recording of certificates of service issued commissioned officers.

Which was committed to the Committee on Local Government.

House Bill No. 392, entitled:

An Act to further amend section three of the act, approved the eleventh day of May, one thousand nine hundred eleven (P. L. 275) entitled "An act to provide for the appointment of county and city inspectors of weights and measures; providing for their compensation and expenses; prescribing their duties; prohibiting vendors from giving false or insufficient weights; and fixing the penalties for the violation of the provisions hereof," changing penalties.

Which was committed to the Committee on State Government.

House Bill No. 393, entitled:

An Act to amend sections two and five of the act, approved the twenty-eighth day of May, one thousand nine hundred thirty-seven, (P. L. 1007), entitled "An act to prevent fraud and deception; regulating the weights and measures in the sale or offering for sale of fruits and vegetables in this Commonwealth; regulating sales of fruits and vegetables in original unbroken standard containers; imposing certain powers and duties on the Department of Internal Affairs and county and city inspectors of weights and measures; and prescribing penalties," further regulating such weights and measures; and increasing penalties.

Which was committed to the Committee on State Government.

House Bill No. 419, entitled:

An Act to repeal the act approved the twenty-eighth day of July, one thousand nine hundred forty-one, (P. L. 535), entitled "An act providing for the redemption of real property purchased by political subdivisions at tax sales upon the payment of the amount charged against the same and costs by installment payments, and prescribing the procedure therefor."

Which was committed to the Committee on Local Government.

House Bill No. 438, entitled:

An Act to further amend section three of, and add section four to the act, approved the twenty-fourth day of May, one thousand eight hundred ninety-three (P. L. 129), entitled "An act to empower boroughs and cities to establish a police pension fund, to take property in trust therefor, and regulating and providing for the regulation of the same," deleting provisions relating to termination of right to participate in the fund and regulation thereof; and providing that compensation or pension is not to be subject to attachment, execution, assignment or transfer and payable only to beneficiary designated, in person.

Which was committed to the Committee on Judiciary General.

House Bill No. 507, entitled:

An Act to amend Sections eleven hundred three and eleven hundred five of the act approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "The Game Law," by restricting the pay-

ment of bounties to residents of the Commonwealth; reducing the penalty for presentation of illegal bounty claims; and clarifying the law with reference thereto.

Which was committed to the Committee on Forests and Waters, Game and Fish.

House Bill No. 554, entitled:

An Act providing that in cities of the first class, in all cases where taxes are due and unpaid upon a single tract of land and it is desired to divide such tract into separate parcels, the Board of Revision of Taxes may apportion such taxes ratably between or among the parcels so divided; and providing that upon payment of the taxes and proper costs on any such parcel it shall be released from the lien.

Which was committed to the Committee on Local Government.

House Bill No. 576, entitled:

An Act fixing the fees of the recorder of deeds in counties of the sixth, seventh and eighth class.

Which was committed to the Committee on Local Government.

House Bill No. 589, entitled:

An Act to add section four hundred fifty-one to the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "General County Law," authorizing boards of county commissioners to make appropriations to county firemen's associations.

Which was committed to the Committee on Local Government.

House Bill No. 657, entitled:

An Act to further amend the act, approved the fifth day of August, one thousand nine hundred forty-one (P. L. 803) entitled, "An act providing for the creation, maintenance and operation of a county employes retirement system in counties of the fifth class; imposing certain charges on counties, and prescribing penalties," transferring contributors from the one one-hundred-twentieth class to the one one-hundredth class.

Which was committed to the Committee on Local Government.

House Bill No. 673, entitled:

An Act to further amend the act, approved the eighth day of July, one thousand nine hundred forty-one (P. L. 298), entitled "Fourth Class County Retirement Law," permitting persons returning to county employment within five years to reinstatement upon fulfilling certain conditions.

Which was committed to the Committee on Local Government.

House Bill No. 720, entitled:

An Act defining and providing for the licensing and regulation of private business schools and classes and agents thereof; conferring powers and imposing duties upon the State Board of Private Business Schools; and prescribing penalties.

Which was committed to the Committee on Education.

House Bill No. 754, entitled:

An Act to further amend sections three hundred seventeen, three hundred eighteen, three hundred nineteen, three hundred twenty, three hundred twenty-one, three hundred twenty-two, three hundred twenty-three, and three hundred twenty-four, of the act, approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "General County Law," by changing the amount of contributions to the employes' retirement fund and the retirement age of new employes; extending the power of the retirement board in investing the money of the retirement fund; decreasing the length of service necessary to entitle certain members to a retirement allowance upon being totally disabled; refund of contributions; authorizing counties of the second class and county institution district to make additional appropriations.

Which was committed to the Committee on Local Government.

House Bill No. 768, entitled:

An Act to add section one thousand six hundred ten point one to the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "Public School Code," authorizing the teaching of safe driving of automobiles.

Which was committed to the Committee on Education.

House Bill No. 792, entitled:

An Act to further amend sections two thousand one hundred one and two thousand one hundred seven of the act approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309) entitled "Public School Code," by further providing for the meetings of teachers of public schools under the jurisdiction of the county superintendent, authorizing instructional courses for such teachers upon approval of the county board of school directors, and increasing the amount of expenses for teachers' meetings or instructioinal courses to be paid by the county treasurer.

Which was committed to the Committee on Education.

House Bill No. 827, entitled:

An act defining and providing for the licensing of private correspondence schools and the registration of agents of such schools; providing for contractual liability; conferring powers and imposing duties on the State Council of Education; and prescribing penalties.

Which was committed to the Committee on Education.

House Bill No. 832, entitled:

A Supplement to the act, approved the twenty-fifth day of April, one thousand nine hundred forty-five (P. L. 299), entitled "An act providing for the establishment in counties of the second class of the lot and block plan for the registration of land titles, for the accumulation of county tax liens, and for the enumeration of the parcels of real estate to be assessed for county, city, borough, township, school and institution district taxation; providing for the incurring of indebtedness for the installation thereof; and imposing duties upon the county controller and the deed registrar in each of such counties," providing for the use in counties of the second class of the lot and block descriptive number, in the making of assessments, in the preparation of tax bills and tax receipts, in the filing of liens for delinquent taxes and in the sale of real estate for taxes; and imposing duties upon certain county officials in second class counties, and upon treasurers, tax collectors and solicitors of cities, boroughs, towns, townships and school districts in said counties.

Which was committed to the Committee on Local Government.

House Bill No. 848, entitled:

An Act to amend clause (d) of subsection one of section four of the act approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043) entitled "School Employes Retirement Law," by increasing the membership of the Public School Employes' Retirement Board.

Which was committed to the Committee on Education.

House Bill No. 863, entitled:

An Act to further amend section three of the act, approved the thirteenth day of May, one thousand nine hundred twenty-seven (P. L. 988), entitled "Nurses Registration Law," further providing for emergency registration of nurses.

Which was committed to the Committee on Education.

House Bill No. 873, entitled:

An Act to repeal the act, approved the twenty-eighth day of May, one thousand nine hundred forty-three (P. L. 784), entitled "An act prescribing temporary emergency war provisions with respect to the administration of certain provisions of the school laws of this Commonwealth; relating to days for school to be in session; closing schools and suspending classes; temporary assignment and reasignment of teachers; extension of transportation facilities; payment of tuition in lieu of transportation; and granting temporary farm and conservation employment certificates for certain pupils, under certain conditions; providing for full state subsidies when employing teachers holding special wartime certificates; authorizing boards of school directors (or boards of public education), subject to the approval of the district or county superintendent, to put such provisions into operation."

Which was committed to the Committee on Education.

House Bill No. 876, entitled:

An Act empowering all corporations incorporated under the laws of the State of Pennsylvania for purposes not for profit to change, alter, and amend by by-law such provisions of their charters as are purely administrative, and validating such changes, alterations and amendments heretofore made.

Which was committed to the Committee on Corporations.

House Bill No. 881, entitled:

An Act to amend section one thousand two hundred forty-four of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "Public School Code," providing Commonwealth reimbursement on account of elementary school tuition for attendance in other districts.

Which was committed to the Committee on Education.

House Bill No. 887, entitled:

An Act relating to the regulation of rates for insurance which may be written by stock or mutual casualty insurance companies, associations or exchanges, including fidelity, surety and guarantly bonds and all other forms of motor vehicle insurance and title insurance; to rating and advisory organizations, conferring on the Insurance Commissioner the power and duty of supervising and regulating persons, associations, companies and corporations, and of enforcing the provisions of this act; prescribing and regulating the practice and procedure before the commissioner, and procedure for review by the courts; giving the Court of Common Pleas of Dauphin County exclusive jurisdiction over certain proceedings; prescribing penalties and providing for enforcement thereof; and repealing inconsistent acts.

Which was committed to the Committee on Insurance.

House Bill No. 888, entitled:

An Act relating to the regulation of rates for insurance which may be written by stock or mutual fire, marine or fire and marine insurance companies, associations or exchanges; to rating and advisory organizations; to reports by rating organizations and insurers to the Pennsylvania State Police; conferring on the Insurance Commissioner the power and duty of supervising and regulating persons, associations, companies and corporations, and of enforcing the provisions of this act; prescribing and regulating the practice and procedure before the commissioner, and procedure for review by the courts; giving the Court of common pleas of Dauphin County exclusive jurisdiction over certain proceedings; prescribing penalties and providing for enforcement thereof; and repealing inconsistent acts.

Which was committed to the Committee on Insurance.

House Bill No. 890, entitled:

An Act to further amend the act, approved the seventeenth day of May, one thousand nine hundred twenty-one, (P. L. 789), entitled, as amended, "Insurance Department Act of 1921," making the provisions thereof applicable to rating organizations; authorizing the commissioner to collect prescribed fees, fines and penalties of such organizations; excluding from the definition of agent and broker, in the case of title insurance companies, attorneys, licensed real estate agents and brokers and repealing certain sections.

Which was committed to the Committee on Insurance.

House Bill No. 895, entitled:

An Act to add section six hundred twenty-six to the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 789), entitled as amended "Insurance Company Act of 1921," authorizing insurance companies, associations and exchanges to pay commissions to licensed brokers.

Which was committed to the Committee on Insurance.

House Bill No. 897, entitled:

An Act to further amend the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 682), entitled "Insurance Company Law of 1921," excluding from the provisions thereof fire rating bureaus and repealing the section relating to fire insurance rates and rating bureaus.

Which was committed to the Committee on Insurance.

House Bill No. 898, entitled:

An Act to further amend section five hundred thirty-two of the act approved the eighteenth day of May, one thousand nine hundred eleven, (P. L. 309), entitled "Public School Code," by permitting additional or increased appropriations by first class school districts in certain cases.

Which was committed to the Committee on Education.

House Bill No. 905, entitled:

An Act to amend and reenact section one of the act, approved the twenty-first day of May, one thousand nine

hundred forty-three (P. L. 491), entitled "An act reducing for a limited period of time, the training period of internship, in osteopathic hospitals, in order to qualify for examination for license by the Osteopathic Surgeons' Examining Board to practice major surgery, and suspending inconsistent laws," further regulating the training period of internship in osteopathic hospitals.

Which was committed to the Committee on Public Health and Welfare.

House Bill No. 908, entitled:

An Act to add four new sections to the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 682), entitled "Insurance Company Law of 1921," regulating ownership by domestic insurance companies of the capital stock of other insurance companies, conferring powers upon the Insurance Commissioners, prescribing procedure before the Commissioner and on appeal and conferring powers and duties upon the Court of Common Pleas of Dauphin County.

Which was committed to the Committee on Insurance.

House Bill No. 910, entitled:

An Act relating to unfair methods and unfair or deceptive acts and practices in the business of insurance; defining and prohibiting such methods, acts and practices; conferring on the Insurance Commissioner the power and duty of enforcing the provisions of this act; prescribing and regulating the practice and procedure before the commissioner, and procedure for review by the courts; conferring upon the court of Common Pleas of Dauphin County exclusive jurisdiction over certain proceedings; prescribing penalties and providing for enforcement thereof; and repealing inconsistent acts.

Which was committed to the Committee on Insurance.

House Bill No. 917, entitled:

An Act to repeal the act, approved the nineteenth day of March, one thousand nine hundred forty-three (P. L. 19), entitled "An act reducing, for a period of time, the training period of medical internship in hospitals in order to qualify for examination for license to practice medicine and surgery, and suspending inconsistent laws."

Which was committed to the Committee on Education.

House Bill No. 921, entitled:

An Act to repeal the act, approved the twenty-second day of April, one thousand nine hundred forty-three (P. L. 71), entitled "An act authorizing the State Board of Medical Education and Licensure to issue temporary permits to doctors of medicine legally licensed in other states to practice medicine and surgery in this State, under certain conditions, for a limited period of time."

Which was committed to the Committee on Education.

House Bill No. 936, entitled:

An Act to further amend section one of the act, approved the twenty-sixth day of May, one thousand nine hundred forty-three (P. L. 607), entitled "An act authorizing administrative boards within the Department of Public Instruction, for the duration of the present War, to admit to examination and grant licenses or registration to certain applicants who are less than twenty-one, but not less than twenty years of age," further regulating the professional examination, licensure, or registration of persons who are less than twenty-one, but over twenty years of age.

Which was committed to the Committee on Education.

House Bill No. 940, entitled:

An Act to amend subdivision (e) of article five of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "General County Laws," allowing counties of the second class to expend county moneys for aiding townships to construct or complete water systems.

Which was committed to the Committee on Local Government.

House Bill No. 957, entitled:

A Joint Resolution proposing an amendment to article nine, section four of the Constitution of the Commonwealth of Pennsylvania, increasing the maximum amount of State debt to supply deficiencies in revenue.

Which was committed to the Committee on Constitutional Changes and Federal Relations.

House Bill No. 1014, entitled:

An Act to further amend the fifth paragraph of section three hundred five of the act, approved the twenty-ninth day of November, one thousand nine hundred thirty-three (P. L. 15—1933-34), entitled, as amended "Pennsylvania Liquor Control Act," permitting for a limited period of time wines to be sold without having affixed to the package the official seal of the board.

Which was committed to the Committee on Law and Order.

House Bill No. 1041, entitled:

An Act to provide for the minimum salaries, qualifications, classification, leaves of absence, and regulations of the administrative officers, heads of special service departments and faculties of state teachers colleges.

Which was committed to the Committee on Education.

House Bill No. 1044, entitled:

An Act to further amend the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043), entitled "School Employes Retirement Law," by requiring the retirement board to submit annual statements to contributors.

Which was committed to the Committee on Education.

House Bill No. 1046, entitled:

An Act to amend section two of the act, approved the twenty-sixth day of May, one thousand nine hundred twenty-one (P. L. 1172), entitled "An act to regulate the practice of pharmacy and sale of poisons and drugs, and providing penalties for the violation thereof; defining the words 'drug' and 'poison'; and providing for the appointment of a board which shall have in charge the enforcement of said law, and the power to make rules and regulations for the enforcement of said law, and providing for the purchase of samples of drugs for determining their quality, strength, and purity," regulating the use of a corporate title in applying for a pharmacy permit and its use on labels, signs and advertisements.

Which was committed to the Committee on Public Health and Welfare.

House Bill No. 1057, entitled:

An Act to amend section twenty-two and add section twenty-two point one to the act, approved the twenty-eighth day of May, one thousand nine hundred thirty-seven (P. L. 955), entitled "Housing Authorities Law,"

regulating manner of applying for and receiving grants or funds from the Federal and State Government or of any instrumentality thereof.

Which was committed to the Committee on State Government.

House Bill No. 1088, entitled:

An Act validating the charters and the registration of the corporate name of certain nonprofit corporations.

Which was committed to the Committee on Corporations.

House Bill No. 1143, entitled:

An Act providing that the Soldiers' and Sailors' Home at Erie, Pennsylvania, shall provide ample facilities for caring for four mentally deranged veterans or civilians who may be detained there.

Which was committed to the Committee on Military Affairs and Aeronautics.

House Bill No. 1173, entitled:

An Act to amend the title of and the act, approved the fifth day of May, one thousand nine hundred twenty-seven (P. L. 817), entitled, "An act authorizing and regulating the growth, sale, and distribution of forest tree seedlings and transplants by the Department of Forests and Waters; regulating the use of such forest tree seedlings and transplants; and imposing duties upon the Department of Agriculture with regard to the enforcement of this act," by extending its provisions to include shrubs and vines under certain circumstances.

Which was committed to the Committee on Forests and Waters, Game and Fish.

House Bill No. 1174, entitled:

An Act to further amend clause (j) of section one thousand eight hundred two of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "Administrative Code of 1929," by prescribing certain additional forest powers and duties.

Which was committed to the Committee on Forests and Waters, Game and Fish.

House Bill No. 1215, entitled:

An Act ratifying the proposed amendment to the Constitution of the United States relative to the terms of the President of the United States.

Which was committed to the Committee on Constitutional Changes and Federal Relations.

REPORTS FROM COMMITTEES

Mr. SNOWDEN, from the Committee on Corporations, reported as committed, Senate Bill No. 446, entitled:

An Act to further amend section one of the act, approved the seventeenth day of June, one thousand nine hundred thirteen (P. L. 507), entitled "An act to provide revenue for State and county purposes, and, in cities coextensive with counties, for city and county purposes imposing taxes upon certain classes of personal property; providing for the assessment and collection of the same; providing for the duties and compensation of prothonotaries and recorders in connection therewith; and modifying existing legislation which provided for raising revenue for State purposes," providing that corporations, limited partnerships, and joint stock associations, holding certain taxable securities as mere custodian for the real owner shall not be taxed therefor.

Mr. CROWE, from the Committee on Education, reported as committed, Senate Bill No. 333, entitled:

An Act to further amend clause (a) of subsection three of section fourteeen of the act approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043) entitled, "An act establishing a public school employes retirement system and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing employes; defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon boards having the employment of public school employes; exempting annuities, allowances, returns, benefits and rights from taxation and judicial process, and providing penalties by providing for an increased employes annuity.

Mr. T. NEWELL WOOD, from the Committee on Labor and Industry, reported as committed, Senate Bill No. 428, entitled:

An Act to further amend clause (17) of subdivision (4) of subsection (L) of section four of the act, approved the fifth day of December, one thousand nine hundred thirty-six (1937 P. L. 2897), entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis; requiring employers to keep records and make reports, and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons; providing procedure and administrative details for the determination, payment and collection of such contributions and the payment of such compensation; providing for cooperation with the Federal Government and its agencies; creating certain special funds in the custody of the State Treasurer; and prescribing penalties," by expressly excluding from the definition of "employment" services of certain solicitors and salesmen who are compensated on a commission basis.

He also, from the Committee on Corporations, reported as committed, Senate Bill No. 557, entitled:

An Act providing for and regulating the merger and consolidation of corporations organized for the transportation and storage of oil by means of pipe lines and tanks; defining the rights and powers of the surviving or new corporation; providing for the service of process on foreign corporations; and defining the rights of dissenting stockholders.

Mr. FARRELL, from the Committee on Education, reported as committed, Senate Bill No. 543, entitled:

An Act ratifying, confirming and validating certain sales of unused and unnecessary lands sold by any Board of School Directors.

He also, from the Committee on Education, reported as committed, House Bill No. 785, entitled:

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative department. boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and

officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by creating the Public Service Institute Board in the Department of Public Instruction and defining its powers and duties.

Mr. LETZLER, from the Committee on Education, reported as amended, Senate Bill No. 268, entitled:

An Act to amend section three of the act, approved the first day of June, one thousand nine hundred forty-five (P. L. 1222), entitled "An act providing for the complete medical and dental examination of all children of school age, and teachers and other school employes in the public and private elementary and secondary schools of the Commonwealth; and imposing certain duties upon the Department of Health and the Department of Public Instruction; and making an appropriation," providing that nurses and physicians performing the services required of them in certain schools situated in school districts of the first class shall remain employes of such municipal corporations by whom they are employed.

Mr. MAHANY, from the Committee on Judiciary General, re-reported as committed, Senate Bill No. 250, entitled:

An Act permitting certain personnel, of State-owned mental hospitals to certify as to the condition of mental patients in lieu of attendance in person before any court in certain cases.

Mr. WAGNER, from the Committee on Education, reported as committed, Senate Bill No. 429, entitled:

An Act authorizing the establishment in The Pennsylvania State College through the extension services of said institution, an educational program in industrial and labor relations; stating the objectives and purposes of said program; conferring obligations and duties on the trustees and president of said institution; providing for the establishment of an advisory committee, its appointment and defining its powers and duties; and making an appropriation therefor.

Mr. WAGNER on behalf of Mr. WALKER, from the Committee on Judiciary General, reported as amended, Senate Bill No. 204, entitled:

An Act establishing a uniform time for appeals to the Superior and Supreme Courts and from the Superior to the Supreme Court in all proceedings; and repealing inconsistent acts.

Mr. TALLMAN, from the Committee on Judiciary General, reported as committed, House Bill No. 350, entitled:

An Act to amend section sixteen of the act, approved the twenty-fourth day of January, one thousand eight hundred forty-nine (P. L. 678), entitled "An act authorizing the commissioners of the incorporated districts of the Northern Liberties and Kensington, to open a street to be called Delaware avenue; relative to the duties of assessors; venders of mineral waters; the Fire association of Philadelphia; vacancies in the school boards in the county of Philadelphia to lost mortgages; auditors of Philadelphia county; rebuilding of the court house in Philadelphia; to enable the commissioners of Philadelphia county to borrow money; to settle certain accounts between Spring Garden and the commonwealth; and respecting the appointment of auditors," limiting appointive powers of judges in certain cases.

Mr. HARE, from the Committee on Education, reported as committed, House Bill No. 772, entitled:

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by changing the name of the Thaddeus Stevens Industrial School.

Mr. BERGER, from the Committee on Judiciary General, reported as committed, Senate Bill No. 169, entitled:

An Act authorizing the arbitration of death taxes when there are conflicting claims as to the domicile of the decedent, and making uniform the law relating thereto.

He also, from the Committee on Judiciary General, reported as committed, Senate Bill No. 170, entitled:

An Act authorizing the compromise of death taxes when there are conflicting claims as to the domicile of the decedent and making uniform the law relating thereto.

He also, from the Committee on Education, reported as committed, House Bill No. 838, entitled:

An Act to further amend the definition of "Extension Education" in section one of the act approved the second day of May, one thousand nine hundred twenty-five, (P. L. 492), entitled "An act to provide for the equalization of educational opportunity and the encouragement of the study of citizenship by recognition of extension education, for boys and girls who are employed and for adults, as a function of the public schools of this Commonwealth; and to facilitate the proper organization and administration of such extension education," including recreational or social service for youth and children within the meaning of the term "extension education."

Mr. HEYBURN, from the Committee on Corporations, reported as committed, Senate Bill No. 492, entitled:

An Act to amend Section 2 of the act, approved the third day of May, one thousand nine hundred and thirty-three (P. L. 227), entitled, "An act authorizing stock corporations, with certain exceptions, to make provision for, and to issue, shares of capital stock of any class or classes, or to change shares of authorized or outstanding capital stock of any class into one or more classes, with or without nominal or par value and with such designations, terms, relative rights, powers, privileges, preferences, limitations, restrictions and qualifications as may be specified; regulating such corporations; and the liabilities of their directors; making other provisions relating to the capital and capital stock of such corporation; and repealing all acts or parts of acts inconsistent herewith," by empowering, subject to certain conditions, the boards of directors

of corporations to issue out of the authorized; but unissued shares of capital stock the kinds and classes of shares so authorized; regulating the creation and issuance of preferred or special stock in series and designating the variations in the relative rights and preferences as between different series; and empowering, subject to certain conditions, the boards of directors of corporations, as respects the authorized but unissued shares of preferred or special stock of the corporation, to divide the same into series and, subject to certain conditions and limitations, to fix and determine the relative rights and preferences of any series so established.

Mr. BLASS, from the Committee on Judiciary General, reported as amended, Senate Bill No. 239, entitled:

An Act to amend the last paragraph of section nine of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-three (P. L. 1433), entitled "An act defining the powers of the courts of quarter sessions, the Municipal Court of Philadelphia, and the County or Juvenile Court of Allegheny County, with respect to the care, guidance, control, trial, placement and commitment of delinquent, dependent and neglected children under sixteen years of age and of persons over sixteen years of age contributing to or encouraging the delinquency, neglect and dependency of children; and amending, revising and consolidating the law relating thereto," further defining liability for support of children in private homes, foster homes, children's homes and institutions; and providing for the enforcement thereof.

Mr. HOLLAND, from the Committee on Education, reported as committed, House Bill No. 487, entitled:

An Act to add subsection three point one to section eight of the act, approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043), entitled "An act establishing a public school employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon boards having the employment of public school employes; exempting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," by further providing for certain Commonwealth contributions to the fund.

SENATE BILL 309 TO BE KNOWN AS THE DONLAN-RAHAUSER BILL

Mr. RUTH. Mr. President, in reporting Senate Bill 309 from the Committee on Education I am instructed to say that there were two bills of a similar nature, Senate Bill 84 and Senate Bill 309; the committee decided to report out to the floor of the Senate No. 309, with the request that the name of Senator Rahauser be added and Senate Bill 309 be known as the Donlan-Rahauser Bill.

Therefore I report from the Committee on Education Senate Bill 309, as amended.

Mr. RUTH, from the Committee on Education, reported as amended, Senate Bill No. 309, entitled:

An Act to further amend subsection (e) of section three of the act approved the first day of August, one thousand nine hundred forty-one (P. L. 744), entitled "An act requiring school boards in all school districts and board of directors of all vocational school districts to grant leaves of absence to all school employes who shall volunteer or be called for military or naval service in time of war or during a state of national emergency; preserving certain contracts, salaries, increments, retirement rights, seniority, State contributions and grants to local school boards, eligibility lists, reemployment; authorizing school boards and boards of directors of vocational schools to employ substitutes in place of such employes; requiring school districts and vocational school districts to make additional payments into the School Employes' Retirement Fund; reserving all rights and privileges of employes granted leaves of absence under the provisions herein, and superceding or repealing all contrary laws" by providing that former school employes who entered the military or naval service may obtain credit for such period of service when they return to school service.

He also, from the Committee on Education, reported as committed, Senate Bill No. 381, entitled:

An Act to further amend subsection (f) of section four hundred forty-eight of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant-Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determinef," increasing the number of members of The Advisory Health Board, requiring one of such members to be a licensed dentist, and one to be a licensed pharmacist.

Mr. RAHAUSER on behalf of Mr. WOODRING, from the Committee on Corporations, reported as committed, House Bill No. 770, entitled:

An Act to amend section two hundred seven of the act, approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 289) entitled "An act relating to nonprofit corporations; defining and providing for the organization, merger, consolidating, and dissolution of such corporations; conferring certain rights, powers, duties, and immunities upon them and their officers and members; prescribing the conditions on which such corporations may exercise their powers; providing for the inclusion of certain existing corporations of the first class within the provisions of this act; prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth; conferring powers and imposing duties on the courts of common pleas, prothonotaries of such courts, recorders of deeds, and certain State departments, commissions, and officers; authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act; imposing penalties; and repealing certain acts and parts of acts relating to corporations," permitting applications for charters to be referred by court to masters only upon objections being filed thereto.

He also on behalf of Mr. WOODRING, from the Committee on Corporations, reported as committed, House Bill No. 527, entitled:

An Act to further amend section nine hundred four of the act, approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 364), entitled "An act

relating to business corporations; defining and providing for the organization, merger, consolidation, reorganization, winding up and dissolution of such corporations; conferring certain rights, powers, duties and immunities upon them and their officers and shareholders; prescribing the conditions on which such corporations may exercise their powers; providing for the inclusion of certain existing corporations of the second class within the provisions of this act; prescribing the terms and conditions upon which foreign business corporations may be admitted, or may continue, to do business within the Commonwealth; and conferring powers and imposing duties on the courts of common pleas, and certain State departments, commissions, and officers: authorizing certain State departments, boards, commissions, or officers to collect fees for services required to be rendered by this act; imposing penalties; and repealing certain acts and parts of acts relating to corporations," limiting requirement to advertise intention to file articles of merger or consolidation.

He also on behalf of Mr. WOODRING, from the Committee on Corporations, reported as committed, House Bill No. 525, entitled:

An Act to amend section eight hundred seven of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 364) entitled "An act relating to business corporations defining and providing for the organization merger consolidation reorganization winding up and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and shareholders prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the second class within the provisions of this act prescribing the terms and conditions upon which foreign business corporations may be admitted or may continue to do business with the Commonwealth conferring powers and imposing duties on the courts of common pleas and certain State departments commissions and officers authorizing certain State departments boards commissions or officers to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" providing for advertisement of articles of amendment after adoption by shareholders.

He also on behalf of Mr. WOODRING, from the Committee on Corporations, reported as committed, House Bill No. 517, entitled:

An Act to further amend sections eight hundred eight and one thousand one hundred one of the act approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 364), entitled "An act relating to business corporations; defining and providing for the organization, merger, consolidation, reorganization, winding up and dissolution of such corporations; conferring certain rights, powers, duties and immunities upon them and their officers and shareholders; prescribing the conditions on which such corporations may exercise their powers; providing for the inclusion of certain existing corporations of the second class, within the provisions of this act; prescribing the terms and conditions upon which foreign business corporations may be admitted, or may continue, to do business within the Commonwealth; conferring powers and imposing duties on the courts of common pleas, and certain State departments, commissions, and officers; authorizing certain State departments, boards, commissions, or officers to collect fees for services required to be rendered by this act; imposing penalties; and repealing certain acts and parts of acts relating to corporations," eliminating requirement that certificates of clearance be filed with articles of amendment or of dissolution.

He also on behalf of Mr. WOODRING, from the Committee on Corporations, reported as committed, House Bill No. 514, entitled:

An Act to amend the act approved the thirteenth day of June one thousand eight hundred eighty-three (P. L. 122) entitled "A supplement to an act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved April twenty-ninth one thousand eight hundred and seventy-four providing for the improvement amendment and alteration of the charters of corporations of the second class and authorizing the incorporation of traction motor companies" by changing the requirements for advertising notice of intention to improve amend or alter a charter incorporated under said supplement.

Mr. RAHAUSER, from the Committee on Judiciary General, reported as committed, Senate Bill No. 575, entitled:

An Act concerning the ascertainment of principal and income, and the apportionment of receipts and expenses among tenants and remaindermen.

He also, from the Committee on Judiciary General, reported as committed, Senate Bill No. 448, entitled:

An Act to further amend section one of the act approved the twenty-fourth day of July, one thousand nine hundred thirteen (P. L. 1013), entitled "A nact regulating the issuance of licenses to marry; prohibiting the issuance of such licenses to certain persons; regulating the time during which licenses shall be valid, and the time when returns shall be made of marriages solemnized to the clerk of the orphans' court; and prescribing the duties of the clerk of the orphans' court," bv permitting a master duly appointed by the orphans court to authorize the issuance of marriage licenses in cases of emergency or extraordinary circumstances.

Mr. CARR, from the Committee on Education, reported as committed, House Bill No. 1016, entitled:

An Act to amend section four hundred thirty-nine of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salares of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," increasing the membership of the Sanitary Water Board and providing compensation for certain members of such board.

BILLS INTRODUCED AND REFERRED

Mr. CARR read in his place and presented to the Chair Senate Bill No. 592, entitled:

An Act to further amend sections two and nine and amend section twelve of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2051), entitled "An act relating to public assistance: providing for and regulating assistance to cer-

tain classes of persons designated and defined as dependent children, aged persons, blind persons and other persons requiring relief; providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose; authorizing the Department of Public Assistance to cooperate with, and to accept and disburse moneys received from, the United States Government for assistance to such persons; providing for the liquidation of the State Emergency Relief Board, Boards of Trustees of the Mothers' Assistance Fund, and Boards of Trustees of Pension Fund for the Blind; and repealing laws relating to mothers' assistance, pensions for the blind, old age assistance and the State Emergency Relief Board," by changing the definition of "Assistance" and eligibility requirements for aged persons and other persons, clarifying responsibilities of the Department of Public Assistance and providing for reimbursement from County Institution Districts.

Which was committed to the Committee on Public Health and Welfare.

Messrs. STEVENSON and MALLERY read in place and presented to the Chair Senate Bill No. 593, entitled:

An Act to amend sections three hundred two and seven hundred one of the act approved the twenty-first day of May, one thousand nine hundred forty-three (P. L. 571), entitled "An act relating to assessment for taxation in counties of the fourth, fifth, sixth, seventh, and eighth classes; designating the subjects, property and persons subject to and exempt from taxation for county, borough, town, township, school, except in cities and county institution district purposes; and providing for and regulating the assessment and valuation thereof for such purposes; creating in each such county a board for the assessment and revision of taxes; defining the powers and duties of such boards; providing for the acceptance of this act by cities; regulating the office of ward, borough, town and township assessors; abolishing the office of assistant triennial assessor in townships of the first class; providing for the appointment of a chief assessor, assistant assessors and other employes; providing for their compensation payable by such counties; prescribing certain duties of and certain fees to be collected by the recorder of deeds; and eliminating the triennial assessment," enlarging the powers of boards of assessment and revision of taxes as to the revision of assessments and valuation.

Which was committed to the Committee on Local Government.

Mr. CHAPMAN read in his place and presented to the Chair Senate Bill No. 594, entitled:

An Act to further amend the act approved the third day of June, one thousand nine hundred eleven (P. L. 639), entitled "An act relating to the right to practice medicine and surgery in the Commonwealth of Pennsylvania; and providing a Bureau of Medical Education and Licensure as a bureau of the Department of Public Instruction, and means and methods whereby the right to practice medicine and surgery and any of its branches may be obtained, and exemptions therefrom; and providing for an appropriation to carry out the provisions of said act, and providing for revocation and suspension of licenses by said bureau; and providing penalties for violation thereof, and repealing all acts or parts of acts inconsistent therewith," as amended, by bringing the practice of osteopathy and osteopathic surgery within the provisions of this act; providing for the admission into the practice of osteopathy of all students now enrolled in colleges of osteopathy who successfully complete their studies therein; protecting the rights of osteopaths and osteopathic surgeons to continue their respective practices; and making provision for osteopaths and osteopathic surgeons to become licensed practitioners in medicine and surgery under this act.

Which was committed to the Committee on Public Health and Welfare.

He also read in his place and presented to the Chair Senate Bill No. 595, entitled:

An Act to amend section four hundred twelve of the act approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by adding to the membership of the State Board of Medical Education and Licensure. one member from the Pennsylvania Osteopathic Association.

Which was committed to the Committee on Education.

Mr. LLOYD H. WOOD read in his place and presented to the Chair Senate Bill No. 596, entitled:

An act to further amend section four hundred forty-one of the act, approved the second day of May, one thousand inie hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eight classes; and revising, amending, and consolidating the laws relating thereto," authorizing appropriations for support of tuberculosis sanitaria.

Which was committed to the Committee on Appropriations.

He also read in his place and presented to the Chair Senate Bill No. 597, entitled:

An Act to amend section four hundred forty-two of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," removing the maximum limitation on appropriations for maintenance of indigent persons in certain tuberculosis sanitaria.

Which was committed to the Committee on Appropriations.

Mr. WAGNER read in his place and presented to the Chair Senate Bill No. 598, entitled:

An Act to further amend section six of the act approved the thirty-first day of May one thousand nine hundred and eleven (P. L. 468), entitled "An act providing for the establishment of a State Highways Department by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendents of highway and a staff of assistants and employees defining their duties and the jurisdiction of the State Highway Department and fixing salaries of commissioner and deputies and other appointees providing for taking over from the counties or town-

ships of the Commonwealth certain existing public roads connecting county seats, principal cities, and towns and extending to the State line. Describing and defining same by route numbers as the State highways of the Commonwealth providing for the improvement maintenance and repair of said State highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll roads forming all or part of any State highway and precedure therein providing for work of improvement of State highways to be done by contract except where the State Highway Commissioner decides the work be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways providing method of application for State aid in the improvement maintenance and repair or township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State highways and State-aid highways and kind of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highways Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act" by changing certain routes.

Which was committed to the Committee on Highways.

Mr. WAGNER on behalf of Mr. WALKER read in his place and presented to the Chair Senate Bill No. 599, entitled:

An Act to further amend clause (c) of section nine hundred two of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the opetators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by increasing the total maximum length of certain vehicles.

Which was committed to the Committee on Highways.

He also on behalf of Mr. WALKER read in his place and presented to the Chair Senate Bill No. 600, entitled:

An Act to amend section three hundred six point one of the act approved the second day of June, one thousand nine hundred fifteen (P. L. 736), entitled "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment; establishing an elective schedule of compensation; and providing procedure for the determination of liability and compensation thereunder," by further regulating the payment in second injury cases.

Which was committed to the Committee on Labor and Industry.

He also on behalf of Mr. WALKER read in his place and presented to the Chair Senate Bill No. 601, entitled:

An Act to further amend section five of article three of the act, approved the ninth day of June, one thousand nine hundred eleven (P. L. 756), entitled "An act to provide for the health and safety of persons employed in and about the bituminous coal-mines of Pennsylvania, and for the protection and preservation of property connected therewith," by further regulating barrier pillars.

Which was committed to the Committee on Mines and Mining.

Mr. LETZLER read in his place and presented to the Chair Senate Bill No. 602, entitled:

A Further Supplement to the Act, approved the first day of April, one thousand eight hundred sixty-three (P. L. 213) entitled "An act to accept the grant of Public Lands, by the United States, to the several states, for the endowment of Agricultural Colleges," making an appropriation for carrying the same into effect.

Which was committed to the Committee on Appropriations.

Mr. CRIDER read in his place and presented to the Chair Senate Bill No. 603, entitled:

An Act establishing certain sections of road over State-owned lands as State Highways, and providing for the construction and maintenance at the expense of the Commonwealth.

Which was committed to the Committee on Highways.

Mr. RAHAUSER read in his place and presented to the Chair Senate Bill No. 604, entitled:

An Act authorizing the Supreme Court of Pennsylvania, when requested by any Federal Court, to issue a written opinion as to the law of this State in cases where the question or proposition of such law has not been previously determined by our Supreme Court and to collaborate with other judicial bodies to make effective this and similar laws.

Which was committed to the Committee on Judiciary General.

Mr. LANE read in his place and presented to the Chair Senate Bill No. 605, entitled:

An Act to further amend subsection (b) of section one thousand seventeen and add section one thousand seventeen point one to the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses,

bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," regulating the meeting or overtaking of school buses while taking on or discharging passengers.

Which was committed to the Committee on Highways.

He also read in his place and presented to the Chair Senate Bill No. 606, entitled:

An Act providing a pension system for volunteer firemen of the several cities, boroughs, towns and townships to be administered and paid by the relief fund associations of volunteer fire departments or fire companies from money received from the tax on premium of foreign fire insurance companies.

Which was committed to the Committee on Local Government.

Mr. BARR on behalf of Messrs. DENT and MALLERY read in place and presented to the Chair Senate Bill No. 607, entitled:

An Act providing for and extending the time during which taxes on seated and unseated lands, for the tax year one thousand nine hundred forty-four and previous years, shall be liens, and during which the county treasurer shall have the right to sell the lands, on which such taxes are liens, for the payment of such taxes; reviving such liens, and restoring the treasurer's right to sell such lands in certain cases; and saving the rights of intervening purchasers, mortagees, lien holders, and other encumbrance holders.

Which was committed to the Committee on Local Government.

Mr. FARRELL read in his place and presented to the Chair Senate Bill No. 608, entitled:

An Act to further amend section four hundred nine of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," increasing the salary of the chairman of the Pennsylvania State Board of Censors.

Which was committed to the Committee on State Government.

REPORT FROM COMMITTEE

Mr. HOMSHER, Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. HOMSHER. From the Committee on Agriculture, reported as committed, House Bill No. 211, entitled:

An Act to encourage and promote the apple industry of the Commonwealth creating the Pennsylvania State Apple Board defining its powers and duties providing for campaigns of education advertising publicity sales promotion and research to promote the sale and consumption of Pennsylvania apples levying a tax on apples appropriating the proceeds of such tax conferring powers and imposing duties on the Department of Revenue and prescribing penalties.

MEMBERS OF ORWIGSBURG SENIOR HIGH SCHOOL CLASS INTRODUCED TO SENATE

Mr. WAGNER. Mr. President, before we proceed with the calendar I have a matter which I would like to direct to the attention of the Chair. This seems to be open season for distinguished visitors from Schuylkill County and today we again have some high school seniors, twenty-nine of them this time, from the Orwigsburg High School, under the leadership of the very gracious Senior Advisor, Miss Mattern. They are seated to my left in the balcony.

The PRESIDING OFFICER. The Chair on behalf of the Senate welcomes to the Senate the distinguished visitors from Schuylkill County. All persons from Schuylkill County are received in this chamber with high honors.

CALENDAR

BILL ON FINAL PASSAGE CALENDAR

BILL ON FINAL PASSAGE

Agreeaby to order,

The Senate resumed the consideration of Senate Bill No. 433, as follows:

An Act authorizing the Secretary of Property and Supplies to sell and convey a tract of land in Limerick Township Montgomery County Pennsylvania with the approval of the Governor

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Secretary of Property and Supplies with the approval of the Governor is hereby authorized on behalf of the Commonwealth of Pennsylvania to sell and convey for such consideration as may be agreed upon and to make and execute a deed conveying the following described tract of land situate in Limerick Township Montgomery County Pennsylvania

Beginning at a point in the southerly right of way line of the Main Line of the railroad of Reading Company at the distance of eighty-nine and thirty-two one-hundredths feet (89.32') southwardly from the original center line thereof said point being three hundred fifty-eight and

seventy-six one-hundredths feet (358.76') measured South sixty-five degrees nine minutes West (S 65° 09' W) along said southerly right of way line from a rail monument set for a corner said rail monument being about nine hundred seventy feet (970') westwardly from Linfield Station thence through lands of Pennhurst State School Commonwealth of Pennsylvania parallel and concentric with and thirty feet (30') distant from the center line of a proposed railroad side track the five (5) following courses curves and distances (1) South forty-five degrees forty-five minutes West (S 45° 45' W) two hundred forty-six and eighty-three one-hundredths feet (246.83') to a point of curve (2) by a curve to the left having a radius of four hundred twenty feet (420') an arc distance of three hundred sixty-five and seventy-nine one-hundredths feet (365.79') to a point of tangent (3) South four degrees nine minutes East (S 04° 09' E) two hundred forty and eight one-hundredths feet (240.08') to a point of curve (4) by a curve to the right having a radius of four hundred eighty feet (480') an arc distance of seven hundred twenty-eight and eighty-five one-hundredths feet (728.85') to a point of tangent and (5) South eighty-two degrees fifty-one minutes West (S 82° 51' W) four hundred seventy-six and sixty-eight one-hundredths feet (476.68') to a point in the line dividing lands of Pennhurst State School Commonwealth of Pennsylvania from lands of Kinsey Distilling Corporation thence along said dividing line North twenty-one degrees six minutes West (N 21° 06' W) crossing said center line of proposed side track sixty-one and eighty-two one-hundredths feet (61.82') to a point said point being South twenty-one degrees six minutes East (S 21° 06' E) forty-nine and thirty-five one hundredths feet (49.35') from a concrete monument set for a corner in said dividing line thence through lands of Pennhurst State School Commonwealth of Pennsylvania parallel and concentric with and thirty feet (30') distant from said center line of proposed side track the (5) following courses curves and distances (1) North eighty-two degrees fifty-one minutes East (N 82° 51' E) four hundred ninety-one and fifty-eight one-hundredths feet (491.58') to a point of curve (2) by a curve to the left having a radius of four hundred twenty feet (420') an arc distance of six hundred thirty-seven and seventy-four one-hundredths feet (637.74') to a point of tangent (3) North four degrees nine minutes West (N 04° 09' W) two hundred forty and eight one-hundredths feet (240.08') to a point of curve (4) by a curve to the right having a radius of four hundred eighty feet (480') an arc distance of four hundred eighteen and four-one hundredths feet (418.04') to a point of tangent and (5) North forty-five degrees forty-five minutes East (N 45° 45' E) seventy-six and forty-five one hundredths feet (76.45') to a point in the aforemention southerly right of way line of railroad at the distance of ninety-four and one one-hundredths feet (94.01') southwardly from the original center line thence North sixty-five degrees nine minutes East (N 65° 09' E) along said right of way line recrossing aforementioned center line of proposed side track one hundred eighty and sixty-four one-hundredths feet (180.64') to the point of beginning containing two and six hundred ninety-eight one-thousandths (2.698) acres more or less being part of lands now owned by the Commonwealth and presently used by the Pennhurst State School

Section 2 The deed of conveyance shall be approved by the Department of Justice and shall be executed by the Secretary of Property and Supplies in the name of the Commonwealth of Pennsylvania

Section 3 This act shall become effective immediately upon final enactment

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Wade,
Blass,	Hare,	Margie,	Wagner,
Carr,	Heyburn,	Rahauser,	Watson,
Chapman,	Holland,	Rosenfeld,	Wilson,
Crider,	Homsher	Ruth,	Wolfe,
Crowe,	Jaspan,	Scarlett,	Wood, L. H.,
Dent,	Kephart,	Snowden,	Wood, T. N.,
DiSilvestro,	Klein,	Stevenson,	Woodring,
Doehla,	Lane,	Stiefel,	Walker,
Donlan,	Leader,	Tallman,	Presiding Officer
Farrell,	Letzler,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS ON THIRD READING CALENDAR

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 72, on third reading, entitled:

An Act to further amend section three hundred twenty of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by providing for the payment of retirement allowances to widows of deceased county employes and for crediting employes with time spent in military servise in counties of the second class

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 105, as follows:

An Act to prohibit the payment of appropriations to institutions which pay for insurance or annuity contracts to insurance companies associations and exchanges of other states and foreign countries not legally doing business in Pennsylvania and not subject to the jurisdiction of the Insurance Commissioner

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 No appropriation authorized by the State Legislature shall be paid to any State institution or any other institution within this State unless a statement under oath is first filed with the Auditor General setting forth that it is not paying for in whole or in part any insurance or annuity contrast or re-insurance agreement or contract with any company association or exchange of any state or foreign country not legally doing business in Pennsylvania and not subject to the jurisdiction of the Insurance Commissioner

Section 2 Any sworn statement filed pursuant to the provisions of this act which shall be found to be false shall be sufficient cause for the State to sue for and recover the full amount of any appropriation paid to the institution on whose behalf the false statement has been made Any person charged with the duty of making the required sworn statement on behalf of any institution who shall deliberately and knowingly falsify the statement shall be guilty of a misdemeanor and shall be pun-

ished by a fine of not over one thousand dollars ($1,000) or to undergo imprisonemnt of not over six (6) months or both as the court may direct

Section 3 The provisions of this act shall not apply to or affect (1) insurance or annuity contracts which are reinsured with a company or companies authorized or licensed to do business in Pennsylvania or (2) payments of premiums made by any institution on any annuity contract entered into by any officer or employe of the institution in effect on the effective date of this act or on the date when any officer or employe thereafter becomes associated with the institution

Section 4 The provisions of this act shall become effective on the first day of June one thousand nine hundred forty-seven

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—32

Barr,	Doehla,	Letzler,	Tallman,
Becker,	Farrell,	Lord,	Taylor,
Berger,	Geltz,	Mahany,	Wade,
Carr,	Hare,	Mallery,	Wagner,
Chapman,	Heyburn,	Rahauser,	Watson,
Crider,	Holland,	Scarlett,	Wilson,
Dent,	Homsher	Snowden,	Wolfe,
DiSilvestro,	Kephart,	Stevenson,	Wood, T. N.,

NAYS—8

Blass,	Haluska,	Leader,	Tarr,
Donlan,	Lane,	Ruth,	Walker, Presiding Officer

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL POSTPONED

Mr. TALLMAN. Mr. President, I move that further consideration of Senate Bill No. 337, on third reading, entitled:

An Act to further amend the act approved the seventh day of June one thousand nine hundred seventeen (P. L. 447) entitled as amended "An act relating to the administration and distribution of the estates of decedents and of minors and of trust estates including the appointment bonds rights powers and duties liabilities accounts discharge and removal of executors administrators guardians and trustees herein desingated as fiduciaries and the administration and distribution of the estates of presumed decedendts widow's and children's exemptions debts of decedents rents of real estate as assets for payment thereof the lien thereof sales and mortgages of real estate for the payment thereof judgments and executions therefor and the discharge of real estate legacies including legacies charged on land the discharge of residuary estates and of real estate from the lien of legacies and other charges and appraisement of real estate devised at a valuation the ascertainment of the curtilage of dwelling houses or other buildings devised the abatement and survival of actions and the substitution of executors and administrators therein the survival of causes of action and suits thereupon by or against fiduciaries investments by fiduciaries the organization of corporations to carry on the business of decedents the audit and review of accounts of fiduciaries refunding bonds transcripts to the court of common pleas of balances due by fiduciaries the rights powers and liabilities of nonresident and foreign fiduciaries the appointment bonds rights powers duties and liabilities of trustees durante absentia the recording and registration of decrees reports and other proceedings and the fees therefor appeals in certain cases and also generally dealing with the jurisdiction powers and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents" by permitting the investment of trust funds by fiduciaries in municipality authority bonds.

be placed on the Postponed Calendar.

Mr. DONLAN. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 341, entitled:

An Act to amend section ten of the act approved the twenty-fifth day of May one thousand nine hundred forty-five (P. L. 1050) entitled "An act relating to the collection of taxes levied by counties county institution districts cities of the third class boroughs towns townships certain school districts and vocational school districts conferring powers and imposing duties on tax collectors courts and various officers of said political subdivisions and prescribing penalties" providing for interest on unpaid taxes

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. MALLERY. Mr. President, I ask unanimous consent to offer an amendment at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

The Clerk read the amendment as follows:

Amend sec. 1 (Sec. 10), page 3, line 2, by striking out the words "tax levy" and inserting in lieu thereof "beginning of the year for which the tax was levied".

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

It was agreed to.

And said bill having been read at length the third time, and agreed to, as amended,

Ordered, That the bill as amended, lie over for printing on final passage.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 462, entitled:

An Act relating to Federal aid to political subdivisions for the development of public airports.

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. T. NEWELL WOOD. Mr. President, I ask unanimous consent to offer amendments at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend title, page 1, first line of title by inserting after

the word "subdivision" the following: "or municipality authority"; amend Sec. 1, page 1, line 1, by inserting after the word "subdivision" the following: "or municipality authority"; amend Sec. 1, page 2, line 6, by inserting after the word "subdivision" the following: "or municipality authority"; amend Sec. 1, page 2, line 15, by inserting after the word "subdivision" the following: "or municipality authority".

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

It was agreed to.

And said bill having been read at length the third time, and agreed to, as amended,

Ordered, That the bill as amended, lie over for printing on final passage.

SENATE BILL No. 104 TAKEN FROM TABLE

Mr. LETZLER. Mr. President, I desire to call up Senate Bill No. 104, Printer's No. 60, which was laid on the table.

SENATE INSISTS UPON ITS NON-CONCURRENCE IN THE AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 104

Mr. LETZLER. Mr. President, I move that the Senate insist upon its non-concurrence in the amendments made by the House to Senate Bill No. 104, entitled:

An Act to amend section three of the act approved the fifteenth day of May, one thousand nine hundred forty-five, (P. L. 526) entitled "An act relating to the use of trailing cables on portable electric machinery in coal mines; providing for the health and safety of persons employed therein, and for the protection and preservation of property connected therewith, and for the inspection of such equipment by the Department of Mines," providing for additional grant of time within which to conform to the requirements thereof; and validating actions of the Secretary of Mines and the Department of Mines

and that a conference committee be appointed.

Mr. TALLMAN. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILL ON THIRD READING CALLED UP FROM POSTPONED CALENDAR

Mr. TALLMAN. Mr. President, I move that the Senate do now resume the consideration of Senate Bill No. 255, on third reading postponed.

Mr. DOEHLA. Mr. President, I second the motion.

The motion was agreed to.

BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate resumed the third reading and consideration of Senate Bill No. 255, entitled:

An Act to further amend the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" authorizing second class counties to acquire land for and erect operate and maintain thereon garbage disposal plants.

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. LETZLER. Mr. President, I ask unanimous consent to offer an amendment at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

The Clerk read the amendment as follows:

Amend Section 1 (Subsection 497), page 2, line 11, by inserting after the word "property" and before the word "for" the following: "within said county".

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

It was agreed to.

And said bill having been read at length the third time, and agreed to as amended.

Ordered, That the bill as amended, lie over for printing on final passage.

BILLS ON SECOND READING CALENDAR

BILLS OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 41 on second reading, entitled:

An Act to further amend section eight of the act approved the nineteenth day of July one thousand nine hundred thirty-five (P. L. 1356) entitled "An act to regulate the sale and delivery of solid fuel as herein defined providing for appointment of licensed weighmasters prescribing their powers and duties authorizing substitute licensed weighmasters imposing certain duties on the Department of Internal Affairs and providing penalties" increasing the penalties for violations thereof

go over in order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 195, on second reading entitled:

An Act to further amend the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 364) entitled "An act relating to business corporations defining and providing for the organization merger consolidation reorganization winding up and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and shareholders prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the second class within the provisions of this act prescribing the terms and conditions upon which foreign business corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas and certain State departments commissions and officers authorizing certain State departments boards commissions or officers to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" changing the time of the inception of corporate existence or authority to do business

and the requirements and effect of notices to shareholders in certain cases providing for cancellation of shares acquired by issuing corporation and limiting the rights of dissenting shareholders in certain cases

go over in order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 218, entitled:

An Act to further amend the first paragraph of section nine hundred seventy-six of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by further providing procedure for rejection of nomination petitions papers or certificates

And said bill having been read at length the second time,

On the question,

Will the Senate agree to the bill on second reading?

Mr. BARR. Mr. President, I desire to interrogate the sponsor of Senate Bill 218.

The PRESIDING OFFICER. Will the gentleman from Philadelphia permit himself to be interrogated?

Mr. FARRELL. I will, Mr. President.

Mr. BARR. Mr. President, if you should pass this bill, do you not think it will have a tendency to weaken the election code in the Commonwealth?

Mr. FARRELL. Mr. President, I would say this strengthens the election code.

Mr. BARR. Well, Mr. President, I want to ask the same question again: do you not think passage of this bill will weaken the election code?

Mr. FARRELL. No, I do not, Mr. President; I think it will strengthen the election code.

Mr. BARR. Mr. President, I do not think this bill should even have been allowed to go on the calendar. This seems to invite, in my opinion, fradulent petitions in this Commonwealth. In the election last year that question came up, if I remember correctly, in the early primary days, when there was a fake petition presented to the Secretary of the Commonwealth for judges at that time running for the Superior Court and the thing went by for ten days. I am not going to mention anybody's name who was back of that petition because one member of the Senate happened to be.

If this bill is allowed to go through, in my opinion, with the petitions that will be in the Secretary of the Commonwealth's office, each political party will have to have a battery of lawyers there continually.

MOTION THAT SENATE BILL 218 BE RE-COMMITTED TO COMMITTEE ON ELECTIONS

Mr. BARR. Mr. President, I at this time move that Senate Bill 218 be re-committed to the Committee on Elections.

Mr. DENT. I second the motion.

On the question,

Will the Senate agree to the motion.

Mr. KEPHART. Mr. President, in answer to the gentleman from Allegheny, Mr. Barr, may I say that the reason for this amendment was that under the law the county board of elections and the Secretary of the Commonwealth were charged with the duty of determining whether signatures were genuine or not and, not being handwriting experts, it was an almost impossible duty to perform and they might get into considerable trouble if they did not do it. As a practical matter, with millions of signatures, it can not be done.

There is another section of the election code where, if you think there is anything wrong with a signature, you can file a petition and test the genuineness of the signature, and that is not being changed by this bill.

This bill takes care of a situation where signatures are patently fradulent and this very amendment was drafted by Senator Rosenfeld, a Democrat from Philadelphia County, and there were no votes against it being reported from committee. The public is perfectly well protected under this bill as now amended.

Mr. RAHAUSER. The law, as I understand it to be, presumes that the signatures are genuine and it places no burden upon the county officials, the way it presently is, and the amendment proposed would take away from the election officials the due care that is required, it would destroy the necessary good faith that is required of our election officials, and it would take away from them any burden of carrying out their duty as election officials. There is no undue burden placed upon election officials the way the law now is and I can see no reason for this amendment whatsoever.

Mr. DENT. Mr. President, I desire to interrogate the gentleman from Philadelphia, Senator Kephart.

The PRESIDENT. Will the gentleman from Philadelphia permit himself to be interrogated?

Mr. KEPHART. I will, Mr. President.

Mr. DENT. Mr. President, will the gentleman from Philadelphia tell the Senate how long the present law has been in effect?

Mr. KEPHART. I am afraid I can not answer the question, Mr. President; maybe the gentleman from Westmoreland can answer it.

Mr. DENT. If I could, Mr. President I would not ask the question. I further desire to interrogate the gentleman from Philadelphia.

Mr. KEPHART. This an amendment to the Act of 1937, I can tell the gentleman from Westmoreland that much.

Mr. DENT. Mr. President, will the gentleman from Philadelphia tell the Senate how many election officials have been jailed or indicted because they have failed to live up to the present law and because it is so burdensome and cumbersome they can not abide by it? Will the gentleman from Philadelphia tell the members of the Senate how many elections officials have been indicted for not complying. I do not mind giving the answer but wait until I finish the question.

Mr. KEPHART. I was trying to find out what the question was.

Mr. DENT. Does the gentleman from Philadelphia not know what it is? I thank the gentleman, he need not answer. I will answer it myself.

The PRESIDING OFFICER. Will the gentleman from Westmoreland permit himself to be interrogated?

Mr. DENT. I will, Mr. President, and I will give attention to the question.

Anyone knows what this bill does. It takes care of a situation such as we had last year, when we had a fraudelent petition in the matter of a state-wide election, and you are now intending to put into law something you tried to do last year that was contrary to law, when you got a faker down in Philadelphia to put up a labor ticket when he had no more to do with labor than the man in the moon, in order to try to swing from natural moorings certain votes that could be counted in the total of the general election. History has proven you did not need them and I do not see any reason to change the law now to allow fraudulency to become a major part of the election code.

Mr. KEPHART. Mr. President, I decline to accept the statement of the gentleman from Westmoreland and I wish to further direct his attention to the clause reading "unless any such signatures are patently fradulent," which would seem to answer his argument.

And the question recurrng.

Will the Senate agree to the motion?

Mr. FARRELL. Mr. President, I most sincerely object to this bill being committed. If the gentleman wants time to study the bill, and to tell you the truth I would like a little more time myself, I would be willing to have the bill go over in its order but I must object to recommitting the bill.

MOTION WITHDRAWN

Mr. BARR. Mr. President, with respect to my colleague from Philadelphia, Senator Farrell, I withdraw my motion to re-commit Senate Bill 218.

Mr. DENT. Mr President, I withdraw my seconding of the motion.

The PRESIDING OFFICER. The motion is withdrawn.

And the question recurring.

Will the Senate agree to the bill on second reading?

BILL OVER IN ORDER

Mr. DENT. Mr. President, I ask unanimous consent that Senate Bill No. 218, on second reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case despensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 219, entitled:

An Act to add section eight hundred twelve to the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections inculding general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" providing that where members of a political party are appointed or elected to represent the members of such party in an election district said members shall constitute a political committee for such district

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. TALLMAN. Mr. President, I move that Senate Bill No. 238, on second reading, entitled:

An Act to amend section seventy-two of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by increasing expenses to be paid by the county

be recommitted to the Committee on Local Government.

Mr. WOLFE. Mr. President, I second the motion.

The motion was agreed to.

BILLS OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 284, on second reading, entitled:

An Act to further amend the act approved the thirtieth day of March one thousand nine hundred thirty-seven (P. L. 115) entitled "An act to provide for the permanent personal registration of electors in cities of the first class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties bodies of electors registration commissions commissioners registrars inspectors of registration and other appointees of registration commission election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics real estate brokers rental agents certain public service companies persons firms and corporations operating vehicles for moving furniture and household goods and boards of school directors and imposing penalties" by imposing an additional penalty

go over in order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. BARR. Mr. President, I ask unanimous consent that House Bill No. 317, on second reading, entitled:

An Act to reenact and amend the title and the act approved the second day of May one thousand nine hundred forty-five (P. L. 375) entitled "An act conferring upon the councils of cities of the first class the power and devolving upon them the duty of fixing and determining the salaries wages and other compensation payable out of the treasury of such cities from and after the first day of January one thousand nine hundred and forty-six of all public officers clerks and other public employes except the salaries of elected officers whose salaries are fixed by

law and except the salaries wages or other compensation of officers clerks and employes of the courts which are fixed by law or by the courts" by vesting in city council of cities of the first class the power to fix the salaries wages or other compensation of employes of the courts

go over in order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 389, on second reading, entitled:

An Act to amend section two of the act approved the seventh day of June one thousand nine hundred eleven (P. L.668 No. 261) entitled "An act to restrain and regulate the use of billiard-tables pool-tables and bagatelle-boards or tables kept and maintained for the use of the general public for hire or reward in cities of the first class in this Commonwealth providing for the granting of licenses and providing for punishments for the violations of the provisions of this act" by requiring applicant for license to have been a resident of the city in which he desires a license for a period of two years immediately preceding the filing of his petition for a license

go over in order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 419, on second reading, entitled:

An Act validating county treasurers' sales for delinquent taxes where the reports and returns of such sales were not made to the court of common pleas and such sales were not confirmed by the court

go over in order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 453, on second reading, entitled:

An Act to amend Section fourteen of Article XIX of the Act approved the twenty-fifth day of June one thousand nine hundred nineteen (P. L. 581) entitled "An act for the Better Government of Cities of the First Class of the Commonwealth of Pennsylvania" by extending the time for posting of eligible lists after examinations held by the Civil Service Commission when more than one thousand applicants are examined

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 487, on second reading, entitled:

An Act to amend the act approved the twenty-fifth day of May one thousand nine hundred forty-five (P. L. 1050) entitled "An act relating to the collection of taxes levied by counties county institution districts cities of the third class boroughs towns townships certain school districts and vocational school districts conferring powers and imposing duties on tax collectors courts and various officers of said political subdivisions and prescribing penalties" changing the method of furnishing notices of taxes

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 505, on second reading, entitled:

An Act to further amend the act approved the fourth day of June one thousand nine hundred forty-three (P. L. 886) entitled "An act creating a Municipal Employes' Retirement System for the payment of retirement allowances to officers and employes of political subdivisions and institutions supported and maintained by them and providing for the administration of the same by a board composed of certain state officers and others appointed by the Governor imposing certain duties on the State Employes' Retirement Board and the actuary thereof providing the procedure whereby political subdivisions may join such system and imposing certain liabilities and obligations on such political subdivisions in connection therewith and as to certain existing retirement and pension systems and upon officers and employes of such political subdivisions and institutions supported and maintained by them providing certain exemptions from taxation execution attachment levy and sale and making an appropriation" changing the provisions relating to prior service and defining prior salary changing the superannuatio ı retirement age eliminating the requirement for joinder of system by twenty-five municipalities reducing the amount of contributions by members and changing provisions relating to retirement allowances

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 506, on second reading, entitled:

An Act to further amend the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eight classes and revising amending and consolidating the laws relating thereto" providing for fixing the number and compensation of all appointed officers deputies assistants clerks and other persons whose compensation is paid out of the county treasury whether employed by the county the courts or by any judge thereof creating a salary board in each county defining its powers and duties providing for appeals and repealing inconsistent acts

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 507, on second reading, entitled:

An Act abolishing all existing county salary boards and providing for the transfer of their books records and property

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 527, on second reading, entitled:

An Act to add (i) to section two hundred one of the act approved the twenty-ninth day of November one thousand nine hundred thirty-three (P. L. 15, 1933-34) entitled as amended "An act to regulate and restrain the sale manufacture possession transportation importation traffic in and use of alcohol and alcoholic malt or brewed beverages conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents the Department of Public Instruction other officers of the State government courts and district attorneys authorizing the

establishment and operation of State stores for the sale of such beverages not for consumption on the premises and the granting of licenses subject to local option to sell such beverages for consumption on and off the premises forbidding importation or bringing of such beverages into the State except as herein provided prohibiting certain sales or practices in connection with and transactions in such beverages by licensees and others providing for the forfeiture of certain property making disposition of the receipts from State stores and of fees and imposing penalties" empowering Liquor Control Board to warn licensees as to uncleanliness or unsanitary conditions existing on licensed premises and prescribing manner of regulation in such cases.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 528, on second reading, entitled:

An Act to add section four hundred fifty-one to the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" providing for training of volunteer fire companies by counties of the second class

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 532, on second reading, entitled:

An Act to amend section twenty of the act approved the twenty-fifth day of May one thousand nine hundred forty-five (P. L. 1050) entitled "An act relating to the collection of taxes levied by counties county institution districts cities of the third class boroughs towns townships certain school districts and vocational school districts conferring powers and imposing duties on tax collectors courts and various officers of said political subdivisions and prescribing penalties" making a husband liable for his wife's per capita poll and occupation taxes and providing for the collection thereof

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 532, entitled:

An Act regulating the sale and resale for profit and the carrying on of the business of selling or reselling tickets or other devices for admission to places of amusement providing for the licensing of persons reselling such tickets for profit providing for the suspension and revocation of such licenses imposing duties on licensees and owners or operators of places of amusement imposing powers and duties on the Department of Revenue county treasurers district attorneys and the receiver of taxes and city solicitors in cities of the first class making disposition of moneys collected and providing penalties

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 536, entitled:

An Act regulating the discharge of police officers in townships of the second class and in boroughs and townships of the first class having police forces of less than three members

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 563, on second reading, entitled:

An Act to amend clause (a) and the first paragraph of clause (b) of section three hundred twenty-four of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home foreign insurance companies Lloyds associations reciprocal and interinsurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by further regulating the notice of meetings required to be given stockholders in certain cases.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 617, entitled:

An Act to further amend section four hundred one of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" further regulating the abolition of wards

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 640, entitled:

An Act authorizing cities of the first and second classes to enact ordinances prohibiting smoking or the carrying of lighted cigarettes cigars pipes or matches or using matches or other fire producting devices in certain retail stores within such cities and to provide penalties therefor

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 646, entitled:

An Act to further amend clause two of section nine of the act, approved the twenty-fifth day of May, one thousand nine hundred thirty-three (P. L. 1050), entitled "An act creating and establishing a fund for the care, maintenance, and relief of aged, retired and disabled employes of the bureau of fire in cities of the second class creating a board for the management thereof; providing the mode and manner of payment to beneficiaries, and for the care and disposition of its funds; and providing for the transfer and payment of all moneys and securities in existing funds in similar boards superseded by the fund and board herein created," by changing the method of distributing dues paid into the fund in cases of deceased firemen.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL POSTPONED

Mr. TALLMAN. Mr. President, I move that House Bill No. 715, on second reading, entitled:

An Act to amend the act approved the second day of July one thousand nine hundred thirty-five (P. L. 599) entitled "An act relating to motion picture exhibitions and sound motion picture exhibitions together with orchestral or other instrumental musical or mechanical musical accompaniment prelude playing or selection in connection with or incidental thereto on Sunday prohibiting motion picture exhibitions and sound motion picture exhibitions and orchestral or other instrumental musical or mechanical musical accompaniment prelude playing or selection incidental thereto on Sunday on certain hours and also during other hours unless the electors of a municipality approve thereof regulating the employment of persons in conducting such exhibitions on Sunday providing for referendums to ascertain the will of the electors and providing penalties and repealing inconsistent laws" by exempting the exhibition of religious motion pictures by churches from the provisions of this act

be placed on the Postponed Calendar.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON FIRST READING CALENDAR

BILLS ON FIRST READING

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 35, entitled:

An Act to further amend the act, approved the twenty-fifth day of July, one thousand nine hundred thirteen (P. L. 1024), entitled "An act to protect the public health and welfare, by regulating the employment of females in certain establishments, with respect to their hours of labor and the conditions of their employment; by establishing certain sanitary regulations in the establishments in which they work; by requiring certain abstracts and notices to be posted; by providing for the enforcement of this act by the Commissioner of Labor and Industry and others; by prescribing penalties for violations thereof; by defining the procedure in prosecutions; and by repealing all acts and parts of acts inconsistent with the provisions thereof," providing for payment of time and one half for overtime; changing hours of labor and restrictions relative to age in certain employments; and extending provisions to include additional persons.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 280, entitled:

An Act relating to relations between employers and employes creating a Division of Conciliation in the Department of Labor and Industry defining its powers and duties providing procedures for collective bargaining conciliation and arbitration providing for the conducting of hearings by a Commission in disputes in industries affecting the public interest limiting right to strikes and lockout providing procedures for taking a secret ballot before a strike is instituted providing for the determination of jurisdictional disputes establishing financial responsibility of labor organizations and their liability for suits for breach of contract

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 361, entitled:

An Act to further amend the act approved the first day of June one thousand nine hundred thirty-seven (P. L. 1168) entitled "An act to protect the right of employes to organize and bargain collectively creating the Pennsylvania Labor Relations Board conferring powers and imposing duties upon the Pennsylvania Labor Relations Board officers of the State government and courts providing for the right of employes to organize and bargain collectively declaring certain labor practices by employers to be unfair further providing that representatives of a majority of the employes be the exclusive representatives of all the employes authorizing the board to conduct hearings and elections and certify as to representatives of employes for purposes of collective bargaining empowering the board to prevent any person from engaging in any unfair labor practice and providing a procedure for such cases including the issuance of a complaint the conducting of a hearing and the making of an order empowering the board to petition a court of common pleas for the enforcement of its order and providing a procedure for such cases providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order and establishing a procedure for such cases providing for an appeal from the common pleas court to the Supreme Court providing the board with investigatory powers including the power to issue subpoenas and the compelling of obedience to them through application to the proper court providing for service of papers and process of the board prescribing certain penalties" further defining certain terms declaring certain additional labor practices of employers and employes to be unfair authorizing the Pennsylvania Labor Relations Board to conduct strike votes and votes to return to work by secret ballot and further defining the scope of collective bargaining

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 426, entitled:

An Act to amend section five and to further amend section six and subsection (c) of section eight of the act approved the first day of June one thousand nine hundred thirty-seven (P. L. 1168) entitled "An act to protect the right of employes to organize and bargain collectively creating the Pennsylvania Labor Relations Board con-

ferring powers and imposing duties upon the Pennsylvania Labor Relations Board officers of the State government and courts providing for the right of employes to organize and bargain collectively declaring certain labor practices by employers to be unfair further providing that representatives of a majority of the employes be the exclusive representatives of all the employes authorizing the board to conduct hearings and elections and certify as to representatives of employes for purposes of collective bargaining empowering the board to prevent any person from engaging in any unfair labor practice and providing a procedure for such cases including the issuance of a complaint the conducting of a hearing and the making of an order empowering the board to petition a court of common pleas for the enforcement of its order and providing a procedure for such cases providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order and establishing a procedure for such cases providing for an appeal from the common pleas court to the Supreme Court providing the board with investigatory powers including the power to issue subpoenas and the compelling of obedience to them through application to the proper court providing for service of papers and process of the board prescribing certain penalties" making it an unfair labor practice to require membership or non-membership in a labor organization a condition of employment establishing the right to join or refrain from joining such organizations as a right of employes and providing for the enforcement thereof

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 427, entitled:

An Act to amend section five of the act approved the second day of June one thousand nine hundred thirty-seven (P. L. 1198) entitled "An act relating to employes and organizations thereof defining labor disputes prescribing the procedure by which and the conditions under which injunctions may be granted in such disputes and the scope thereof declaring certain undertakings and promises between employers and employes contrary to public policy and void prescribing the nature of proof necessary in actions arising out of labor disputes against persons or association precribing the terms and conditions for bonds to be furnished prior to the issuance of injunctions prescribing the procedure in case of appeal from granting injunctions limiting the duration of temporary and permanent injunctions in case of labor disputes and providing for the payment of costs and repealing all acts or parts of acts inconsistent herewith" including among provisions of contracts which are unenforceable in law or equity agreements to become or remain a member of labor or employer organizations

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Mr. TALLMAN. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. HEYBURN. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 169, entitled:

An Act authorizing the arbitration of death taxes when there are conflicting claims as to the domicile of the decedent, and making uniform the law relating thereto.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 170, entitled:

An Act authorizing the compromise of death taxes when there are conflicting claims as to the domicile of the decedent and making uniform the law relating thereto.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order.

The Senate proceeded to the first reading and consideration of Senate Bill No. 204, entitled

An Act establishing a uniform time for appeals to the Superior and Supreme Courts and from the Superior to the Supreme Court in all proceedings and repealing inconsistent acts.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 211, entitled:

An Act to encourage and promote the apple industry of the Commonwealth creating the Pennsylvania State Apple Board defining its powers and duties providing for campaigns of education advertising publicity sales promotion and research to promote the sale and consumption of Pennsylvania apples levying a tax on applies appropriating the proceeds of such tax conferring powers and imposing duties on the Department of Revenue and prescribing penalties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 239, entitled:

An Act to amend the last paragraph of section nine of the act approved the twenty-fourth day of June one thousand nine hundred thirty-three (P. L. 1433) entitled "An act defining the powers of the courts of quarter sessions the Municipal Court of Philadelphia and the County or Juvenile Court of Allegheny County with respect to the care guidance control trial placement and commitment of delinquent dependent and neglected children under sixteen years of age and of persons over sixteen years of age contributing to or encouraging the delinquency neglect and dependency of children and amending revising and consolidating the law relating thereto" further defining liability for support of children in private homes foster homes children's homes and institutions and providing for the enforcement thereof.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 250, entitled:

An Act permitting certain personnel, of State-owned mental hospitals to certify as to the condition of mental patients in lieu of attendance in person before any court in certain cases.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate preceeded to the first reading and consideration of Senate Bill No. 268, entitled:

An Act to amend section three of the act approved the first day of June one thousand nine hundred forty-five (P. L. 1222) entitled "An act providing for the complete medical and dental examination of all children of school age and teachers and other school employes in the public and private elementary and secondary schools of the Commonwealth and imposing certain duties upon the Department of Health and the Department of Public Instruction and making an appropriation" providing that nurses and physicians performing the services required of them in certain schools situated in school districts of the first class shall remain employes of such muncipal corporations by whom they are employed.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 309, entitled:

An act to further amend subsection (e) of section three of the act approved the first day of August one thousand nine hundred forty-one (P. L. 744) entitled "An act requiring school boards in all school districts and boards of directors of all vocational school districts to grant leaves of absence to all school employes who shall volunteer or be called for military or naval service in time of war or during a state of national emergency preserving certain contracts salaries increments retirement rights seniority State contributions and grants to local school boards eligibility lists reemployment authorizing school boards and boards of directors of vocational schools to employ substitutes in place of such employes requiring school districts and vocational school districts to make additional payments into the School Employes' Retirement Fund reserving all rights and privileges of employes granted leaves of absence under the provisions herein and superseding or repealing all contrary laws" by providiing that former school employes who entered the military or naval service may obtain credit for such period of service when they return to school service.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 333, entitled:

An Act to further amend clause (a) of subsection three of section fourteen of the act approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043) entitled, "An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing employes; defining the uses and purposes thereof and the manner of payments therefrom, and providing for the quaranty by the Commonwealth of certain of said funds; imposing powers and duties upon boards having the employment of public school employes; exempting annuities, allowances, returns, benefits and rights from taxation and judicial process, and providing penalties" by providing for an increased employe's annuity.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 350, entitled:

An Act to amend section sixteen of the act approved the twenty-fourth day of January one thousand eight hundred forty-nine (P. L. 678) entitled "An act authorizing the commissioners of the incorporated districts of the Northern Liberties and Kensington to open a street to be called Delaware avenue relative to the duties of assessors venders of mineral waters the Fire association of Philadelphia vacancies in the school boards in the county of Philadelphia to lost mortgages auditors of Philadelphia county rebuilding of the court house in Philadelphia to enable the commissioners of Philadelphia county to borrow money to settle certain accounts between Spring Garden and the Commonwealth and respecting the appointment of auditors" limiting appointive powers of judges in certain cases.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 381, entitled:

An Act to further amend subsection (f) of section four hundred forty-eight of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," increasing the number of members of The Advisory Health Board, requiring one of such members to be a licensed dentist, and one to be a licensed pharmacist.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 428, entitled:

An Act to further amend clause (17) of subdivision (4) of subsection (L) of section four of the act, approved the fifth day of December, one thousand nine hundred thirty-six (1937 P. L., 2897), entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service dasis; requiring employers to keep records and make reports, and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons; providing procedure and administrative details for the determination, payment and collection of such contributions and the payment of such compensation; providing for cooperation with the Federal Government and its agencies; creating certain special funds inthe custody of the State Treasurer; and prescribing penalties," by expressly excluding from the definition of "employment" services of certain solicitors and salesmen who are compensated on a commission basis.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 429, entitled:

An Act authorizing the establishment in The Pennsylvania State College through the extension services of said institution, an educational program in industrial and labor relations; stating the objectives and purposes of said program; conferring obligations and duties on the trustees and president of said institution; providing for the establishment of an advisory committee, its appointment and defining its powers and duties; and making an appropriation therefor.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 446, entitled:

An Act to further amend section one of the act approved the seventeenth day of June one thousand nine hundred thirteen (P. L. 507) entitled "An act to provide revenue for State and county purposes and, in cities coextensive with counties, for city and county purposes; imposing taxes upon certain classes of personal property providing for the assessment and collection of the same providing for the duties and compensation of prothonotaries and recorders in connection therewith and modifying existing legislation which provided for raising revenue for State purposes" providing that corporations limited partnerships and joint stock associations holding certain taxable securities as mere custodian for the real owner shall not be taxed therefor.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 448, entitled:

An Act to further amend section one of the act approved the twenty-fourth day of July, one thousand nine hundred thirteen (P. L. 1013), entitled "An act regulating the issuance of licenses to marry; prohibiting the issuance of such licenses to certain persons; regulating the time during which licenses shall be valid, and the time when returns shall be made of marriages solemnized to the clerk of the orphans' court; and prescribing the duties of the clerk of the orphans' court," by permitting a master duly appointed by the orphans' court to authorize the issuance of marriage licenses in cases of emergency or extraordinary circumstances.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 487, entitled

An Act to add subsection three point one to section eight of the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by further providing for certain Commonwealth contributions to the fund.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 492, entitled

An Act to amend Section 2 of the act, approved the third day of May, one thousand nine hundred and thirty-three (P. L. 227), entitled, "An act authorizing stock corporations, with certain exceptions, to make provision for, and to issue, shares of capital stock of any class or classes, or to change shares of authorized or outstanding capital stock of any class into one or more classes, with or without normal or par value, and with such designations, terms, relative rights, powers, privileges, preferences, limitations, restrictions and qualifications as may be specified; regulating such corporations and the liabilitiies of their directors; making other provisions relating to the capital and capital stock of such corporations; and repealing all acts or parts of acts inconsistent herewith," by empowering, subject to certain conditions, the boards of directors of corporations to issue out the authorized but unissued shares of capital stock the kinds and classes of shares so authorized; regulating the creation and issuance of preferred or special stock in series and designating the variations in the relative rights and preferences as between different series; and empowering, subject to certain conditions, the boards of directors of corporations, as respects the authorized but unissued shares of preferred or special stock of the corporation, to divide the same into series and, subject to certaiin conditions and limitations, to fix and determine the relative rights and preferences of any series so established.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 514, entitled:

An Act to amend the act approved the thirteenth day of June. one thousand eight hundred eighty-three (P. L. 122), entitled "A supplement to an act entitled 'An act to provide for the incorporation and regulation of certain corporations,' approved April twenty-ninth, one thousand eight hundred and seventy-four, providing for the improvement, amendment and alteration of the charters of corporations of the second class, and authorizing the incorporation of traction motor companies," by changing the requirements for advertising notice of intention to improve, amend or alter a charter incorporated under said supplement.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 517, entitled:

An Act to further amend sections eight hundred eight and one thousand one hundred one of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 364) entitled "An act relating to business corporations defining and providing for the organization merger consolidation reorganization winding up and dissolution of such corporations conferring certain rights powers and duties and immunities upon them and their officers and shareholders prescribing the conditions on

which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the second class within the provisions of this act prescribing the terms and conditions upon which foreign business corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas and certain State departments commissions and officers authorizing certain State departments boards commissions or officers to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" eliminating requirement that certificate of clearance be filed with articles of amendment or of dissolution.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 525, entitled:

An Act to amend section eight hundred seven of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 364) entitled "An act relating to business corporations defining and providing for the organization merger consolidation reorganization winding up and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and shareholders prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the second class within the provisions of this act prescribing the terms and conditions upon which foreign business corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas and certain State departments commissions and officers to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" providing for advertisement of articles of amendment after adoption by shareholders

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 527, entitled:

An Act to further amend section nine hundred four of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 364) entitled "An act relating to business corporations defining and providing for the organization merger consolidation reorganization winding up and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and shareholders prescribing the conditions on qwhich such corporations may exercise their powers providing for the inclusion of certain existing corporations of the second class within the provisions of this act prescribing the terms and conditions upon which foreign business corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas and certain State departments commissions and officers authorizing certain State departments boards commissions or officers to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" limiting requirement to advertise intention to file articles of merger or consolidation.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 543, entitled:

An Act ratifying, confirmaing and validating certain sales of unused and unnesessary lands sold by any Board of School Directors.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 557, entitled:

An Act providing for and regulating the merger and consolidation of corporations organized for the transportation and storage of oil by means of pipe lines and tanks; defining the rights and powers of the surviving or new corporation; providing for the service of process on foreign corporations; and defining the rights of dissenting stockholders.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 575, entitled:

An Act concerning the ascertainment of principal and income, and the apportionment of receipts and expenses among tenants and remaindermen.

And said bill having been read at length the first time, Ordered. To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 770, entitled:

An Act to amend section two hundred seven of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 289) entitled "An act relating to non-profit corporations defining and providing for the organization merger consolidation and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and members prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the first class within the provisions of this act prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas prothonotaries of such courts recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" permitting applications for charters to be referred by courts to masters only upon objections being filed thereto.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 772, entitled:

An Act to further amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for an reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and

the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing, or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by changing the name of the Thaddeus Stevens Industrial School.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 785, entitled:

An Act to further amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing creating, reorgnaizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by creating the Public Service Institute Board in the Department of Public Instruction; and defining its powers and duties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 838, entitled:

An Act to further amend the definition of "Extension Education" in section one of the act approved the second day of May one thousand nine hundred twenty-five (P. L. 492) entitled "An act to provide for the equalization of educational opportunity and the encouragement of the study of citizenship by recognition of extension education for boys and girls who are employed and for adults as a function of the public schools of this Commonwealth and to facilitate the proper organization and administration of such extension education" including recreational or social service for youth and children within the meaning of the term "extension education".

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1016, entitled:

An Act to amend section four hundred thirty-nine of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain dpeartments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" increasing the membership of the Sanitary Water Board and providing compensation for certain members of such board.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

The PRESIDING OFFICER. At this time the Chair would like to call the President pro tempore of the Senate to the rostrum.

The PRESIDENT pro tempore (M. Harvey Taylor) in the Chair

BILLS SIGNED

The PRESIDENT pro tempore, M. Harvey Taylor, announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

Senate Bill No. 51, entitled:

An Act providing for the observance of September fourteenth of each year as National Anthem Day.

House Bill No. 135, entitled:

An Act to amend sections one thousand three and one thousand one hundred ten of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333), entitled "Pennsylvania Election Code" changing the method of determining priority of political parties on ballot.

House Bill No. 237, entitled:

An Act to amend sections one thousand seventeen and one thousand two hundred seven of the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "Third Class City Law," removing the maximum limits on salaries of councilmen and mayors.

House Bill No. 402, entitled:

An Act to amend section three of the act, approved the fifteenth day of June, one thousand nine hundred thirty-seven (P. L. 1743 Number 368), entitled "1937 Magistrates' Court Act" by removing the restrictions against magistrates participating in political activities.

House Bill No. 463, entitled:

An Act to add clause IL to section one thousand five

hundred two of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-one (P. L. 1206), entitled "First Class Township Law" authorizing either alone or jointly with other political subdivisions, the acquisition of land for, and the operation, and leasing of airports, airdromes, landing fields and airport facilities

House Bill No. 464, entitled:

An Act to add clause XXVI to section seven hundred two of the act, approved the first day of May, one thousand nine hundred thirty-three (P. L. 103), entitled "The Second Class Township Law," authorizing either alone or jointly with other political subdivisions, the acquisition of land for, and the operation and leasing of airports, airdromes, landing fields, and airport facilities.

Whereupon,

The PRESIDENT pro tempore, M. Harvey Taylor, in the presence of the Senate signed the same.

POINT OF INFORMATION

Mr. DENT. Mr. President, I rise on a point of information.

The PRESIDING OFFICER. The gentleman from Westmoreland will state his point of information.

Mr. DENT. As I understood the numbers of the bills announced by the secretary to be considered at a public hearing before the Committee on Labor and Industry, I did not hear House Bill 35 included.

(The secretary of the Senate announced that the House Committee would announce the house bills to be taken up and the Senate is announcing only Senate bills to be considered).

Mr. DENT. Mr. President, I would suggest to the Senate that House Bill 35 is one of the list of bills that affect labor very vitally and I have in my possession many requests for a hearing on House Bill 35. If we are going to have a labor hearing, I think we ought to include all the bills that are subject to the criticism or the approval of labor groups in the state. I would therefore suggest to the Chairman that he include that bill, in order that a reference to it will preclude any public demand for public hearing which would then delay the Senate in its deliberations.

Mr. BERGER. In reply to the gentleman from Westmoreland, Mr. President, I would say that my understanding is that the action of the committee did not include House Bill 35 on the agenda. I would not care to have any misunderstanding on that question, because that was not on the agenda.

Mr. DENT. Then, Mr. President, I want the record to contain the fact that I am here making a request, on behalf of a list of protestants, which list I will later submit to the Senate at its request, for a public hearing on House Bill 35, before any action be taken by this Senate on final passage.

ADJOURNMENT

Mr. TALLMAN. Mr. President, I move that the Senate do now adjourn until Thursday, April 17, 1947, at 11:30 o'clock, a. m., Eastern Standard Time.

Mr. HEYBURN. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 4:40 o'clock, p. m., Eastern Standard Time until Thursday, April 17, 1947, at 11:30 o'clock, a. m., Eastern Standard Time.

HOUSE OF REPRESENTATIVES

WEDNESDAY, April 16, 1947

The House met at 1:00 p. m.

The SPEAKER (Franklin H. Lichtenwalter) in the Chair.

PRAYER

Reverend W. Murray Young, Chaplain of the Senate, and guest chaplain for the day, offered the following prayer:

Almighty God, unto whom all hearts are open; all desires known, and from whom no secrets are hid, make us sensible of Thy power to explore the mind, and search the heart of mankind, that we may be truly humble in Thy presence. We know the depth of Thy love and the expansiveness of Thy mercy toward us all. Therefore, make us worthy servants of Thine, who daily enjoy Thy benefits.

Grant, Eternal Father, that Thy sovereign power may work in us. If we be one with Thee, then in every conflict, bitter passion, and strange struggle we are saved from evil assaults which constantly threaten us. Fill us with faith, reverence, hope, and love; strengthen and harmonize our souls by the vision of the holy Good and the holy God, which Thou art.

Do Thou be with all sick and suffering ones; comfort, soothe, and quiet them in their affliction. Reach down from Thy throne and help them bear their sorrows, that bow them down. Bring peace, happiness and prosperity to all the homes and firesides within the State and the Nation. Council the Chief Executive of our Nation, and the Chief Executive of our beloved State, and all those associated with them, as they together seek to strengthen, and further, the true American Way of Life, which is the Way of Righteousness. For Thy Name's sake we pray. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of Tuesday, April 15, 1947.

The Clerk proceeded to read the Journal of Tuesday, April 15, when, on motion of Mr. LIVINGSTON unanimously agreed to, the further reading was dispensed with and the Journal approved.

LEAVES OF ABSENCE

By consent of the House leave of absence was granted as follows:

Mr. Kelley for Mr. GOFF for the remainder of the week.

Mr. WAGNER for himself for tomorrow's session to meet the Committee on Welfare that will examine the Mental Hospital at Somerset.

Mr. ORBAN for himself for tomorrow's session to accompany Mr. Wagner in meeting the Welfare Committee.

BILLS INTRODUCED AND REFERRED

The SPEAKER. The Chair might say that the bills he is about to refer are on the official list of those received from the Legislative Reference Bureau.

By Messrs. HAUDENSHIELD and HORN.

HOUSE BILL No. 1310.

An Act authorizing the Pennsylvania Historical and Museum Commission to accept on behalf of the Commonwealth the real estate and buildings together with the contents thereof, of the Western Pennsylvania Historical Society, and as the consideration therefor to cancel the Commonwealth lien against the real estate and buildings so transferred.

Referred to the Committee on State Government.

By Mr. TOMPKINS. HOUSE BILL No. 1311.

An Act regulating the practice of the profession of forestry in all of its branches, including timber estimating and defining such branches; providing for the registration of certain powers practicing or offering to practice said profession; creating and conferring certain powers and imposing duties upon the State Registration Board for Professional Foresters, the Department of Public Instruction and the court of common pleas of Dauphin County; and providing penalties.

Referred to the Committee on Professional Licensure.

By Mr. LEE. HOUSE BILL No. 1312.

An Act providing for the creation and for the administration by a State Building and Loan Insurance Board created by this act, of a State fund for insurance of shares in building and loan associations and saving and loan associations, and prescribing penalties.

Referred to the Committee on Banking and Building and Loan Associations.

By Mr. TURNER. HOUSE BILL No. 1313.

An Act to amend section one of the act, approved the twenty-ninth day of May, one thousand nine hundred forty-five (Appropriation Acts, page 20, Act No. 26-A), entitled "An act making an appropriation to the Elwyn Training School at Elwyn, in the County of Delaware, Commonwealth of Pennsylvania, and prescribing certain conditions upon which the appropriation will be available to the school," increasing the per capita annual maintenance rate of wards of the State and the amount of the total appropriation.

Referred to the Committee on Appropriations.

By Mr. WEISS. HOUSE BILL No. 1314.

An Act to further amend sections four hundred and one and four hundred two of the act, approved the fifth day of December, one thousand nine hundred and thirty-six (1937 P. L. 2897), entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties," extending the provisions of said act to certain persons who are unemployed by reason of sickness or physical disability.

Referred to the Committee on Workmen's Compensation.

SENATE MESSAGES

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence, bills numbered and entitled as follows:

SENATE BILL No. 7.

An Act making an appropriation to the National Farm School at Doylestown Pennsylvania

Referred to the Committee on Appropriations.

SENATE BILL No. 66.

An Act making a deficiency appropriation to the Pennsylvania Institution for the Deaf at Mount Airy Philadelphia Pennsylvania

Referred to the Committee on Appropriations.

SENATE BILL No. 136.

An Act making an appropriation to the Pennsylvania Museum and School of Industrial Art Philadelphia

Referred to the Committee on Appropriations.

SENATE BILL No. 315.

An Act making an appropriation to the Department of Forests and Waters for the acquisition by purchase or condemnation of forest land and the development and use thereof for reforestation for the work of the department with respect to forests and forest land and for the acquisition by purchase condemnation or gift of lands buildings or other properties for State parks and for the development thereof for the operation maintenance development and improvement of existing parks for recreation facilities for any flood control purposes including purchase and maintenance of flood forecasting equipment and services and the payment of the employes and expenses of the Flood Control Commission and for stream channel improvement for construction of dams to create lakes and other stream clearance of any type for flood control and for encouragement of proper forest practices by private land owners

Referred to the Committee on Appropriations.

SENATE BILL No. 334.

An Act to amend the act, approved the second day of May, one thousand nine hundred forty-five (P. L. 382), entitled, "An act providing for the incorporation as bodies corporate and politic of 'Authorities' for municipalities, counties and townships; prescribing the rights, powers and duties of such Authorities hereto fore or hereafter incorporated; authorizing such Authorities to acquire, construct, improve, maintain and operate projects, and to borrow money and issue bonds, therefor; providing for the payment of such bonds, and prescribing the rights of the holders thereof; conferring the right of eminent domain on such Authorities; authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof; and conferring exclusive jurisdiction on certain courts over rates," by further providing for the incorporation of such Authorities; and further prescribing the rights, powers, and duties of such Authorities.

Referred to the Committee on Public Utilities.

SENATE BILL No. 336.

An Act to amend the title, to further amend section two and to amend section seven of the act, approved the fourth day of June, one thousand nine hundred forty-three (P. L. 886), entitled "An act creating a Municipal

Employes' Retirement System for the payment of retirement allowances to officers and employes of political subdivisions and institutions supported and maintained by them, and providing for the administration of the same by a board composed of certain state officers and others appointed by the Governor; imposing certain duties on the State Employes' Retirement Board and the actuary thereof; providing the procedure whereby political subdivisions may join such system, and imposing certain liabilities and obligations on such political subdivisions in connection therewith, and as to certain existing retirement and pension systems, and upon officers and employes of such political subdivisions and institutions supported and maintained by them; providing certain exemptions from taxation, execution attachment, levy and sale; and making an appropriation," including employes of municipal authorities within the provisions of the act, and prescribing the procedure by which municipal authorities may join the retirement system.

Referred to the Committee on State Government.

SENATE BILL No. 338.

An Act to further amend clause (c) of section three of the act, approved the first day of June, one thousand nine hundred thirty-seven (P. L. 1168), entitled "An act to protect the right of employes to organize and bargain collectively; creating the Pennsylvania Labor Relations Board; conferring powers and imposing duties upon the Pennsylvania Labor Relations Board, officers of the State government, and courts; providing for the right of employes to organize and bargain collectively; declaring certain labor practices by employers to be unfair; further providing that representatives of a majority of the employes be the exclusive representatives of all the employes; authorizing the board to conduct hearings and elections, and certify as to representatives of employes for purposes of collective bargaining; empowering the board to prevent any person from engaging in any unfair labor practice, and providing a procedure for such cases, including the issuance of a complaint, the conducting of a hearing, and the making of an order; empowering the board to petition a court of common pleas for the enforcement of its order, and providing a procedure for such cases; providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order, and establishing a procedure for such cases; providing for an appeal from the common pleas court to the Supreme Court; providing the board with investigatory powers, including the power to issue subpoenas and the compelling of obedience to them through application to the proper court; providing for service of papers and process of the board; prescribing certain penalties," excluding municipal authorities from the definition of employer.

Referred to the Committee on Labor Relations.

SENATE BILL No. 362.

An Act to amend section two of the act approved the eleventh day of April one thousand nine hundred forty-five (P. L. 203) entitled "An act to provide assistance for typhoid fever carries and persons having typhoid fever carriers in their households and imposing certain responsibilities upon the Secretary of Health the Secretary of Public Assistance and the Secretary of Welfare in connection therewith" by fixing the date on which financial assistance shall begin

Referred to the Committee on Welfare.

SENATE BILL No. 364.

An Act to add sections four hundred ninety-six point five and four hundred ninety-six point six to the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by prescribing the procedure and entering into contracts for establishment operation and maintenance of aviation landing fields and air dromes

Referred to the Committee on Aeronautics.

SENATE BILL No. 370.

An Act validating charters and amendments of the articles of incorporation of certain non-profit corporations incorporated under the Nonprofit Corporation Law

Referred to the Committee on Judiciary.

SENATE BILL No. 436.

An Act making an appropiration to the Pennsylvania Historical and Museum Commission for the preservation and permanent casing of battle flags and war relics.

Referred to the Committee on Appropriations.

SENATE BILL No. 447.

An Act to amend the act approved the fourth day of June one thousand nine hundred forty-five (Appropriation Acts page 106) entitled "An act making an appropriation for the preparation of the Eightieth Division History and creating a commission for such purposes" continuing the commission and reappropriating the unexpended balance

Referred to the Committee on Appropriations.

SENATE BILL No. 472.

An Act to amend section one of the act approved the fourth day of June, one thousand nine hundred forty-five entitled "An act making an appropriation to the Department of Health for the acquisition of land, by purchase or condemnation, the construction and equipment of a State Health Laboratory, the construction of buildings, the improvement, furnishing and repairs of the State Sanatoria and the Crippled Children's Hospital, for the payment by the Commonwealth of a share of the cost of preparing plans and surveys for sewage or industrial waste treatment plants, and for the payment by the Commonwealth of a share of the cost of constructing such industrial waste plants, for sealing abandoned coal mines, for stream clearance including the purchase or condemnation of lands, easements, or right of ways, and acquisition or construction of pipes, conduits or tunnels, and pumps and pumping equipment, and for experimental and research work relating to the pollution of streams and the prevention thereof;" by reducing the amount appropriated by said act.

Referred to the Committee on Appropriations.

SENATE BILL No. 475.

An Act to further amend section two of the act approved the tenth day of July one thousand nine hundred thirty-five (P. L. 645) entitled "An act imposing certain requirements on certain hospitals receiving State aid authorizing the withholding of appropriations and imposing duties on the Department of Welfare" extending temporary wartime provisions

Referred to the Committee on Welfare.

SENATE BILL No. 477.

An Act to amend sections three four and nine of the act approved the twenty-fifth day of May one thousand nine hundred thirty-seven (P. L. 808) entitled "An act providing for the use of the Pennsylvania Industrial School at Huntingdon as an institution for the reception care maintenance detention employment and training of

defective delinquents authorizing the preparation and equipment (including necessary construction) of the institution for such purposes either by the Department of Property and Suplies or the General State Authority and authorizing the necessary leases or conveyances for this purpose changing the name of the Board of Trustees of Pennsylvania Industrial School providing for the commitment and transfer of such persons to such institution and discharge therefrom conferring powers and imposing duties on the aforesaid board of trustees the Department of Welfare and courts and imposing certain charges on counties" further providing for the mental examination of juvenile delinquents and their release or retention

Referred to the Committee on Welfare.

RESOLUTION INTRODUCED AND REFERRED

By Mr. KENT. RESOLUTION No. 41.

In the House of Representatives, April 15, 1947.

Whereas, The Commonwealth has taken over and owns considerable real property located in its various political subdivisions; and

Whereas, Under the existing Constitution and laws of Pennsylvania public property used for public purposes, of which real property owned by the Commonwealth and its agencies is a class, may be, and has been, exempt by the General Assembly from taxation; and

Whereas, Such exemption results in a loss of revenue to the various political subdivisions, therefore be it

Resolved, That the Joint State Government Commission is hereby directed to study, investigate and devise ways and means of compensating the various political subdivisions of the Commonwealth with Commonwealth funds for their loss of revenues arising from such real property being exempt from taxation; and be it further

Resolved, That the Joint State Government Commission shall report its findings and conclusions to the next regular session of the General Assembly together with such proposed legislation as it may devise to carry out its recommendations.

Referred to Committee on Rules.

SENATE BILL No. 313 RETURNED TO COMMITTEE

The SPEAKER. The Chair informs the Members that Senate Bill No. 313, better known as the Township Code, was reported from the Committee on Townships yesterday. The original bill was not reported to the desk, therefore, the Chair returns this bill to the Committee. The Chair requests the gentleman from Delaware, Mr. Sproul, to take note, as he is the gentleman who reported the bill, that we are returning this bill to the Committee on Townships, and request the Committee to take action on the original bill. Will the Chief Clerk see that the Chairman of the Committee on Townships receives a copy of this bill.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. FOOR asked and obtained permission for the Committee on Townships to meet during the session of the House.

REPORTS FROM COMMITTEES

Mr. BOWER from the Committee on Labor Relations, reported as committed, House Bill No. 96, entitled:

An Act relating to contracts of employment between labor unions and public utility companies; requiring the submission of labor disputes to arbitration and the acceptance of the award of the arbitrators; and providing for forfeiture of bargaining rights and of certificates of public convenience in cases of violations.

Mr. BOWER from the Committee on Labor Relations, reported as committed, House Bill No. 137, entitled:

An Act to amend section five and to further amend clause (c) of subsection (1) of section six of the act, approved the first day of June, one thousand nine hundred thirty-seven (P. L. 1168), entitled "An act to protect the right of employes to organize and bargain collectively; creating the Pennsylvania Labor Relations Board; conferring powers and imposing duties upon the Pennsylvania Labor Relations Board, officers of the State government, and courts; providing for the right of employes to organize and bargain collectively declaring certain labor practices by employers to be unfair; further providing that representatives of a majority of the employes be the exclusive representatives of all the employes; authorizing the board to conduct hearings and elections, and certify as to representatives of employes for purposes of collective bargaining; empowering the board to prevent any person from engaging in any unfair labor practice, and providing a procedure for such cases, including the issuance of a complaint, the conducting of a hearing, and the making of an order; empowering the board to petition a court of common pleas for the enforcement of its order, and providing a procedure for such cases; providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order, and establishing a procedure for such cases; providing for an appeal from the common pleas court to the Supreme Court; providing the board with investigatory powers, including the power to issue subpoenas and the compelling of obedience to them through application to the proper court; providing for service of papers and process of the board; prescribing certain penalties," making unlawful any agreement or contract requiring membership or non-membership in a labor organization a condition of employment and prescribing penalties.

Mr. BOWER from the Committee on Labor Relations, reported as amended, House Bill No. 195, entitled:

An Act prohibiting discrimination in rate of pay because of sex; conferring powers and imposing duties on the Department of Labor and Industry; prescribing penalties.

Mr. STONIER from the Committee on State Government, reported as amended, House Bill No. 364, entitled:

An Act to further amend subsection (a) of section two hundred ten of the act approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other exceutive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain department, boards and commissions shall be determined," increasing the salary of the Commissioner of Fisheries.

Mr. BRUNNER from the Committee on Professional Licensure, reported as amended, House Bill No. 586, entitled:

An Act relating to the public practice of certified public accountants; providing for the certification of persons desiring to practice, and the listing of persons engaged in practicing, as certified public accountants; and for the suspension and revocation of such certificates, subject to appeal, and for their reinstatement; prescribing the powers and duties of the State Board of Examiners of Public Accountants and the Department of Public Instruction; providing for ownership of working papers; defining unlawful acts and acts not unlawful; providing penalties; and repealing existing laws.

Mr. BAUMUNK from the Committee on Game and Forestry, reported as committed, House Bill No. 652, entitled:

An Act to amend sub-section (g) of section nine hundred forty-two and clause (f) of section nine hundred forty-three of Article IX of the act approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," by regulating the use of posters comparable to those used by the Game Commission, and providing penalties.

Mr. JENNINGS from the Committee on Game and Forestry, reported as amended, House Bill No. 678, entitled:

An Act to amend, or further amend, Sections five hundred six, seven hundred one, seven hundred sixteen, and clause (q) of Section seven hundred thirty-one of the act approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," by reducing the penalty for the unlawful possession of live fawn deer; requiring the payment of a fee for raccoon possession permits; and making it unlawful to aid or assist in the purchase or sale of wild game.

Mr. O'DONNELL from the Committee on Professional Licensure, reported as committed, House Bill No. 703, entitled:

An Act for the protection of the public and the prevention of fraud by prohibiting any person individually or in association or partnership with another person or persons to practice as an accountant, auditor, certified public accountant or public accountant under a false, assumed, fictitious or trade name; prohibiting any corporation organized or registered after the effective date of this act from engaging in the practice as such, and fixing the time when such practice by existing corporations shall entirely cease in this Commonwealth and providing penalties.

Mr. WOOD from the Committee on State Government, reported as amended, House Bill No. 758, entitled:

An Act to further amend the act, approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858), entitled "An act establishing a State employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing State employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon the heads of departments in which State employes serve; excepting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," by further defining "State employe" and "original member" to include Members of the General Assembly at their option; and permitting such members to retire under certain circumstances.

Mr. GORMAN from the Committee on State Government, reported as amended, House Bill No. 825, entitled:

An Act to further amend the act, approved the twenty-fourth day of July, one thousand nine hundred thirteen (P. L. 965), entitled "An act defining commodities; regulating the sale thereof; and providing penalties for violation thereof," by further providing penalties for violations thereof.

Mr. GORMAN from the Committee on State Government, reported as committed, House Bill No. 826, entitled:

An Act relating to strikes by public employes, providing that such employes by striking terminate their employment; providing for reinstatement under certain conditions and prohibiting strikes by public employes.

Mr. O'DONNELL from the Committee on Professional Licensure, reported as amended, House Bill No. 839, entitled:

An Act to amend the title and to further amend the act, approved the thirteenth day of May, one thousand nine hundred twenty-seven (P. L. 988), entitled "An act providing for and regulating the State registration of nurses and licensed attendants, the annual recording of registration certificates; and regulating the profession of nursing; and repealing certain existing laws," providing for the registration and licensing of practical nurses and the biennial recording of certificates.

Mr. BOWER from the Committee on Labor Relations, reported as committed, House Bill No. 1001, entitled:

An Act to provide that Labor Unions shall file certain statements and reports annually with the Department of Labor and Industry; imposing powers and duties on the department relative thereof and providing penalties.

Mr. McKINNEY from the Committee on State Government, reported as committed, House Bill No. 1039, entitled:

An Act authorizing and directing the Delaware River Joint Commission, to formulate a specific action program for the promotion of the navigable section of the Delaware River and Bay extending from Trenton, New Jersey and Morrisville, Pennsylvania to the Atlantic Ocean as a highway of commerce, and to make a study for the purpose of formulating a specific plan and report relative to the need for and advisability of constructing additional tunnels or bridges across that section of the Delaware River extending from Trenton, New Jersey and Morrisville, Pennsylvania to the Delaware Bay; and making an appropriation.

Mr. McKINNEY from the Committee on State Government, reported as committed, House Bill No. 1040, entitled:

An Act authorizing and directing the Delaware River Joint Commission to undertake immediately an aggressive campaign to promote increased commerce on the Delaware River, both freight and passenger as authorized by the compact with the State of New Jersey under which said commission operates.

Mr. ROYER from the Committee on State Government, reported as amended, House Bill No. 1050, entitled:

An Act to protect consumers in the purchase for fuel purposes of the hard coal known as anthracite; providing

for and regulating the sale, offering for sale, resale, delivery and shipment of anthracite according to a standard provided for in this act; requiring producers and dealers and persons engaged in the sale and resale of anthracite from storage yards or otherwise to consumers, to keep certain records; conferring powers on the Anthracite Committee and its agents; and providing penalties.

Mr. BOWER from the Committee on Labor Relations, reported as committed, House Bill No. 1071, entitled:

An Act to further amend subsection (1) of section six of the act, approved the first day of June, one thousand nine hundred thirty-seven (P. L. 1168), entitled "An act to protect the right of employes to organize and bargain collectively; creating the Pennsylvania Labor Relations Board; conferring powers and imposing duties upon the Pennsylvania Labor Relations Board, officers of the State Government, and courts; providing for the right of employes to organize and bargain collectively; declaring certain labor practices by employers to be unfair; further providing that representatives of a majority of the employes be the exclusive representatives of all the employes; authorizing the board to conduct hearings and elections, and certify as to representatives of employes for purposes of collective bargaining; empowering the board to prevent any person from engaging in any unfair labor practice, and providing a procedure for such cases, including the issuance of a complaint, the conducting of a hearing, and the making of an order; empowering the board to petition a court of common pleas for the enforcement of its order, and prociding a procedure for such cases; providing for the review of an order of the board by a court of common pleas on peition of any person aggrieved by such order, and establishing a procedure for such cases; providing for an appeal from the common pleas court to the Supreme Court; providing the board with investigatory powers, including the powers to issue subpoenas an dthe compelling of obedience to them through application to the proper court; providing for service of papers and process of the board; prescribing certain penalties." declaring certain additional labor practices by employers to be unfair.

Mr. BOWER from the Committee on Labor Relations, reported as committed, House Bill No. 1076, entitled:

An Act to amend subsection two of section six of the act, approved the first day of June, one thousand nine hundred thirty-seven (P. L. 1168), entitled "An act to protect the right of employees to organize and bargain collectively; creating the Pennsylvania Labor Relations; conferring powers and imposing duties upon the Pennsylvania Labor Relations Board, officers of the Seate government, and courts providing for the right of employes to organize and bargain collectively; declaring certain labor practices by employers to be unfair; further providing that representatives of a majority of the employes be the exclusive representatives of all the employes authorizing the board to conduct hearings and elections, and certify as to representatives of employes for purposes of collective bargaining; empowering the board to prevent any person from engaging in any unfair labor practice, and providing a procedure for such cases, including the issuance of a complaint, the conducting of a hearing, and the making of an order; empowering the board to petition a court of common pleas for the enforcement of its order, and providing a procedure for such cases; providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order, and establishing a procedure for such cases providing for an appeal from the common pleas court to the Supreme Court; providing the board with investigatory powers; including the power to issue subpoenas and the compelling of obedience to them through application to the proper court; providing for service of papers and process of the board; prescribing certain penalties," declaring certain additional labor practices by employes to be unfair.

Mr. EWING from the Committee on Mines and Mining, reported as committed, House Bill No. 1086, entitled:

An Act to amend rule fifteen of Article XII of the act, approved the second day of June, one thousand eight hundred ninety-one (P. L. 176), entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania an for the protection and preservation of property connected therewith," further regulating operations approaching inaccessible workings.

Mr. PICKENS from the Committee on Mines and Mining, reported as committed, House Bill No. 1087, entitled:

An Act to amend rule four of Article XII of the act, approved the second day of June, one thousand eight hundred ninety-one (P. L. 176), entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith," requiring weekly examinations of all accessible parts of an abandoned portion of a mine in which mine explosive gases have at any time been found.

Mr. GORMAN from the Committee on State Government, reported as committed, House Bill No. 1210, entitled:

An Act to repeal the act, approved the fourth day of June, one thousand nine hundred forty-five (P. L. 1388), entitled "An act relating to the practice, procedure, regulations and adjudications of departments, departmental administrative boards and commissions, independent administrative boards and commissions, officers and other administrative agencies of this Commonwealth, and judicial review thereof; and prescribing equitable jurisdiction in certain cases."

Mr. GORMAN from the Committee on State Government, reported as committed, House Bill No. 1211, entitled:

An Act to repeal the act, approved the fourth day of June, one thousand nine hundred forty-five (P. L. 1392), entitled "An act providing for the Pennsylvania Register for the publication and distribution of certain orders, regulations, rules, notices, proclamations and similar instruments; imposing powers and duties on the Legislative Reference Bureau and the Department of Property and Supplies; creating the Pennsylvania Register Board, and defining its powers and duties; and making an appropriation for payment of expenses and costs of publication and distribution of the Pennsylvania Register."

Mr. O'CONNOR from the Committee on State Government, reported as amended, Senate Bill No. 360, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to convey to the Borough of Bristol certain real property located in said Borough

SENATE MESSAGES

The Clerk of the Senate, being introduced, presented extracts from the Journal of the Senate:

Senate Bills for concurrence 234, 342, 369, 371, 393, 394, 408 and 434.

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 135.

An Act to amend sections one thousand three and one thousand one hundred ten of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," changing method of determining priority of political parties on ballot.

HOUSE BILL No. 463.

An Act to add clause II to section one thousand five hundred two of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" authorizing either alone or jointly with other political subdivisions the acquisition of land for the operation and leasing of airports airdromes landing fields and airport facilities

HOUSE BILL No. 464.

An Act to add clause XXVI to section seven hundred two of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law reatiing thereto" authorizing either alone or jointly with other political subdivisions the acquistion of land for and the operation and leasing of airports airdromes landing fields and airport facilities

HOUSE BILL No. 402.

An Act to amend section three of the act approved the fifteenth day of June one thousand nine hundred thirty-seven (P. L. 1743 No. 368) entitled "An act relating to magistrates and magistrates' courts in the city of Philatain practices by magistrates imposing certain duties on the city controller in regard thereto authorizing the employment by him of additional clerks and fixing their compensation regulating the practice in magistrates' courts the entering of bail and the issuance of discharges in criminal cases in the county of Philadelphia conferring certain powers over magistrates and magistrates' courts and imposing certain duties in connection therewith upon the judges of the courts of common pleas of the county of Philadelphia providing for the appointment and employment of stenographers to report proceedings in certain cases heard by magistrates fixing salaries of persons employed by authority of this act providing penalties for violations of the provisions thereof and repealing certain prior acts" by removing the restrictions against magistrates participating in political activities.

With the information that the Senate has passed the same without amendment.

CLASS OF PALMYRA HIGH SCHOOL WELCOMED

The SPEAKER. The Chair is very pleased to have a number of schools represented as guests at today's Session.

The Eighth Grade History class of the Palmyra High School, under the direction of Mr. Baumgardner, are the guests of the gentleman from Lebanon, Mr. Kurtz.

CLASS OF LINCOLN SCHOOL CAMP HILL WELCOMED

The SPEAKER. The Chair also welcomes the pupils of the Lincoln School of Camp Hill who are here under the direction of Miss Karns.

SENIOR CLASS OF LEWISBURG HIGH SCHOOL WELCOMED

The SPEAKER. The Chair also welcomes the Senior Class of the Lewisburg High School who are accompanied by Professor Robert E. Beckman, Professor Claude Spancake and Miss Maxine Elliott. They are the guests of the gentleman from Union, Mr. Reagan.

SENIOR AND JUNIOR CLASSES OF THOMPSONTOWN HIGH SCHOOL WELCOMED

The SPEAKER. The Chair also welcomes the Junior and Senior Classes of the Thompsontown High School, studying Problems of Democracy, under the supervision of Miss Kilgore. They are the guests of the gentleman from Juniata, Mr. Graybill.

STUDENTS OF ALLENTOWN HIGH SCHOOL WELCOMED

The SPEAKER. The Chair is also very pleased and happy to present the students of the Allentown High School, the school that produces basketball champions. The Speaker might say that he is a graduate of Allentown High. They are here under the direction of Dr. Boyer and Miss Ruth Kistler of the faculty as the guests of the gentlemen from Lehigh, Mr. Stimmel, Mr. DeLong and the Speaker.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 135.

An Act to amend sections one thousand three and one thousand one hundred ten of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" changing method of determining priority of political parties on ballot

HOUSE BILL No. 402.

An Act to amend section three of the act approved the fifteenth day of June one thousand nine hundred thirty-seven (P. L. 1743 Number 368) entitled "An act relating to magistrates and magistrates' courts in the city of Philadelphia imposing certain duties upon and prohibiting certain practices by magistrates imposing certain duties on the city controller in regard thereto authorizing the employment by him of additional clerks and fixing their compensation regulating the practice in magistrates' courts the entering of bail and the issuance of discharges in criminal cases in the county of Philadelphia conferring certain powers over magistrates and magistrates' courts

and imposing certain duties in connection therewith upon the judges of the court of common pleas of the county of Philadelphia providing for the appointment and employment of stenographers to report proceedings in certain cases heard by magistrates fixing salaries of persons employed by authority of this act providing penalties for violations of the provisions thereof and repealing certain prior acts" by removing the restrictions against magistrates participating in political activities

HOUSE BILL No. 463.

An Act to add clause II to section one thousand five hundred two of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-one (P. L. 1206), entitled "An act concerning townships of the first class; amending, revising, consolidating, and changing the law relating thereto," authorizing either alone or jointly with other political subdivisions, the acquisition of land for, and the operation, and leasing of airports, airdromes, landing fields and airport facilities.

HOUSE BILL No. 464.

An Act to add clause XXVI to section seven hundred two of the act, approved the first day of May, one thousand nine hundred thirty-three (P. L. 103), entitled "An act concerning townships of the second class; and amending, revising, consolidating, and changing the law relating thereto," authorizing either alone or jointly with other political subdivisions, the acquisition of land for, and the operation and leasing of airports, airdromes, landing fields and airport facilities.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 237.

An Act to amend sections one thousand seventeen and one thousand two hundred seven of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" removing the maximum and minimum limits on salaries of councilmen and mayors

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend the title, page 1, line 6, by striking out after the word "maximum" the words "and minimum."

Amend Section 1, page 2, line 12, by striking out the bracket after the word "committees"; page 2, line 14, by striking out the bracket after the word "year"; page 3, line 18, by striking out the bracket after the word "committees" and page 3, line 19, by striking out the bracket after the word "dollars."

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—199

Aaronson,	Foor,	McCormack,	Sax,
Andrews,	Frost,	McCosker,	Scanlon,
Bane,	Gallagher,	McCullough,	Schuster,
Barrett,	Getchey,	McKinney,	Scott,
Baumunk,	Gibson,	McMillen,	Serrill,
Beech,	Goodling,	Mihm,	Shoemaker,
Bender,	Gorman,	Mikula,	Simon,
Bentzel,	Graybill,	Miller,	Smith, C. C.,
Bloom,	Greenwood,	Mills,	Smith, C. M.,
Boles,	Greer,	Mintess,	Snider,
Bonawitz,	Griffiths,	Mohr,	Sollenberger,
Boorse,	Guthrie,	Mooney,	Sorg,
Bower,	Gyger,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenshield,	Murray,	Stimmel,
Brown,	Helm,	Myers,	Stockham,
Brunner,	Henry,	Najaka,	Stonier,
Bucchin,	Hewitt,	Naumann,	Stuart,
Cadwalader,	Hocker,	Needham,	Swope,
Capano,	Hoffman,	Neff,	Tahl,
Cassidy,	Hoopes,	Nelson,	Thomassy,
Chervenak,	Horan,	O'Connor,	Thompson,
Chudoff,	Imbt,	O'Dare,	Tittle,
Clevenger,	Jennings,	O'Donnell,	Tompkins,
Cochran,	Johnson,	O'Neill,	Toomey,
Cole,	Johnston,	Orban,	Turner,
Cook,	Jones,	Patten,	Upshur,
Cooper,	Jump,	Petrosky,	Vaughan,
Cordier,	Kean,	Pichney,	Verona,
Costa,	Kelley,	Pickens,	Wachhaus,
Crowley,	Kemp,	Polaski,	Wagner,
Dague,	Kent,	Powers,	Waldron,
Dalrymple,	Kirley,	Price,	Wallin,
Davison,	Kline,	Propert,	Walton,
De Long,	Kohl,	Ragot,	Waterhouse,
Demech,	Kratz,	Readinger,	Watkins,
Dennison,	Krise,	Reagan,	Watson,
Depuy,	Kurtz,	Reese, D. P.,	Weidner,
Dix,	Laughner,	Reese, R. E.,	Weiss,
Dye,	Layer,	Reilly, J. M.,	Wescott,
Efenberg,	Lee,	Reilly, W. J.,	Wheeler,
Elder,	Leisey,	Richter,	Wolf,
Erb,	Livingston,	Riley,	Wood,
Evans,	Livingstone,	Robbins,	Worley,
Ewing,	Loftus,	Robertson,	Yeakel,
Feola,	Lovett,	Root,	Yester,
Fish,	Lyons,	Rose,	Yetzer,
Fiss,	Madden,	Rowen,	Young,
Flack,	Madigan,	Royer,	Lichtenwalter,
Fleming,	Mazza,	Sarraf,	Speaker.

NAYS—0

NOT VOTING—6

Goff,	McDonald,	Trout,	West,
Hall,	Morrison,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

BILL SIGNED BY SPEAKER

Bill numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the title was publicly read as follows:

HOUSE BILL No. 237.

An Act to amend sections one thousand seventeen and one thousand two hundred seven of the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto," removing the maximum limits on salaries of councilmen and mayors.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

The SPEAKER. The Chair requests the Majority Floor

Leader, the gentleman from Elk, Mr. Sorg, to preside during the first reading calendar.

MR. SORG IN THE CHAIR

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. DAVID P. REESE asked and obtained permission for the Committee on Workmen's Compensation to meet during the session of the House.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 84, entitled:

An Act to amend section one thousand one of the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" by providing for compensation of councilmen for attendance at meetings

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 94, entitled:

An Act abolishing the office of high constable in boroughs and repealing certain sections of the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" and other inconsistent acts or parts of acts

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 314, entitled:

An Act to further amend section five and six of the act approved the twentieth day of May one thousand nine hundred fifteen (P. L. 566) entitled "An act requiring cities of the first class to establish a pension fund for employes of said cities and all county or other public employes if any paid by appropriation of the city councils thereof and out of the treasury of said cities and regulating the administration and the payment of such pensions" by requiring all city county or other public employes whether paid a per diem wage or otherwise to become members of the pension system of such city and removing optional rate of contribution

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 388, entitled:

An Act to amend section 202 of an act approved May 21, 1943 (P. L. 571) entitled "An act relating to assessment for taxation in counties of the fourth fifth sixth seventh and eighth classes designating the subjects property and persons subject to and exempt from taxation for county borough town township school except in cities and county institution district purposes and providing for and regulating the assessment and valuation thereof for such purposes creating in each county a board for the assessment and revision of taxes defining the powers and duties of such boards providing for the acceptance of this act by cities regulating the office of ward borough town and township assessors abolishing the office of assistant triennial assessor in townships of the first class providing for the appointment of a chief assessor assistant assessors and other employes providing for their compensation payable by such counties prescribing certain duties of and certain fees to be collected by the recorder of deeds and eliminating the triennial assessment" by adding to subsection 12 a new paragraph to be known as (d) and providing that exemption from liability for school taxes must also be approved by the State Council of Education

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 450, entitled:

An Act to add section one thousand eight point two to the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" permitting borough councils to follow a certain procedure in publishing certain ordinances

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 460, entitled:

An Act to further amend section one thousand three hundred eleven of the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 1053) entitled "An act relating to the regulation of public utilities defining as public utilities certain corporations companies associations and persons providing for the regulation of public utilities including to a limited extent municipalities engaging in public utility business by prescribing defining and limiting their duties powers and liabilities and regulating the exercise surrender or abandonment of their powers privileges and franchises defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons associations companies and corporations including to a limited extent municipal corporations subject to this act and administering the provisions of this act authorizing the commission to fix temporary rates placing the burden of proof on public utilities to sustain their rates and certain other matters authorizing a permissive or mandatory sliding scale method of regulating rates providing for the supervision of financial and contractural relations between public utilities and affiliated interests and supervision and regusumed or kept by persons associations companies corporalation of accounts and securities or obligations issued astion or municipal corporations subject to this act conferring upon the commission power to vary reform or revise certain contracts conferring upon the commission the exclusive power to regulate or order the construction alteration relocation protection or abolition of crossings of facilities of public utilities and of such facilities by or over public highways to appropriate property for the construction or improvement of such crossings and to award or apportion resultant costs and damages authorizing owners of such property to sue the Commonwealth for such damage providing for ejectment proceedings in connection with the appropriation of property for cross-

ings conferring upon the commission power to control and regulate budgets of public utilities imposing upon persons associations companies and corporations (except municipal corporations) subject to regulation the cost of administering this act prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings prescribing penalties fines and imprisonment for violations of the provisions of this act and regulations and orders of the commission and the procedure for enforcing such fines and penalties and repealing legislation supplied and superseded by or inconsistent with this act" by authorizing the court to impose prison sentences in certain cases.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 537, entitled:

An Act requiring owners of hotels restaurants and places of amusement and entertainment to give notice to patrons thereof that concessions for certain services have been granted to other persons and that gratuities received by the employes of such concessions are the property of the owner thereof.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 544, entitled:

An Act to further amend section one thousand four hundred thirteen of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing method of collecting such revenue and repealing all laws revenue to establish and maintain the same and the general special or local or any parts thereof that are or may be inconsistent therewith" providing special education for children afflicted with cerebral palsy or otherwise physically handicapped.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 582, entitled:

An Act to further amend section eight hundred three of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" increasing per diem compensation and mileage of school directors for attendance at conventions.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 610, entitled:

An Act to amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public sofety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and micellaneous receipts making an appropriation and providing for refunds" providing a penalty for counterfeiting theft removal or transfer of certificates of inspection and providing for prosecutions.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 642, entitled:

An Act to further amend section five hundred sixty-three of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by providing for the revision of the budget of school districts of the second third and fourth classes during the fiscal year.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 645, entitled:

An Act to further amend section five of the act approved the thirteenth day of May one thousand nine hundred fifteen (P. L. 286) entitled "An act to provide for the health safety and welfare of minors by forbidding their employment or work in certain establishments and occupations and under certain specified ages by restricting their hours of labor and regulating certain conditions of their employment by requiring employment certificates for certain minors and prescribing the kinds thereof and the rules for the issuance reissuance filing return and recording of the same by providing that the Industrial Board shall undtr certain conditions determine and declare whether certain occupations are within the prohibitions of this act requring that certain minors shall during the period of their employment attend certain schools to be established as therein provided and to be approved by the Statae Superintendent of Public Instruction and regulating the conditions of such attendance authorizing

the State Board of Education in certain cases to appoint attendance officers to aid in enforcing the provisions of this act and creating the salary and expenses of such officers a charge against the schol district wherein they are employed requiring certain abstracts and notices to be posted providing for the enforcement of this act by the Commissioner of Labor and Industry the attendance officers of schol districts and police officers and defining the procedure in prosecutions thereunder and establishing certain presumptions in relation thereto providing penalties for the violation of the provisions thereof and repealing all acts or parts of acts inconsistent therewith" permitting employment of male minors sixteen years of age or over in public bowling-alleys.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 647, entitled:

An Act to add section one thousand two hundred forty-two point one to the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" making special provision for reimbursement of school districts under certain circumstances

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 670, entitled:

An Act to amend section four hundred two of the act approved the twenty-fifth day of June one thousand nine hundred forty-nine (P. L. 159) entitled "An act amending revising consolidating and changing the law relating to the borrowing of money political subdivisions the authorization issuance and sale of general obligation bonds as herein defined of bonds imposing no general obligations of debt and of bonds not deemed to constitute a debt for certain purposes and to the funding of debt and the refunding of bonds regulating the keeping and use of sinking funds imposing powers and duties upon the Department of Internal Affairs and upon corporate bodies and officers of political subdivisions imposing penalties and repealing existing existing laws" providing that in certain cases moneys assessed and collected from property owners adjoining or abutting improvements may be paid into a revolving fund and not in the sinking fund

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 692, entitled:

An Act to amend section four hundred three of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by making further provision for the appointment of teachers

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 745, entitled:

An Act to amend sections one thousand one hundred twenty-one and one thousand one hundred thirty of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by providing for the budgeting of the traveling expenses of county and assistant county superintendents and the allocation of same

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 746, entitled:

An Act to further amend sections two and four of the act approved the thirtieth day of April one thousand nine hundred forty-three (P. L. 145) entitled as amended "An act providing for and regulating the accumulation investment and expenditure by counties cities boroughs incorporated towns townships and school districts of funds for post war period and the purchase or replacement of school buses

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 752, entitled:

An Act to authorize the revival of judgments entered in favor of the Commonwealth of Pennsylvania by filing a suggestion of nonpayment

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 779, entitled:

An Act to amend section forty of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1237), entitled "An act affecting marital relations prescribing grounds and regulating proceedings for divorce and the annulment of bigamous marriages and amending revising and consolidating the law relating thereto" providing for a rule upon respondent to furnish a bill of particulars in certain cases

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 793, entitled:

An Act to amend section one thousand one hundred fifty-six of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" providing for the regulation of encroachments on township highways and the issuing of permits therefor by the township supervisors instead of the Department of Highways of the Commonwealth and for the payment of permit fees into the township treasury.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 813, entitled:

An Act to further amend subsections A and B of section seven hundred seven of the act approved the fifth day of May one thousand nine hundred and thirty-three (P. L. 457) entitled "An act relating to the business of building and loan associations providing for the organization and coluntary dissolution of such associations defining the rights powers duties liabilities and immunities of such associations and their officers directors shareholders solicitoirs and other employes prohibiting the transaction of business in this Commonwealth by foreign building and loan associations conferring powers and imposing duties upon the courts recorders of deeds and certain State Departments commissions and officers establishing limitations of actions imposing penalties and repealing certain acts and parts of acts" eliminating requirement that certificates of clearance be filed with articles of amendment

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 814, entitled:

An Act to further amend subsections A and B of section eight hundred seven of the act approved the fifteenth day of May one thousand nine hundred and thirty-three (P. L. 624) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employes of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" eliminating requirement that certificates of clearance be filed with articles of amendment

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 849, entitled:

An Act providing referendums to ascertain the will of electors on the question of baseball and football on Sundays and for the enactment of licensing ordinances and resolutions in accordance therewith

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 875, entitled:

An Act to further amend section one of the act approved the seventh day of June one thousand nine hundred eleven (P. L. 680) entitled "An act providing for the examination licensure and registration of persons firms or corporations engaged or engaging in the business or work of plumbing or house drainage and prescribing certain rules regulations and requirements for the construction of plumbing house drainage and cesspools in cities of the first class and imposing fines penalties and forfeitures for violation thereof" by exempting therefrom the construction of sewers and water lines

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 886, entitled:

An Act to add section seven point one to the act approved the twenty-ninth day of June one thousand nine hundred twenty-three (P. L. 957) entitled "An act authorizing boroughs and townships of the first class to adopt and enforce zoning ordinances regulating the location construction and use of buildings the size of courts and open spaces the density of population and the use of land" providing an alternative plan for the adoption of zoning ordinances by boroughs.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 914, entitled:

An Act to amend clauses (a) and (d) of section one thousand two hundred sixteen of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by further regulating sabbatical leaves for certain school employes.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 949, entitled:

An Act to authorize political subdivisions and agencies thereof to participate in the Federal Social Security program in order to secure coverage for their officers and employes under the old-age and survivors insurance provisions of the Federal Social Security Act upon the extensions of the provisions of such Federal act to include such persons.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 954, entitled:

An Act to amend section six hundred four of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 289) entitled "An act relating to nonprofit corporations defining and providing for the organization merger consolidation and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and members prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the first class within the provisions of this act prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas prothonotaries of such courts recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" allowing cemetery companies to give notice of meetings by advertising in newspapers and posting of notices.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 955, entitled:

An Act to amend section five hundred ten of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by changing the title of township supervisors.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 964, entitled:

An Act to further amend sections thirty-four and thirty-eight of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 869) entitled "An act providing for the organization government discipline maintenance and regulation of the armed land forces of this Commonwealth" changing the basic annual allowance for all troops and decreasing the minimum allowance and providing for expenses of headquarters.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 996, entitled:

An Act to prohibit organized dissemination of false and defamatory group propaganda based upon race creed color national origin or ancestry interfering with the exercise of civil rights and imposing penalties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1020, entitled:

An Act to further amend section seven hundred and six and clause (h) of section nine hundred and three of the act approved the first day of May one thousand nine hundred and twenty-nine (P. L. 905) entitled "An act for the protection of the public saftty regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powtrs of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by increasing annual registration fees of certain trailers and semi-trailers and fixing the maximum gross having two axles.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1022, entitled:

An Act to amend clause seventeen of section one of the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by defining "salary" and redefining "final salary" as applied to contributors.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1067, entitled:

An Act to amend section one thousand two hundred six of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by further providing for leaves of absence of professional employes because of illness or physical disability.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1085, entitled:

A Supplement to the act approved the fourth day of June one thousand nine hundred forty-five (P. L. 1191) entitled "An act to authorize the Pennsylvania Post-War Planning Commission under certain conditions to enter into agreements with political subdivisions of this Commonwealth for the financing of plans and specifications for public works and making an appropriation" providing for the winding up of the functions of the Pennsylvania Post-War Planning Commission by the State Planning Board and re-appropriating the unexpended balance of the appropriation.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1098, entitled:

An Act to further amend sections two and nine of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2051) entitled "An act relating to public assistance providing for and regulating assistance to certain classes of persons designated and defined as dependent children aged perons blind persons and other perons requiring relief providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose authorizing the Department of Public Assistance to cooperate with and to accept and disburse moneys received from the United States Government for assistance to such persons providing for the liquidation of the State Emergency Relief Board Boards of Trustees of the Mothers' Assistance Fund and Boards of Trustees of Pension Fund for the Blind and repealing laws relating to mothers' assistance pensions for the blind old age assistance and the State Emergency Relief Board" by changing the definition of "Assistance" and eligible requirements for aged persons and other persons.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1099, entitled:

An Act to amend section four hundred two of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2017) entitled "An act creating in each county (except of the first class) as a separate corporation and in each city of the first and second class as a part of the city government as institution district for the care and maintenance of certain indigent persons and children prescribing the powers and duties of county commissioners county treasurers city departments of public welfare the State Department of Welfare and the State Department of Public Assistance in respect thereto abolishing certain poor districts and terminating the terms of directors overseers guardians and managers of the poor and poor district auditors and providing for the temporary employment of certain of them providing for the transfer vesting sale and disposition of the property of poor districts and the payment of their obligations imposing certain existing obligations on institution districts and on the Commonwealth regulating the affairs of poor districts until abolished revising amending changing and consolidating the law relating to the care of the poor and repealing existing laws" by clarifying the powers and duties of the institution disticts.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1103, entitled:

An Act to amend sections two hundred seven and eight hundred nine of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 364) entitled "An act relating to business corporations defining and providing for the organization merger consolidation reorganization winding up and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and shareholders prescribing the condition on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the second class within the provisions of this act prescribing the terms and conditions upon which foreign business corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas and certain State departments boards commissions or officers to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" requiring the recording of corporation charters and amendments thereto.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1106, entitled:

An Act to amend the act approved the second day of May one thousand nine hundred forty-five (P. L. 401) entitled "An act defining and providing for the licensing and regulation of private trade schools and classes conferring powers and imposing duties on the State Board of Vocational Education and prescribing penalties" broadening the definition of private trade school and providing for the licensure of agents of such trade schools.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1107, entitled:

An Act to further amend section one of the act approved the sixteenth day of May one thousand eight hundred sixty-one (P. L. 708) entitled "An act relating to brokers and private bankers" by changing the times for filing returns and for payment of the tax due.

And said bill having been rtad at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1110, entitled:

An Act to amend sections two and three of the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 694) entitled "An act imposing a tax on gross receipts as an excise on the use of the public highways by certain owners or operators of motor vehicles transporting passengers and propery for hire" by further providing for the filing of reports and for certain deductions.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1122, entitled:

An Act providing for the payment of salary wages medical and hospital expenses of employes of a jail prison workhouse penitentiary penal reformatory or correctional institution hospitals for the insane or any institution for the feeble minded or epileptic persons for inebriates or for juvenile delinquents and dependents maintained in whole or in part by the Commonwealth or any county within the Commonwealth who are injured in the performance of their duty and providing that absence during such injury shall not reduce any usual sick leave period

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1137, entitled:

An Act to further amend the act approved the twenty-sixth day of May one thousand nine hundred thirty-three (P. L. 1076) entitled "An act to provide for the organization incorporation operation and supervision of cooperative savings and credit associations to be termed credit unions designating such credit unions as corporations and defining their powers and duties conferring certain powers and duties on the Department of Banking and providing penalties" furthe defining the membership of Credit Unions and permitting loans to other credit unions.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1148, entitled:

An Act to further amend section one thousand four of the act approved the fifteenth day of May one thousand nine hundred thirty-three (P. L. 624) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of Nation banks into State banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employes of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" further regulating the pledge of assets for deposits.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1209, entitled:

An Act to further amend the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" providing for supervisors of child accounting.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1235, entitled:

An Act to further amend subsection (d) of section eight hundred fourteen of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" providing for off the roadway parking facilities for school buses in certain districts.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1283, entitled:

An Act to amend the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 289) entitled "An act relating to nonprofit corporations defining and providing for the organization merger consolidation and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and members prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the first class within the provisions of this act prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas prothonotaries of such courts recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" providing that name registrations shall automatically expire if the registrant has not become incorporated within six months requiring a statement in the articles that the name registration has been made within such period and providing for re-registration in case of such expiration.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 38, entitled:

An Act to further amend sections one and two of the act approved the thirty-first day of May, one thousand eight hundred and ninety-three, (P. L. 188), entitled "An act designating the days and half days to be ob-

served as legal holidays, and for the payment, acceptance and protesting of bills, notes, drafts, checks and other negotiable paper on such days" by making Saturdays bank holidays under certain conditions, and repealing inconsistent laws.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of Senate Bill No. 148, entitled:

An Act to amend the act approved the fifth day of June, one thousand nine hundred thirty-seven (P. L. 1703), entitled "An act relating to criminal prosecutions; limiting the effect of demurrers by defendants at the close of the cases of the Commonwealth," providing for the disposition of cases where evidence has been improperly admitted and the court has failed to sustain the demurrer at the close of the Commonwealth's case.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of Senate Bill No. 245. entitled:

An Act making certain appropriations to the Department of Public Instruction for the payment of the cost of conducting certain college courses and classes for the fiscal biennium ending May thirty-first one thousand nine hundred forty-seven.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

BILL STRICKEN FROM CALENDAR

The SPEAKER pro tempore. Senate Bill No. 313 is erroneously on the calendar, not having been officially reported from committee yesterday as explained by the Speaker.

This bill will be stricken from the calendar and will not be read.

THE SPEAKER (Franklin H. Lichtenwalter) IN THE CHAIR.

The SPEAKER. The Chair thanks the Majority Floor Leader for presiding during the first reading calendar.

BILLS ON SECOND READING

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 1091, entitled:

An Act to amend the act approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards and commissions defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers, fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards, and commissions shall be determined," as amended, by amending Sections 220 and 2413, and adding new Sections 526 and 701 (1), authorizing and directing the Governor to prescribe the filing system to be adopted by each department, board and commission, and to direct, subject to approval by the Executive Board, what records shall be preserved by photographic process, and what assignment and utilization shall be made of space in the Capitol buildings.

And said bill having been read at length the second time and agreed to.
Ordered, To be transcribed for third reading.

BILLS PASSED OVER

There being no objection
Senate Bill No. 114, Printer's No. 21 and
Senate Bill No. 244, Printer's No. 51
were passed over at the request of the SPEAKER.

BILL ON FINAL PASSAGE

Agreeably to order,
The House proceeded to the consideration on final passage of House Bill No. 767, as follows:

An Act to amend sections one thousand one hundred five one thousand one hundred twenty-one one thousand one hundred twenty-seven one thousand one hundred thirty-four and one thousand one hundred thirty-seven of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by further providing for the term of office and the election of county superinitendents assistant county superintendents district superintendents and assistant district superintendents in all second third and fourth class school districts of the Commonwealth

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one thousand one hundred five of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as last amended by the act approved the twenty-third day of May one thousand nine hundred twenty-three (P. L. 349) is hereby further amended to read as follows

Section 1105 The school directors of each county of this Commonwealth ini which a county superintendent is to be elected shall meet in convention at the county seat of their county in the courthouse or some other suitable place to be furnished by the county commissioners at the expense of the county on the second Tuesday of April one thousand nine hundred and eighteen (1918) and on the same day of every fourth year thereafter and by a majority vote of those present elect as herein provided one duly qualified person as county superintendent to serve for four years from the first Monday of July

next following Provided That on the second Tuesday of April one thousand nine hundred and twenty-six (1926) county superintendents shall be elected as herein provided to serve from the first Monday of May one thousand nine hundred and twenty-six (1926) until the first Monday of July one thousand nine hundred and thirty (1930) Provided further That every county superintendent now in office shall hereafter whenever his term of office expires continue in office for a further term of four years unless at least ninety (90) days before the time fixed by this act for the convention of school directors of the county to elect a county superintendent at least two-fifths of the boards of school directors of the school districts under the supervision of the county superintendent shall adopt and file with the Superintendent of Public Instruction separate resolutions demanding that a convention for the election of such superintendent be held on the day fixed by law Every such resolution shall be recorded on the minutes of each board adopting the same and the miinutes shall show how each member of the board of school directors voted thereon A copy of such resolution shall be attested by the secretary of the respective boards and filed with the Superintendent of Public Instruction within the time hereinbefore provided A copy of such resolution shall at the same time be filed with the superintendent affected thereby

In the event two-fifths of the boards of school directors of the school district under the supervision of a county superintendent shall file with the Superintendent of Public Instruction saparate petitions demanding a convention for the election of a county superintendent such petitions shall state the cause or causes why such election is demanded The Superintendent of Public Instruction shall notify such county superintendent at least sixty (60) days before the time fixed by this act for the election of a county superintendent to proclaim an election for such officer and direct a convention be held for the purpose of electing a county superintendent on the date specified in this act Notice of the convention shall be given in the manner hereinbefore provided

The Superintendent of Public Instruction shall notify the secretary of each school board of the State of the provisions of this section at least one hundred twenty (120) days before the time fixed by this act for the convention of school directors of the county to elect a county superintendent so that proper action may be taken by the respective school boards if they desire to have such a convention for the election of a county superintendent

Any vacancy in the office of county superintendent by reason of death removal resignation or otherwise shall be filled as hereinafter provided when on the next regularly established date for the election of a county superintendent the school directors of the county or counties wherein such vacancy or vacancies took place shall meet as hereinbefore provided and elect a duly qualified person as county superintendent as in other cases

Section 2 Section one thousand one hundred twenty-one of said act as last amended by the act approved the twenty-seventh day of May one thousand nine hundred nineteen (P. L. 300) is hereby further amended by adding the following paragraph

Section 1121

* * * * *

In the event a convention of county boards of school directors of school districts under the supervision of a county superintendent is not called for the purpose of electing a county superintendent and the term of a county superintendent then in office is extended for an additional four years an increase in salary may be proviided at the next annual meeting of the School Directors' Association of the county or at a convention which may be called by a county superintendent

Section 3 Section one thousand one hundred twenty-seven of said act as last amended by the act approved the first day of July one thousand nine hundred thirty-seven (P. L. 2592) is hereby further amended by adding the following

Section 1127

* * * * *

The term of office of all assistant county superintendents of schools shall terminate at the end of the term of office of the county superintendents under whom they serve Provided however That if no convention of boards of school directors of school districts under the supervision of a county superintendent is called at the expiration of the county superintendent's term to consider an election of such an officer and such county superintendent continues in office as hereinbefore provided then the term of office of the assistant county superintendent or superintendents shall likewise be further extended for a term of four years unless written notice is given by the county superintendent with the approval of a majority vote of the county board of school directors to the assistant county superintendent or superintendents under his supervision within thirty (30) days before the date fixed by this act for the holding of a convention for the election of a county superintendent notifying such assistant county superintendent or superintendents that he will not be nominated to the county board of school directors for approval for a further term of four years In such event the term of the assistant county superintendent or superintendents shall expire at the end of the then current term

In the event the term of any assistant county superintendent or superintendents is automatically extended as herein provided provisions for any increases in the salaries of such assistants may be made at the next annual meeting of the School Directors' Association of the county or at a convention of school directors which may be called by the county superintendent

Section 4 Section one thousand one hundred thirty-four of said act as last amended by the act approved the twenty-ninth day of May one thousand nine hundred thirty-one (P. L. 243) is hereby further amended by adding the following

Section 1134

* * * * *

Whenever the term of office of any district superintendent in school districts of the second and third class expires he shall continue in office for a further term of four years unless at least ninety (90) days before the date fixed for the election of such a superintendent two-fifths of a board of school directors employing such officer shall file witih the Superintendent of Public Instruction a petition demanding an election of such officer Such petitions shall state the cause or causes why such election is demanded The Superintendent of Public Instruction shall thereupon notify such district superintendent at least sixty (60) days before the date fixed for the election The Superintendent of Public Instruction shall notify at the same time the secretary of the board of school directors of said distriict to proclaim an election be held by the board of such district at the time and place now required by law for such election The proclamation shall be issued by the secretary of the board in the manner now required by law

Section 5 Section one thousand one hundred thirty-seven of said act is hereby amended to read as follows

Section 1137 Assistant district superintendents shall serve through the term of the district superintendent at salaries paid by the district and fixed by a majority vote of the whole board of school directors prioir to their election

In school districts of the second and third class if no convention is held for the election of a district superintendent the term of any assistant district superintendent shall be extended for a further term of four years unless such assistant district superintendent is notified by the district superintendent in writing thirty (30) days before the time fixed for the election of the district superintendent that his commission will terminate at the end of the then current term Upon receipt of such notice and in the event any such assistant district superintend-

ent is not reelected his commission shall terminate at the end of his current term

Section 6 All acts or parts of acts inconsistent with the provisions of this act are hereby repealed

Section 7 The provisions of this act are severable and if any of its provisions shall be held unconstitutional the decision of the court shall not affect or impair any of the remaining provisions of this act It is hereby declared to be the legislative intent that this act would have been adopted had such unconstitutional provisions not been included herein

Section 8 This act shall become effective on the first Monday of July one thousand nine hundred forty-seven

On the question,

Shall the bill pass finally?

Mr. LOVETT. Mr. Speaker, may I ask if this is the bill that was amended yesterday?

The SPEAKER. If the Chair recalls correctly, this is the bill that was amended yesterday and the day before.

Mr. LOVETT. Mr. Speaker, I desire to interrogate the sponsor of the bill.

The SPEAKER. Which one of the sponsors?

Mr. LOVETT. Anyone; both of them.

The SPEAKER. The Chair does not see the gentleman from Bucks, and he will therefore ask the gentleman from Huntington, Mr. Neff, the co-sponsor of the bill whether he will permit himself to be interrogated?

Mr. NEFF. I shall, Mr. Speaker.

Mr. LOVETT. Mr. Speaker, would the gentleman mind explaining to the House just what this bill does?

Mr. NEFF. Mr. Speaker, in answer to the inquiry, I would say that this bill provides a measure of security for County and District Superintendents.

This bill provides that they shall hold office unless an election is called for quadrenially by a certain number of the board in the case of county superintendents or a percentage of the members of the board in districts where the elections are likely to be held.

Mr. LOVETT. In other words would the gentleman say that this particular bill would pretty well secure the superintendents in office?

Mr. NEFF. I would not say so, Mr. Speaker.

Mr. LOVETT. Would the gentleman say that this bill does to some extent help to secure these men in office?

Mr. NEFF. I would accept that; it provides some security in office.

Mr. LOVETT. That will be all.

Mr. Speaker, I desire to interrogate the gentleman from Cambria, Mr. O'Connor.

The SPEAKER. Will the gentleman from Cambria permit himself to be interrogated?

Mr. O'CONNOR. With pleasure, Mr. Speaker.

Mr. LOVETT. Mr. Speaker, I should like to ask the gentleman from Cambria if he feels that this bill secures the superintendents and assistant superintendents in office?

Mr. O'CONNOR. Mr. Speaker, in answer to the gentleman, this bill does everything but freeze the county superintendent and assistant in office. In my opinion under this bill your present county superintendents and their assistants and all county superintendents elected in the future are practically elected for life.

Mr. LOVETT. Mr. Speaker, I take it from the gentleman's statement that he is not in favor of freezing these men into their positions for life, is that correct?

Mr. O'CONNOR. I am not, Mr. Speaker, I am opposed to this bill.

Mr. LOVETT. That is all.

Mr. Speaker, I feel that we are now going even a step farther in tenure under this bill. I therefore ask the Members of this House to vote this bill down.

Mr. STOCKHAM. Mr. Speaker, the gentleman from Westmoreland in his remarks mentioned tenure. Any question of tenure in this bill was deleted by the amendment which we offered yesterday. The idea of freezing the county superintendents in office is rather over-drawn. This does permit the security of the county superintendent in the action of carrying out his duty and allows in any event that an election may be had under the terms of the bill, but it also gives him the assurance that in the performance of his duty he will continue without further election. Provisions however have been made here whereby an action similar to that of the recall is had. I ask the House to vote for this bill as being good and judicious legislation.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—99

Bloom,	Greer,	Miller,	Smith, C. M.,
Boorse,	Griffiths,	Mintess,	Sorg,
Bower,	Gyger,	Mohr,	Sproul,
Brunner,	Haller,	Moore, C. E.,	Stank,
Cadwalader,	Helm,	Moore, H. A.,	Stimmel,
Cassidy,	Henry,	Myers,	Stockham,
Clevenger,	Horan,	Neff,	Stuart,
Cordier,	Imbt,	Nelson,	Thomassy,
Costa,	Jennings,	O'Dare,	Thompson,
Crowley,	Johnson,	O'Donnell,	Tompkins,
De Long,	Johnston,	Orban,	Toomey,
Dennison,	Jones,	Pickens,	Turner,
Depuy,	Kean,	Price,	Upshur,
Dix,	Kemp,	Ragot,	Wachhaus,
Dye,	Kohl,	Readinger,	Wagner,
Efenberg,	Kurtz,	Reese, D. P.,	Walton,
Elder,	Layer,	Reilly, W. J.,	Watson,
Erb,	Lee,	Richter,	Weidner,
Ewing,	Leisey,	Riley,	Weiss,
Feola,	Livingston,	Root,	Wescott,
Fish,	Loftus,	Rowen,	Worley,
Flack,	Lyons,	Sax,	Yeakel,
Fleming,	Madden,	Scott,	Young,
Frost,	McCosker,	Serrill,	Lichtenwalter,
Graybill,	Mikula,	Smith, C. C.,	Speaker.

NAYS—62

Andrews,	Dague,	Livingstone,	Reese, R. E.,
Bane,	Dalrymple,	Lovett,	Robbins,
Barrett,	Davison,	Madigan,	Royer,
Baumunk,	Demech,	McCullough,	Scanlon,
Bender,	Foor,	McKinney,	Shoemaker,
Bentzel,	Getchey,	Mihm,	Snider,
Bonawitz,	Gibson,	Mills,	Tittle,
Breisch,	Goodling,	Mooney,	Vaughan,
Brice,	Hewitt,	Najaka,	Verona,
Brown,	Hocker,	O'Connor,	Waldron,
Capano,	Hoffman,	Patten,	West,
Chervenak,	Jump,	Polaski,	Wolf,
Cochran,	Kelley,	Powers,	Wood,
Cole,	Kent,	Propert,	Yester,
Cook,	Kratz,	Reagan,	Yetzer,
Cooper,	Krise,		

NOT VOTING—44

Aaronson,	Guthrie,	Morrison,	Schuster,
Beech,	Hall,	Murray,	Simons,
Boies,	Haudenshield,	Naumann,	Sollenberger,
Bucchin,	Hoopes,	Needham,	Stonier,
Chudoff,	Kirley,	O'Neill,	Swope,

Evans,	Kline,	Petrosky,	Tahl,
Fiss,	Laughner,	Pichney,	Trout,
Gallagher,	Mazza,	Reilly, J. M.,	Wallin,
Goff,	McCormack,	Robertson,	Waterhouse,
Gorman,	McDonald,	Rose,	Watkins,
Greenwood,	McMillen,	Sarraf,	Wheeler,

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 330, as follows:

An Act to amend sections eight nine and fourteen of the act approved the fifth day of May one thousand nine hundred twenty-one (P. L. 389) entitled "An act to regulate and control the manufacture sale offering for sale giving away and use of weights and measures and of weighing and measuring devices in the Commonwealth of Pennsylvania providing for the approval and disapproval of such weights measures and devises by the Bureau of Standards and prescribing penalties" providing for marking and changing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections eight nine and fourteen of the act approved the fifth day of May one thousand nine hundred twenty-one (P. L. 389) entitled "An act to regulate and control the manufacture sale offering for sale giving away and use of weights and measures and of weighing and measuring devices in the Commonwealth of Pennsylvania providing for the approval and disapproval of such weights measures and devices by the Bureau of Standards and prescribing penalties" are hereby amended to read as follows

Section 8 From and after one year after this act takes effect it shall be unlawful to manufacture offer or expose for sale or sell or give away for use in trade or commerce or to use in trade or commerce any weight or measure or weighing or measuring device [which does not have cast stamped etched or other otherwise marked thereon] unless it shall be conspicuously clearly and permanently marked for purposes of identification with the name initials or trade mark of the manufacturer and with the manufacturer's designation which positively identifies the pattern or the design of the device and in such manner as may be prescribed by the rules and regulations authorized by this act [the name of the manufacturer and the serial number of the approved type to which it belongs] Provided however That whenever it shall appear to the satisfaction of the Bureau of Standards that any type of weight or measure or weighing or measuring device is such as to render it impracticable to mark it as required by this section the said bureau shall furnish a certificate to that effect to any manufacturer applying for the same and such weights and measures and weighing and measuring devices need not be marked as required by the provisions of this section

Section 9 It shall be unlawful to [cast stamp etch or otherwise mark upon] mark for purposes of identification in any manner any weight or measure or weighing or measuring device the type of which has not been approved as required by the provisions of this act any design or device simulating a serial number required by the provisions of section seven of this act

Any person who shall violate any of the provisions of this section shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not [more] less than five hundred dollars or more than one thousand dollars ($1000) or by imprisonment for not [more] less than one year or more than two years or by both such fine and imprisonment in the discretion of the court

Section 14 Any person copartnership association or corporation who or which shall violate any provision of this act shall upon conviction thereof in a summary proceeding before any alderman magistrate or justice of the peace of the proper county or city be [punished] sentenced for the first offense [by a fine of not more than twenty-five dollars and upon conviction of the second offsense by a fine of not less than twenty-five dollars nor more than one hundred dollars and upon conviction for the third and each subsequent offense by a fine of not less than one hundred dollars nor more than two hundred and fifty dollars In default of the payment of any fine as aforesaid any person convicted shall be sentenced to serve one day in jail of the propert county for each dollar of the fine or costs] to pay a fine of not less than twenty-five dollars ($25.00) or more than fifty dollars ($50.00) and costs of prosecution and in default of payment thereof shall undergo imprisonment for ten days and for the second offense be sentenced to pay a fine of not less than fifty dollars ($50.00) or more than one hundred dollars ($100.00) and costs of prosecution and in default of payment thereof shall undergo imprisonment for twenty days and for the third offense shall be sentenced to pay a fine of not less than one hundred dollars ($100.00) or more than two hundred dollars ($200.00) and costs of prosecution and in default of the payment thereof shall undergo imprisonment for thirty days

Any person violating any of the provisions of this act for a fourth or subsequent offense shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than one hundred dollars ($100.00) or more than three hundred dollars ($300.00) or to undergo imprisonment for not more than sixty days or both

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—200

Aaronson,	Frost,	McCosker,	Scanlon,
Andrews,	Gallagher,	McCullough,	Schuster.
Bane,	Getchey,	McKinney,	Scott,
Barrett,	Gibson,	McMillen,	Serrill,
Baumunk,	Goodling,	Mihm,	Shoemaker,
Beech,	Gorman,	Mikula,	Simons,
Bender,	Graybill,	Miller,	Smith, C. C.,
Bentzel,	Greenwood,	Mills,	Smith, C. M.,
Bloom,	Greer,	Mintess,	Snider,
Boles,	Griffiths,	Mohr,	Sollenberger,
Bonawitz,	Guthrie,	Mooney,	Sorg,
Boorse,	Gyger,	Moore, C. E.,	Sproul,
Bower,	Haller,	Moore, H. A.,	Stank,
Breisch,	Haudenshield,	Murray,	Stimmel,
Brice,	Helm,	Myers,	Stockham,
Brown,	Henry,	ajaka,	Stonier,
Brunner,	Hewitt,	Naumann,	Stuart,
Bucchin,	Hocker,	Needham,	Swope,
Cadwalader,	Hoffman,	Neff,	Tahl,
Capano,	Hoopes,	Nelson,	Thomassy,
Cassidy,	Horan,	O'Connor,	Thompson,
Chervenak,	Imbt,	O'Dare,	Tittle,
Chudoff,	Jennings,	O'Donnell,	Tompkins,
Clevenger,	Johnson,	O'Neill,	Toomey,
Cochran,	Johnston,	Orban,	Turner,
Cole,	Jones,	Patten,	Upshur,
Cook,	Jump,	Petrosky,	Vaughan,
Cooper,	Kean,	Pichney,	Verona,
Cordier,	Kelley,	Pickens,	Wachhaus,
Costa,	Kemp,	Polaski,	Wagner,
Crowley,	Kent,	Powers,	Waldron,
Dague,	Kirley,	Price,	Wallin,
Dalrymple,	Kline,	Propert,	Walton,
Davison,	Kohl,	Ragot,	Waterhouse,
De Long,	Kratz,	Readinger,	Watkins,
Demech,	Krise,	Reagan,	Watson,
Dennison,	Kurtz,	Reese, D. P.,	Weidner,

Depuy,	Laughner,	Reese, R. E.,	Weiss,
Dix,	Layer,	Reilly, J. M.,	Wescott,
Dye,	Lee,	Reilly, W. J.,	West,
Efenberg,	Leisey,	Richter,	Wheeler,
Elder,	Livingston,	Riley,	Wolf,
Erb,	Livingstone,	Robbins,	Wood,
Evans,	Loftus,	Robertson,	Worley,
Ewing,	Lovett,	Root,	Yeakel,
Feola,	Lyons,	Rose,	Yester,
Fish,	Madden,	Rowen,	Yetzer,
Fiss,	Madigan,	Royer,	Young,
Flack,	Mazza,	Sarraf,	Lichtenwalter,
Fleming,	McCormack,	Sax,	Speaker.
Foor,			

NAYS—0

NOT VOTING—5

Goff,	McDonald,	Morrison,	Trout,
Hall,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 331, as follows:

An Act to further amend clause (c) of section two of the act approved the twenty-third day of May one thousand nine hundred nineteen (P. L. 278) entitled "An act supplementary to an act approved the eleventh day of May one thousand nine hundred eleven entitled 'An act to provide for the appointment of county and city inspectors of weights and measures providiing for their compensation and expenses prescribing theiir duties prohibiting vendors from giving false or insufficient weights and fixing the penalties for the violation of the provisions hereof' providing for the examination of the glassware used for testing milk and cream for butterfat with the Babcock test prohibiting the use of inaccurate testing glassware defining the term Standard Babcock Glassware and fixing penalties for the violations of the provisions of this act" regulating contents of Standard Babcock Pipette

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause (c) of section two of the act approved the twenty-third day of May one thousand nine hundred nineteen (P. L. 278) entitled "An act supplementary to an act approved the eleventh day of May one thousand nine hundred eleven entitled 'An act to proviide for the appointment of county and city inspectors of weights and measures providing for their compensation and expenses prescribing their duties prohibiting vendors from giving false or insufficient weights and fixing the penalties for the violation of the provisions hereof' providing for the examination of the glassware used for testing milk and cream for butterfat with the Babcock test prohibiting the use of inaccurate testing glassware defining the term Standard Babcock Glassware and fixing penalties for the violations of the provisions of this act" as amended by the act approved the twenty-sixth day of April one thousand nine hundred twenty-one (P. L. 300) is hereby further amended to read as follows

Section 2 The term "Standard Babcock Testing Glassware" shall apply to glassware and weights complying with the following specifications

* * * * * * *

(c) The Standard Babcock Pipette

Total length of pipette not more than three hundred and thirty millimeters (thirteen and one-fourth inches) Outside diameter of suction tube six to eight millimeters Length of suction tube one hundred and thirty millimeters Outside diameter of deliivery tube four and five-tenth to five and five-tenths millimeters Length of delivery tube one hundred to one hundred and twenty millimeters Distance of graduation mark above bulb fifteen to forty-five millimeters Nozzle straight [Delivery seventeen and six-tenths cubic centimeters of water at twenty degrees Centigrade in five to eight seconds] To contain seventeen and six-tenths cubic centimeters of water at twenty degrees Centigrade delivery in five to eight seconds Maximum error shall not exceed five-hundredths of a cubic centimeter

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—200

Aaronson,	Frost,	McCosker,	Scanlon,
Andrews,	Gallagher,	McCullough,	Schuster,
Bane,	Getchey,	McKinney,	Scott,
Barrett,	Gibson,	McMillen,	Serrill,
Baumunk,	Goodling,	Mihm,	Shoemaker,
Beech,	Gorman,	Mikula,	Simons,
Bender,	Graybill,	Miller,	Smith, C. C.,
Bentzel,	Greenwood,	Mills,	Smith, C. M.,
Bloom,	Greer,	Mintess,	Snider,
Boies,	Griffiths,	Mohr,	Sollenberger,
Bonawitz,	Guthrie,	Mooney,	Sorg,
Boorse,	Gyger,	Moore, C. E.,	Sproul,
Bower,	Haller,	Moore, H. A.,	Stank,
Breisch,	Haudenshield,	Murray,	Stimmel,
Brice,	Helm,	Myers,	Stockham,
Brown,	Henry,	Najaka,	Stonier,
Brunner,	Hewitt,	Naumann,	Stuart,
Bucchin,	Hocker,	Needham,	Swope,
Cadwalader,	Hoffman,	Neff,	Tahl,
Capano,	Hoopes,	Nelson,	Thomassy,
Cassidy,	Horan,	O'Connor,	Thompson,
Chervenak,	Imbt,	O'Dare,	Tittle,
Chudoff,	Jennings,	O'Donnell,	Tompkins,
Clevenger,	Johnson,	O'Neill,	Toomey,
Cochran,	Johnston,	Orban,	Turner,
Cole,	Jones,	Patten,	Upshur,
Cook,	Jump,	Petrosky,	Vaughan,
Cooper,	Kean,	Pichney,	Verona,
Cordier,	Kelley,	Pickens,	Wachhaus,
Costa,	Kemp,	Polaski,	Wagner,
Crowley,	Kent,	Powers,	Waldron,
Dague,	Kirley,	Price,	Wallin,
Dalrymple,	Kline,	Propert,	Walton,
Davison,	Kohl,	Ragot,	Waterhouse,
De Long,	Kratz,	Readinger,	Watkins,
Demech,	Krise,	Reagan,	Watson,
Dennison,	Kurtz,	Reese, D. P.,	Weidner,
Depuy,	Laughner,	Reese, R. E.,	Weiss,
Dix,	Layer,	Reilly, J. M.,	Wescott,
Dye,	Lee,	Reilly, W. J.,	West,
Efenberg,	Leisey,	Richter,	Wheeler,
Elder,	Livingston,	Riley,	Wolf,
Erb,	Livingstone,	Robbins,	Wood,
Evans,	Loftus,	Robertson,	Worley,
Ewing,	Lovett,	Root,	Yeakel,
Feola,	Lyons,	Rose,	Yester,
Fish,	Madden,	Rowen,	Yetzer,
Fiss,	Madigan,	Royer,	Young,
Flack,	Mazza,	Sarraf,	Lichtenwalter,
Fleming,	McCormack,	Sax,	Speaker.
Foor,			

NAYS—0

NOT VOTING—5

Goff,	McDonald,	Morrison,	Trout,
Hall,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection

House Bill No. 339, Printer's No. 273

was passed over at the request of Mr. FLEMING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 360, as follows:

An Act to repeal certain statutes relating to weights and measures

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The following statutes dealing with weights and measures and the administration of laws relating thereto are hereby repealed

The act approved the first day of April one thousand seven hundred ninety-seven (3 Smith Laws 294) entitled "An act to regulate the manner of selling loaf-bread and to repeal certain existing laws respecting the same" and its amendment

The act approved the eleventh day of April one thousand eight hundred sixty-six (P. L. 98) entitled "An act fixing a standard measure of coke iin the bituminous coal counties of this state"

The act approved the twenty-third day of March one thousand eight hundred forty-nine (P. L. 217) entitled "An act to establish a uniform standard for the measurement of bituminous coal and authorizing the appointment of a wood inspector in the borough of Lewistown"

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—200

Andrews,	Frost,	McCosker,	Scanlon,
Aaronson,	Gallagher,	McCullough,	Schuster,
Bane,	Getchey,	McKinney,	Scott,
Barrett,	Gibson,	McMillen,	Serrill,
Baumunk,	Goodling,	Mihm,	Shoemaker,
Beech,	Gorman,	Mikula,	Simons,
Bender,	Graybill,	Miller,	Smith, C. C.,
Bentzel,	Greenwood,	Mills,	Smith, C. M.,
Bloom,	Greer,	Mintess,	Snider,
Boles,	Griffiths,	Mohr,	Sollenberger,
Bonawitz,	Guthrie,	Mooney,	Sorg,
Boorse,	Gyger,	Moore, C. E.,	Sproul,
Bower,	Haller,	Moore, H. A.,	Stank,
Breisch,	Haudenshield,	Murray,	Stimmel,
Brice,	Helm,	Myers,	Stockham,
Brown,	Henry,	Najaka,	Stonier,
Brunner,	Hewitt,	Naumann,	Stuart,
Bucchin,	Hocker,	Needham,	Swope,
Cadwalader,	Hoffman,	Neff,	Tahl,
Capano,	Hoopes,	Nelson,	Thomassy,
Cassidy,	Horan,	O'Connor,	Thompson,
Chervenak,	Imbt,	O'Dare,	Tittle,
Chudoff,	Jennings,	O'Donnell,	Tompkins,
Clevenger,	Johnson,	O'Neill,	Toomey,
Cochran,	Johnston,	Orban,	Turner,
Cole,	Jones,	Patten,	Upshur,
Cook,	Jump,	Petrosky,	Vaughan,
Cooper,	Kean,	Pichney,	Verona,
Cordier,	Kelley,	Pickens,	Wachhaus,
Costa,	Kemp,	Polaski,	Wagner,
Crowley,	Kent,	Powers,	Waldron,
Dague,	Kirley,	Price,	Wallin,
Dalrymple,	Kline,	Propert,	Walton,
Davison,	Kohl,	Ragot,	Waterhouse,
De Long,	Kratz,	Readinger,	Watkins,
Demech,	Krise,	Reagan,	Watson,
Dennison,	Kurtz,	Reese, D. P.,	Weidner,
Depuy,	Laughner,	Reese, R. E.,	Weiss,
Dix,	Layer,	Reilly, J. M.,	Wescott,
Dye,	Lee,	Reilly, W. J.,	West,
Efenberg,	Leisey,	Richter,	Wheeler,
Elder,	Livingston,	Riley,	Wolf,
Erb,	Livingstone,	Robbins,	Wood,
Evans,	Loftus,	Robertson,	Worley,
Ewing,	Lovett,	Root,	Yeakel,
Feola,	Lyons,	Rose,	Yester,
Fish,	Madden,	Rowen,	Yetzer,
Fiss,	Madigan,	Royer,	Young,
Flack,	Mazza,	Sarraf,	Lichtenwalter,
Fleming,	McCormack,	Sax,	Speaker.
Foor,			

NAYS—0

NOT VOTING—5

Goff,	McDonald,	Morrison,	Trout,
Hall,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 387, as follows:

An Act to further amend section one of the act approved the eighth day of April one thousand eight hundred sixty-eight (P. L. 73) entitled "An act to authorize the recorder of deeds in the several counties of this Commonwealth to record the discharges of all honorably discharged officers and soldiers" providing for the recording of certificates of service issued commissioned officers

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one of the act approved the eighth day of April one thousand eight hundred sixty-eight (P. L. 73) entitled "An act to authorize the recorder of deeds in the several counties of this commonwealth to record the discharges of all honorably discharged officers and soldiers" as last amended by the act approved the nineteenth day of February one thousand nine hundred forty-five (P. L. 4) is hereby further amended to read as follows

Section 1 Be it enacted &c That the recorders of deeds in the several counties of this Commonwealth are hereby authorized and required to record all final discharges of all honorably discharged [commissioned and] non-commissioned officers and persons who were duly enlisted and mustered into the armed forces of the United States or in any womens organization officially connected therewith and all certificates of service issued to commissioned officers upon termination of active service as aforesaid upon application being made to them by the holders thereof their agents attorneys or legal representatives for which the recorder shall be allowed a fee of fifty cents for recording the same which fee shall be paid by the county where such discharge is recorded upon the presentation to the county commissioners of proper vouchers by the recorder recording the same and the recording of the same shall not be subject to the payment of the usual State tax Provided That the provisions of this act relating to the fees of the recorder and the State tax shall not apply to holders of discharges who are not residents of this Commonwealth at the time of making their applications to the recorder for placing the same of record

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—200

Aaronson,	Frost,	McCosker,	Scanlon,
Andrews,	Gallagher,	McCullough,	Schuster,
Bane,	Getchey,	McKinney,	Scott,
Barrett,	Gibson,	McMillen,	Serrill,
Baumunk,	Goodling,	Mihm,	Shoemaker,
Beech,	Gorman,	Mikula,	Simons,
Bender,	Graybill,	Miller,	Smith, C. C.,
Bentzel,	Greenwood,	Mills,	Smith, C. M.,
Bloom,	Greer,	[illegible]ntess,	Snider,
Boles,	Griffiths,	Mohr,	Sollenberger,
Bonawitz,	Guthrie,	Mooney,	Sorg,
Boorse,	Gyger,	Moore, C. E.,	Sproul,
Bower,	Haller,	Moore, H. A.,	Stank,
Breisch,	Haudenshield,	Murray,	Stimmel,
Brice,	Helm,	Myers,	Stockham,
Brown,	Henry,	N[illegible]jaka,	Stonier,
Brunner,	Hewitt,	Naumann,	Stuart,
Bucchin,	Hocker,	Needham,	Swope,
Cadwalader,	Hoffman,	[illegible]ff,	Tahl,
Capano,	Hoopes,	Nelson,	Thomassy,
Cassidy,	Horan,	O'Connor,	Thompson,
Chervenak,	Imbt,	O'Dare,	Tittle,
Chudoff,	Jemings,	O'Donnell,	Tompkins,
Clevenger,	Johnson,	O'Neill,	Toomey,
Cochran,	Johnston,	Orban,	Turner,
Cole,	Jones,	Patten,	Upshur,
Cook,	Jump,	Petrosky,	Vaughan,
Cooper,	Kean,	Pichney,	Verona,
Cordier,	Kelley,	Pickens,	Wachhaus,
Costa,	Kemp,	Polaski,	Wagner,
Crowley,	Kent,	Powers,	Waldron,
Dague,	Kirley,	Price,	Wallin,
Dalrymple,	Kline,	Propert,	Walton,
Davison,	Kohl,	Ragot,	Waterhouse,
De Long,	Kratz,	Readinger,	Watkins,
Demech,	Krise,	Reagan,	Watson,
Dennison,	Kurtz,	Reese, D. P.,	Weidner,
Depuy,	Laughner,	Reese, R. E.,	Weiss,
Dix,	Layer,	Reilly, J. M.,	Wescott,
Dye,	Lee,	Reilly, W. J.,	West,
Efenberg,	Leisey,	Richter,	Wheeler,
Elder,	Livingston,	Riley,	Wolf,
Erb,	Livingstone,	Robbins,	Wood,
Evans,	Loftus,	Robertson,	Worley,
Ewing,	Lovett,	Root,	Yeakel,
Feola,	Lyons,	Rose,	Yester,
Fish,	Madden,	Rowen,	Yetzer,
Fiss,	Madigan,	Royer,	Young,
Flack,	Mazza,	Sarraf,	Lichtenwalter,
Fleming,	McCormack,	Sax,	Speaker.
Foor,			

NAYS—0

NOT VOTING—5

Goff,	McDonald,	Morrison,	Trout,
Hall,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 392, as follows:

An Act to further amend section three of the act approved the eleventh day of May one thousand nine hundred eleven (P. L. 275) entitled "An act to provide for the appointment of county and city inspectors of weights and measures providing for their compensation and expenses prescribing their duties prohibiting vendors from giving false or insufficient weights and fixing the penalties for the violation of the provisions hereof" changing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section three of the act approved the eleventh day of May one thousand nine hundred eleven (P. L. 275) entitled "An act to provide for the appointment of county and city inspectors of weights and measures providing for their compensation and expenses prescribing their duties prohibiting vendors from giving false or insufficient weights and fixing the penalties for the violation of the provisions hereof" as last amended by the act approved the thirty-first day of July one thousand nine hundred forty-one (P. L. 614) is hereby further amended to read as follows

Section 3 Each person who shall directly or indirectly or by his servant or agent or as the servant or agent of another violate any of the provisions of this act or give or offer to give any false or insufficient weight or measure or use any weighing device after it shall have been condemned and before it shall have been adjusted and sealed or obstruct or attempt to obstruct any inspector in the performance of his duty shall upon conviction thereof in a summary proceeding before any alderman magistrate or justice of the peace of the proper city or county [for the first offense be sentenced to pay a fine not to exceed twenty-five dollars for the second offense shall be sentenced to pay a fine not excxeeding fifty dollars and for each subsequent offense shall be sentenced to pay a fine of not more than one hundred dollars or to undergo an imprisonment in the proper county jail for not more than thirty days or both in the discretion of the court In default of the payment of any fine as aforesaid the person convicted shall be sentenced to serve one day in jail of the proper county for each dollar of the fine and costs] for the first offense be sentenced to pay a fine of not less than twenty-five dollars ($25.00) or more than fifty dollars ($50.00) and costs of prosecution and in default of payment thereof shall undergo imprisonment for ten (10) days for the second offense be sentenced to pay a fine of not less than fifty dollars ($50.00) or more than one hundred dollars ($100.00) and costs of prosecution and in default of payment thereof shall undergo imprisonment for twenty (20) days for the third offense be sentenced to pay a fine of not less than one hundred dollars ($100.00) or more than two hundred dollars ($200.00) and costs of prosecution and in default thereof shall undergo imprisonment for thirty (30) days and for a fourth or subsequent offense shall be guiyty of a misdemeanor and upon a conviction thereof shall be sentenced to pay a fine of not less than two hundred dollars ($200.00) or more than three hundred dollars ($300.00) or suffer imprisonment for not less than six (6) months or both All such fines shall be paid to the treasurer of the respective city or county in which the offense was committed

It shall be unlawful for any inspector to use any tests or standards or to attempt to use the same in ascertaining the correctness or accuracy of weights and measures until such comparisons are made and their accuracy established and a certificate of accuracy issued therefor as provided by this act It shall be unlawful for any inspector to manufacture sell or offer to sell any weighing or measuring device used in the sale of commodities or to repair or offer to repair any weighing or measuring device other than such adjustments as he may find necessary in the performance of his official duties for which no fees shall be collected Any inspector violating the provisions of this act shall be guilty of a misdemeanor and upon conviction therefor shall be fined not exceeding one thousand ($1,000) dollars or undergo imprisonment for a period not exceeding one year or both or either at the discretion of the court

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—200

Aaronson,	Frost,	McCosker,	Scanlon,
Andrews,	Gallagher,	McCullough,	Schuster,
Bane,	Getchey,	McKinney,	Scott,
Barrett,	Gibson,	McMillen,	Serrill,
Baumunk,	Goodling,	Mihm,	Shoemaker,
Beech,	Gorman,	Mikula,	Simons,
Bender,	Graybill,	Miller,	Smith, C. C.,
Bentzel,	Greenwood,	Mills,	Smith, C. M.,
Bloom,	Greer,	Mintess,	Snider,
Boles,	Griffiths,	Mohr,	Sollenberger,
Bonawitz,	Guthrie,	Mooney,	Sorg,
Boorse,	Gyger,	Moore, C. E.,	Sproul,
Bower,	Haller,	Moore, H. A.,	Stank,
Breisch,	Haudenshield,	Murray,	Stimmel,
Brice,	Helm,	Myers,	Stockham,
Brown,	Henry,	Najaka,	Stonier,
Brunner,	Hewitt,	Naumann,	Stuart,
Bucchin,	Hocker,	Needham,	Swope,
Cadwalader,	Hoffman,	Neff,	Tahl,
Capano,	Hoopes,	Nelson,	Thomassy,
Cassidy,	Horan,	O'Connor,	Thompson,
Chervenak,	Imbt,	O'Dare,	Tittle,
Chudoff,	Jennings,	O'Donnell,	Tompkins,
Clevenger,	Johnson,	O'Neill,	Toomey,
Cochran,	Johnston,	Orban,	Turner,
Cole,	Jones,	Patten,	Upshur,
Cook,	Jump,	Petrosky,	Vaughan,
Cooper,	Kean,	Pichney,	Verona,
Cordier,	Kelley,	Pickens,	Wachhaus,
Costa,	Kemp,	Polaski,	Wagner,
Crowley,	Kent,	Powers,	Waldron,
Dague,	Kirley,	Price,	Wallin,
Dalrymple,	Kline,	Propert,	Walton,
Davison,	Kohl,	Ragot,	Waterhouse,
De Long,	Kratz,	Readinger,	Watkins,
Demech,	Krise,	Reagan,	Watson,
Dennison,	Kurtz,	Reese, D. P.,	Weidner,
Depuy,	Laughner,	Reese, R. E.,	Weiss,
Dix,	Layer,	Reilly, J. M.,	Wescott,
Dye,	Lee,	Reilly, W. J.,	West,
Efenberg,	Leisey,	Richter,	Wheeler,
Elder,	Livingston,	Riley,	Wolf,
Erb,	Livingstone,	Robbins,	Wood,
Evans,	Loftus,	Robertson,	Worley,
Ewing,	Lovett,	Root,	Yeakel,
Feola,	Lyons,	Rose,	Yester,
Fish,	Madden,	Rowen,	Yetzer,
Fiss,	Madigan,	Royer,	Young,
Flack,	Mazza,	Sarraf,	Lichtenwalter,
Fleming,	McCormack,	Sax,	Speaker.
Foor,			

NAYS—0

NOT VOTING—5

Goff,	McDonald,	Morrison,	Trout,
Hall,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 393, as follows:

An Act to amend sections two and five of the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 1007) entitled "An act to prevent fraud and deception regulating the weights and measures in the sale or offering for sale of fruits and vegetables in this Commonwealth regulating sales of fruits and vegetables in original unbroken standard containers imposing certain powers and duties on the Department of Internal Affairs and county and city inspectors of weights and measures and prescribing penalties" further regulating such weights and measures and increasing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections two and five of the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 1007) entitled "An act to prevent fraud and deception regulating the weights and measures in the sale or offering for sale of fruits and vegetables in this Commonwealth regulating sales of fruits and vegetables in original unbroken standard containers imposing certain powers and duties on the Department of Internal Affairs and county and city inspectors of weights and measures and prescribing penalties" are hereby amended to read as follows

Section 2 Hereafter it shall be lawful for any person copartnership association or corporation to sell or offer for sale at wholesale or retail in this Commonwealth fruits and vegetables in original unbroken standard containers as herein defined but sales in such original unbroken standard containers shall be lawful only if there shall appear thereon a plain and conspicuous statement showing correctly the quantity of fruits and vegetables contained therein in terms of weight measure [in cubical content] or numerical count and only if the containers shall have been filled or packed in accordance with good commercial practice If the contents of an original standard container are broken for resale at wholesale or retail or if fruits and vegetables are sold in any other manner than in original unbroken standard containers then such sales shall be lawful only if made by weight or numerical count and in no other manner whatever It shall be unlawful for any person copartnership association or corporation to sell or offer for sale at wholesale or retail any fruits or vegetables the weight of which is less than that represented [Whenever the contents of any original unbroken standard container of fruits and vegetables are stated in terms of a bushel or subdivision of a bushel the bushel shall contain at least 2150.42 cubic inches struck measure and the subdivisions thereof shall contain the proper fractional parts of the number of cubic inches to the bushel as herein fixed]

Section 5 Any person copartnership association or corporation or his or its servants agents or employes who shall violate any of the provisions of this act shall upon conviction thereof in a summary proceeding be sentenced for a first offense to pay a fine of not [more] less than twenty-five dollars or more than fifty dollars and cost of prosecution and in default of the payment of such fine and costs of prosecution shall be sentenced to imprisonment for not [more] less than ten days or more than twenty days and for conviction in a summary proceeding for a second offense shall be sentenced to pay a fine of not less than fifty dollars nor more than one hundred dollars or in default of such fine and costs of prosecution shall be sentenced to imprisonment for not [more] less than twenty days or more than forty days and any person copartnership association or corporation or his or its servants agents or employes who shall violate any of the provisions of this act for a third or subsequent time shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than two hundred and fifty dollars nor more than five hundred dollars or to undergo imprisonment for sixty days or both at the discretion of the court

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—200

Aaronson,	Frost,	McCosker,	Scanlon,
Andrews,	Gallagher,	McCullough,	Schuster,
Bane,	Getchey,	McKinney,	Scott,
Barrett,	Gibson,	McMillen,	Serrill,
Baumunk,	Goodling,	Mihm,	Shoemaker,
Beech,	Gorman,	Mikula,	Simons,
Bender,	Graybill,	Miller,	Smith, C. C.,
Bentzel,	Greenwood,	Mills,	Smith, C. M.,
Bloom,	Greer,	Mintess,	Snider,
Boles,	Griffiths,	Mohr,	Sollenberger,
Bonawitz,	Guthrie,	Mooney,	Sorg,
Boorse,	Gyger,	Moore, C. E.,	Sproul,
Bower,	Haller,	Moore, H. A.,	Stank,
Breisch,	Haudenshield,	Murray,	Stimmel,
Brice,	Helm,	Myers,	Stockham,
Brown,	Henry,	Najaka,	Stonier,
Brunner,	Hewitt,	Naumann,	Stuart,
Bucchin,	Hocker,	Needham,	Swope,
Cadwalader,	Hoffman,	Neff,	Tahl,
Capano,	Hoopes,	Nelson,	Thomassy,
Cassidy,	Horan,	O'Connor,	Thompson,
Chervenak,	Imbt,	O'Dare,	Tittle,
Chudoff,	Jennings,	O'Donnell,	Tompkins,
Clevenger,	Johnson,	O'Neill,	Toomey,
Cochran,	Johnston,	Orban,	Turner,
Cole,	Jones,	Patten,	Upshur,
Cook,	Jump,	Petrosky,	Vaughan,
Cooper,	Kean,	Pichney,	Verona,
Cordier,	Kelley,	Pickens,	Wachhaus,
Costa,	Kemp,	Polaski,	Wagner,
Crowley,	Kent,	Powers,	Waldron,
Dague,	Kirley,	Price,	Wallin,
Dalrymple,	Kline,	Propert,	Walton,
Davison,	Kohl,	Ragot,	Waterhouse,
De Long,	Kratz,	Readinger,	Watkins,
Demech,	Krise,	Reagan,	Watson,
Dennison,	Kurtz,	Reese, D. P.,	Weidner,
Depuy,	Laughner,	Reese, R. E.,	Weiss,
Dix,	Layer,	Reilly, J. M.,	Wescott,
Dye,	Lee,	Reilly, W. J.,	West,
Efenberg,	Leisey,	Richter,	Wheeler,
Elder,	Livingston,	Riley,	Wolf,
Erb,	Livingstone,	Robbins,	Wood,
Evans,	Loftus,	Robertson,	Worley,
Ewing,	Lovett,	Root,	Yeakel,
Feola,	Lyons,	Rose	Yester,
Fish,	Madden,	Rowen,	Yetzer,
Fiss,	Madigan,	Royer,	Young,
Flack,	Mazza,	Sarraf,	Lichtenwalter,
Fleming,	McCormack,	Sax,	Speaker.
Foor			

NAYS—0

NOT VOTING—5

Goff,	McDonald,	Morrison,	Trout,
Hall,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 576, as follows:

An Act fixing the fees of the recorder of deeds in counties of the sixth seventh and eighth class

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The fees of the recorder of deeds in counties of the sixth seventh and eighth class shall be as follows

For recording and exemplifying deeds mortgages and other writing for every five words one cent The minimum rate for recording same shall be two dollars and fifty cents

For indexing deeds mortgages and other writings with more than four names fifteen cents extra for each additional name

For abstracting first description or parcel of land twenty cents for each additional description or parcel fifteen cents extra

For entering satisfactions assignments partial payments releases extensions and postponements on margin of mortgage record fifty cents

For taking acknowledgements fifty cents for first name and twenty-five cents for each additional name

For certifying deeds mortgages assignments and satisfaction of record to county commissioners fifty cents

The fee for services not herein specifically provided for shall be the same as for similar services

Section 2 All fees shall be exclusive of any State tax now provided for by law and said fees and State tax shall be payable in advance

Section 3 Section eight of the act approved the second day of April one thousand eight hundred sixty-eight (P. L. 3) entitled "An act to ascertain and appoint the fees to be received by the several officers of this Commonwealth" and any and all other acts or parts of acts are hereby repealed in so far as they are inconsistent with the provisions of this act

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. DIX. Mr. Speaker, as this bill affects Wayne County I would like to ask the sponsor of the bill to explain it.

The SPEAKER. The gentleman from Lawrence, Mr. Brice, is requested by the gentleman from Wayne, Mr. Dix, to explain the bill.

Mr. BRICE. Mr. Speaker, I will explain it.

The original of this bill was enacted in 1868 and at that time provided for eight words for one cent. Now, this recorder who recorded it made it five words for one cent, and in the other section where it is changed it was ten cents for each name, now it is fifteen cents extra for each name; for abstracting first description of parcels of land, now in this bill it is twenty cents and prior to this bill it was ten cents; for entering satisfactions, assignments, partial payments, releases, extensions and postponements on margin of mortgage record fifty cents, whereas prior to this it was twenty-five cents. That is the change.

Mr. DIX. Mr. Speaker, this bill affects the sixth, seventh and eighth class counties. My observation is that the Register's and Recorder's Offices are among the best offices in the county; far better than other offices. Very often where certain estates are settled up they secure a couple of thousand dollars extra, just from one will or from some large deed, which gives them a very large additional sum. These increases appear very modest, and so far as I am concerned I haven't a great deal of objection to them, but I do think even at the present time that our Registers and Recorders are very well taken care of in a financial way in the sixth, seventh and eighth class counties.

Mr. BRICE. Mr. Speaker, I just want to say a few words in favor of this bill. The Registers and Recorders Association of the State of Pennsylvania asked me to put this bill in and they tell me that there is not sufficient money coming into their offices now to carry on, and they have to go to the county commissioners to get money. Their idea is this, that they don't think that it is fair that other people in the county should have to pay for having the wills abstracted, but that the people pay themselves for having that work done.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—198

Aaronson,	Foor,	McCosker,	Scanlon,
Andrews,	Frost,	McCullough,	Schuster,
Bane,	Gallagher,	McKinney,	Scott,
Barrett,	Getchey,	McMillen,	Serrill,
Baumunk,	Gibson,	Mihm,	Shoemaker,
Beech,	Goodling,	Mikula,	Simons,
Bender,	Gorman,	Miller,	Smith, C. C.,
Bentzel,	Graybill,	Mills,	Smith, C. M.,
Bloom,	Greenwood,	Mintess,	Snider,
Boles,	Greer,	Mohr,	Sollenberger,
Bonawitz,	Griffiths,	Mooney,	Sorg,
Boorse,	Guthrie,	Moore, C. E.,	Sproul,
Bower,	Gyger,	Moore, H. A.,	Stank,
Breisch,	Haller,	Murray,	Stimmel,
Brice,	Haudenshield,	Myers,	Stockham,
Brown,	Helm,	Najaka,	Stonier,
Brunner,	Henry,	Naumann,	Stuart,
Bucchin,	Hewitt,	Needham,	Swope,
Cadwalader,	Hocker,	Neff,	Tahl,
Capano,	Hoffman,	Nelson,	Thomassy,
Cassidy,	Hoopes,	O'Connor,	Thompson,
Chervenak,	Horan,	O'Dare,	Tittle,
Chudoff,	Imbt,	O'Donnell,	Tompkins,
Clevenger,	Jennings,	O'Neill,	Toomey,
Cochran,	Johnson,	Orban,	Turner,
Cole,	Johnston,	Patten,	Upshur,
Cook,	Jones,	Petrosky,	Vaughan,
Cooper,	Jump,	Pichney,	Verona,
Cordier,	Kean,	Pickens,	Wachhaus,
Costa,	Kelley,	Polaski,	Wagner,
Crowley,	Kemp,	Powers,	Waldron,
Dague,	Kent,	Price,	Wallin,
Dalrymple,	Kirley,	Propert,	Walton,
Davison,	Kline,	Ragot,	Waterhouse,
De Long,	Kohl,	Readinger,	Watkins,
Demech,	Kratz,	Reagan,	Watson,
Dennison,	Krise,	Reese, D. P.,	Weidner,
Depuy,	Kurtz,	Reese, R. E.,	Weiss,
Dix,	Laughner,	Reilly, J. M.,	Wescott,
Dye,	Layer,	Reilly, W. J.,	West,
Efenberg,	Lee,	Richter,	Wheeler,
Elder,	Leisey,	Robbins,	Wolf,
Erb,	Livingston,	Robertson,	Wood,
Evans,	Livingstone,	Root,	Worley,
Ewing,	Loftus,	Rose	Yeakel,
Feola,	Lovett,	Rowen,	Yester,
Fish,	Lyons,	Royer,	Yetzer,
Fiss,	Madden,	Sarraf,	Young,
Flack,	Mazza,	Sax,	Lichtenwalter, Speaker.
Fleming,	McCormack,		

NAYS—2

Madigan,	Riley,

NOT VOTING—5

Goff,	McDonald,	Morrison,	Trout,
Hall,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 589, as follows:

An Act to add section four hundred fifty-one to the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" authorizing boards of county commissioners to make appropriations to county firemen's associations

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" is hereby amended by adding immediately after section four hundred fifty a new section to read as follows

Section 451 Appropriations to County Firemen's Associations The board of county commissioners may annually appropriate a sum of money for the purpose of assisting the county firemen's association in defraying the cost of conducting a fire prevention educational program When any such association is composed of members residing in more than one county the board of commissioners of the several counties may jointly make appropriation for such purposes in such amounts as may be agreed upon by such board of commissioners

No county firemen's association shall be entitled to any appropriation unless (1) it shall have been organized at least one year adopted a constitution and by-laws and elected officers and shall have been incorporated according to law and have an active membership of one hundred or more persons each of whom shall have paid a yearly membership fee of at least one dollar (2) shall hold at least four public meetings a year on problems and discussions of fire prevention and fire protection and (3) shall maintain a standing committee for the purpose of disseminating literature and lecturse to schools and public meetings on the subject of fire prevention and fire protection

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—200

Aaronson,	Frost,	McCosker,	Scanlon,
Andrews,	Gallagher,	McCullough,	Schuster,
Bane,	Getchey,	McKinney,	Scott,
Barrett,	Gibson,	McMillen,	Serrill,
Baumunk,	Goodling,	Mihm,	Shoemaker,
Beech,	Gorman,	Mikula,	Simons,
Bender,	Graybill,	Miller,	Smith, C. C.,
Bentzel,	Greenwood,	Mills,	Smith, C. M.,
Bloom,	Greer,	Mintess,	Snider,
Boles,	Griffiths,	Mohr,	Sollenberger,
Bonawitz,	Guthrie,	Mooney,	Sorg,
Boorse,	Gyger,	Moore, C. E.,	Sproul,
Bower,	Haller,	Moore, H. A.,	Stank,
Breisch,	Haudenshield,	Murray,	Stimmel,
Brice,	Helm,	Myers,	Stockham,
Brown,	Henry,	Najaka,	Stonier,
Brunner,	Hewitt,	Naumann,	Stuart,
Bucchin,	Hocker,	Needham,	Swope,
Cadwalader,	Hoffman,	Neff,	Tahl,
Capano,	Hoopes,	Nelson,	Thomassy,
Cassidy,	Horan,	O'Connor,	Thompson,
Chervenak,	Imbt,	O'Dare,	Tittle,
Chudoff,	Jennings,	O'Donnell,	Tompkins,
Clevenger,	Johnson,	O'Neill,	Toomey,
Cochran,	Johnston,	Orban,	Turner,
Cole,	Jones,	Patten,	Upshur,
Cook,	Jump,	Petrosky,	Vaughan,
Cooper,	Kean,	Pichney,	Verona,
Cordier,	Kelley,	Pickens,	Wachhaus,
Costa,	Kemp,	Polaski,	Wagner,
Crowley,	Kent,	Powers,	Waldron,
Dague,	Kirley,	Price,	Wallin,
Dalrymple,	Kline,	Propert,	Walton,
Davison,	Kohl,	Ragot,	Waterhouse,

De Long,	Kratz,	Readinger,	Watkins,
Demech,	Krise,	Reagan,	Watson,
Dennison,	Kurtz,	Reese, D. P.,	Weidner,
Depuy,	Laughner,	Reese, R. E.,	Weiss,
Dix,	Layer,	Reilly, J. M.,	Wescott,
Dye,	Lee,	Reilly, W. J.,	West,
Efenberg,	Leisey,	Richter,	Wheeler,
Elder,	Livingston,	Riley,	Wolf,
Erb,	Livingstone,	Robbins,	Wood,
Evans,	Loftus,	Robertson,	Worley,
Ewing,	Lovett,	Root,	Yeakel,
Feola,	Lyons,	Rose	Yester,
Fish,	Madden,	Rowen,	Yetzer,
Fiss,	Madigan,	Royer,	Young,
Flack,	Mazza,	Sarraf,	Lichtenwalter,
Fleming,	McCormack,	Sax,	Speaker.
Foor,			

NAYS—0

NOT VOTING—5

Goff,	McDonald,	Morrison,	Trout,
Hall,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 641, entitled:

An Act fixing the salary of county controllers in counties of the second third fourth fifth and sixth classes and repealing parts of acts inconsistent therewith.

On the question,

Will the House agree to the bill on third reading?

Mr. FLEMING. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend title, page 1, line 1 of title, by striking out the word "second".

Amend sec. 1, page 1, line 3, by striking out the entire line.

Amend sec. 2, page 2, lines 6, 7 and 8, by striking out all of said lines.

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 673, as follows:

An Act to further amend the act approved the eighth day of July one thousand nine hundred forty-one (P. L. 298) entitled "An act authorizing the creation of and providing for and regulating the maintenance and operation of a county employes' retirement system in counties of the fourth class imposing certain charges on counties and fixing penalties" permitting persons returning to county employment within five years to reinstatement upon fulfilling certain conditions

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the eighth day of July one thousand nine hundred fortyone (P. L. 298) entitled "An act authorizing the creation of and providing for and regulating the maintenance and operation of a county employes' retirement system in counties of the fourth class imposing certain charges on counties and fixing penalties" as last amended by the act approved the first day of May one thousand nine hundred forty-five (P. L. 353 No. 146) is hereby further amended by adding after section fourteen a new section to read as follows

Section 14.1 Reinstatement on Return to County Employment Should a contributor by resignation or dismissal or in any other way than by death or retirement separate from county employment or should a county officer legally withdraw from the retirement system and return to county employment or seek reinstatement in the retirement fund within five years of such withdrawal resignation or dismissal and restore to the retirement fund to the credit of the member's annuity reserve account his accumulated deductions as they were at the tiime of separation the annuity rights forfeited by him shall be restored Such payments may be made either in a lump sum or by installments but in no event shall such payments be made in installments less than sufficient to pay such amount by the time the member attains superannuation retirement age

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—200

Aaronson,	Frost,	McCosker,	Scanlon,
Andrews,	Gallagher,	McCullough,	Schuster,
Bane,	Getchey,	McKinney,	Scott,
Barrett,	Gibson,	McMillen,	Serrill,
Baumunk,	Goodling,	Mihm,	Shoemaker,
Beech,	Gorman,	Mikula,	Simons,
Bender,	Graybill,	Miller,	Smith, C. C.,
Bentzel,	Greenwood,	Mills,	Smith, C. M.,
Bloom,	Greer,	Mintess,	Snider,
Boles,	Griffiths,	Mohr,	Sollenberger,
Bonawitz,	Guthrie,	Mooney,	Sorg,
Boorse,	Gyger,	Moore, C. E.,	Sproul,
Bower,	Haller,	Moore, H. A.,	Stank,
Breisch,	Haudenshield,	Murray,	Stimmel,
Brice,	Helm,	Myers,	Stockham,
Brown,	Henry,	Najaka,	Stonier,
Brunner,	Hewitt,	Naumann,	Stuart,
Bucchin,	Hocker,	Needham,	Swope,
Cadwalader,	Hoffman,	Neff,	Tahl,
Capano,	Hoopes,	Nelson,	Thomassy,
Cassidy,	Horan,	O'Connor,	Thompson,
Chervenak,	Imbt,	O'Dare,	Tittle,
Chudoff,	Jennings,	O'Donnell,	Tompkins,
Clevenger,	Johnson,	O'Neill,	Toomey,
Cochran,	Johnston,	Orban,	Turner,
Cole,	Jones,	Patten,	Upshur,
Cook,	Jump,	Petrosky,	Vaughan,
Cooper,	Kean,	Pichney,	Verona,
Cordier,	Kelley,	Pickens,	Wachhaus,
Costa,	Kemp,	Polaski,	Wagner,
Crowley,	Kent,	Powers,	Waldron,
Dague,	Kirley,	Price,	Wallin,
Dalrymple,	Kline,	Propert,	Walton,
Davison,	Kohl,	Ragot,	Waterhouse,
De Long,	Krise,	Readinger,	Watkins,
Demech,	Kurtz,	Reagan,	Watson,
Dennison,	Kratz,	Reese, D. P.,	Weidner,
Depuy,	Laughner,	Reese, R. E.,	Weiss,
Dix,	Layer,	Reilly, J. M.,	Wescott,
Dye,	Lee,	Reilly, W. J.,	West,
Efenberg,	Leisey,	Richter,	Wheeler,

Elder,	Livingston,	Riley,	Wolf,
Erb,	Livingstone,	Robbins,	Wood,
Evans,	Loftus,	Robertson,	Worley,
Ewing,	Lovett,	Root,	Yeakel,
Feola,	Lyons,	Rose	Yester,
Fish,	Madden,	Rowen,	Yetzer,
Fiss,	Madigan,	Royer,	Young,
Flack,	Mazza,	Sarraf,	Lichtenwalter,
Fleming,	McCormack,	Sax,	Speaker.
Foor,			

NAYS—0

NOT VOTING—5

Goff,	McDonald,	Morrison,	Trout,
Hall,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 881, as follows:

An Act to amend section one thousand two hundred forty-four of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" providing Commonwealth reimbursement on account of elementary school tuition for attendance in other districts

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one thousand two hundred forty-four of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as added by the act approved the twenty-ninth day of May one thousand nine hundred forty-five (P. L. 1112) is hereby amended to read as follows

Section 1244 Each school district regardless of classification sending either elementary or high school pupils to another school district or vocational school district or to a joint elementary or high school approved by the Department of Public Instruction shall be paid by the Commonwealth for [the] each school term [1945-1946 and for every school term thereafter] on account of elementary and high school tuition an amount to be determined by multiplying the sum of "overhead cost per [high school] pupil" and "instruction cost per high school pupil" as the case may be as defined in section one thousand two hundred sixty of this act less the rental charge of eight dollars ($8) or in the case of district pupils attending an elementary school or a high school not located in this Commonwealth on the basis of a reasonable tutition charge per pupil to be determined by the Superintendent of Public Instruction (1) by the number of district pupils sent to elementary or high schools of other districts or to a joint elementary or high school and (2) by the districts standard reimbursement fraction and (3) by seventy-five-one-hundredths (.75) and (4) substracting from the amount so obtained the per pupil State appropriation paid to the district where the pupil attends elementary or high school multiplied by the number of pupils Reimbursement on account of high school tuition shall be paid for the school term 1945-1946 and for every school term thereafter Reimburse on account of elementary school tuition shall be paid for the school term 1947-1948 and every school term thereafter

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—200

Aaronson,	Frost,	McCosker,	Scanlon,
Andrews,	Gallagher,	McCullough,	Schuster,
Bane,	Getchey,	McKinney,	Scott,
Barrett,	Gibson,	McMillen,	Serrill,
Baumunk,	Goodling,	Mihm,	Shoemaker,
Beech,	Gorman,	Mikula,	Simons,
Bender,	Graybill,	Miller,	Smith, C. C.,
Bentzel,	Greenwood,	Mills,	Smith, C. M.,
Bloom,	Greer,	Mintess,	Snider,
Boles,	Griffiths,	Mohr,	Sollenberger,
Bonawitz,	Guthrie,	Mooney,	Sorg,
Boorse,	Gyger,	Moore, C. E.,	Sproul,
Bower,	Haller,	Moore, H. A.,	Stank,
Breisch,	Haudenshield,	Murray,	Stimmel,
Brice,	Helm,	Myers,	Stockham,
Brown,	Henry,	Najaka,	Stonier,
Brunner,	Hewitt,	Naumann,	Stuart,
Bucchin,	Hocker,	Needham,	Swope,
Cadwalader,	Hoffman,	Neff,	Tahl,
Capano,	Hoopes,	Nelson,	Thomassy,
Cassidy,	Horan,	O'Connor,	Thompson,
Chervenak,	Imbt,	O'Dare,	Tittle,
Chudoff,	Jennings,	O'Donnell,	Tompkins,
Clevenger,	Johnson,	O'Neill,	Toomey,
Cochran,	Johnston,	Orban,	Turner,
Cole,	Jones,	Patten,	Upshur,
Cook,	Jump,	Petrosky,	Vaughan,
Cooper,	Kean,	Pichney,	Verona,
Cordier,	Kelley,	Pickens,	Wachhaus,
Costa,	Kemp,	Polaski,	Wagner,
Crowley,	Kent,	Powers,	Waldron,
Dague,	Kirley,	Price,	Wallin,
Dalrymple,	Kline,	Propert,	Walton,
Davison,	Kohl,	Ragot,	Waterhouse,
De Long,	Kratz,	Readinger,	Watkins,
Demech,	Krise,	Reagan,	Watson,
Dennison,	Kurtz,	Reese, D. P.,	Weidner,
Depuy,	Laughner,	Reese, R. E.,	Weiss,
Dix,	Layer,	Reilly, J. M.,	Wescott,
Dye,	Lee,	Reilly, W. J.,	West,
Efenberg,	Leisey,	Richter,	Wheeler,
Elder,	Livingston,	Riley,	Wolf,
Erb,	Livingstone,	Robbins,	Wood,
Evans,	Loftus,	Robertson,	Worley,
Ewing,	Lovett,	Root,	Yeakel,
Feola,	Lyons,	Rose,	Yester,
Fish,	Madden,	Rowen,	Yetzer,
Fiss,	Madigan,	Royer,	Young,
Flack,	Mazza,	Sarraf,	Lichtenwalter,
Fleming,	McCormack,	Sax,	Speaker.
Foor,			

NAYS—0

NOT VOTING—5

Goff,	McDonald,	Morrison,	Trout,
Hall			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1041, as follows:

An Act to provide for the minimum salaries qualifications classification leaves of absence and regulations of the administrative officers heads of special service departments and faculties of state teachers colleges

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Each person now holding or hereafter appointed toa position as a member of the faculty or supervisory staff of a state teachers college within the classificatiions hereinafter set forth shall receive the following minimum salaries and increments

Presidents Minimum annual salary seven thousand five hundred dollars ($7500) minimum annual increment two hundred fifty dollars ($250) minimum number of increments six (6) Such minimum annual salaries and increments shall be paid provided the term of employment shall be for twelve months

Professors who are the holders of a Doctor's Degree in a specialized field and who have had at least nine years of teaching experience four of which shall have been in the public schools of this Commonwealth Minimum annual salary four thousand one hundred forty dollars ($4140) minimum annual increment one hundred twenty dollars ($120) minimum number of increments six (6) Said minimum salary and increments shall be paid for a term of not more than thirty-six weeks

Associate Professors who are the holders of a Master's Degree and who have had two years of graduate work in a specialized field and at least seven years of experience as a teacher three years of which shall have been in the public schools of this Commonwealth Minimum annual salary three thousand six hundred sixty-three dollars ($3663) minimum annual increment one hundred twenyt dollars ($120) minimum number of increments six (6) Said minimum salaries and increments shall be paid for a term of not more than thirty-six weeks

Assistant Professors who art the holders of a Master's Degree and who have had one year of graduate work in a specialized field and at least five years of experience as a teacher two years of which shall have been in the public schools of this Commonwealth Minimum annual salary three thousand one hundred eighty-six dollars ($3186) minimum annual increment one hundred tyenty-dollars ($120) minimum number of increments six (6) Said minimum salaries and increments shall be paid for a term of not more than thirty-six weeks

Instructors who are the holders of a Master's Degree and who have thirty-six semester hours of credit in a specialized field twelve hours of which shall have been on a graduate level and who have three years of experience as a teacher one year of which shall have been in the public schools of this Commonwealth Minimum annual salary two thousand seven hundred dollars ($2700) miinimum annual increment one hundred twenty dollars ($120) minimum number of increments six (6) Said minimum salaries and increments shall be paid for a term of not more than thirty-six weeks

Cooperative Training Teachers who have a Baccalaureate Degree and shall have had eighteen semester hours of credit in the field in which they are serving as teachers and have had two years of experience as a teacher one of which shall have been in the public schools of this Commonwealth Minimum annual salary one hundred dollars ($100) for each student teacher under his or her supervision which student shall be entitled to twelve semester hours of student teaching credits maximum annual salary four hundred dollars ($400)

Cooperative Training Teachers who are the holders of a Bachelor's Degree and have specialized training for critic teaching Minimum annual salary two hundred dollars ($200) for each such student teacher under his or her supervision maximum annual salary eight hundred dollars (800)

Cooperative Training Teachers who are the holders of a Master's Degree and have specialized training for critic teaching Minimum annual salary four hundred dollars ($400) for each student teacher under his supervision maximum annual salary one thousand six hundred dollars ($1600)

Librarians who possess the qualifications of any of the classes hereinbefore enumerated except the President and have special preparation for the work in which they are engaged shall be placed on the salary schedule of the class in which they are qualified

Section 2 Any substitutes employed shall be paid proportionately not more than the minimum salary for the position for which they are engaged

Any employe above enumerated who is engaged in extension work will be paid at a rate proportionate to the number of hours engaged and the salary to which such employe is entitled on an annual basis

Any employe who acquires additional qualifications shall be advanced to the point on the salary schedule to which he is entitled by reason of such additional qualifications

The minimum salaries paid for services rendered during the summer sessions shall be one-sixth of the salary to which such employes are entitled under the aforementioned salary schedule for the six weeks session and one-twelfth of such salary for each three weeks session None of the employes mentioned in the foregoing salary schedule shall be employed more than six weeks each summer unless such employment is extended by the approval of the Superintendent of Public Instruction

Subject to the approval of the State Superintendent of Public Instruction instructional assistants technical and vocational instructors exchange language teachers and other specialists may be employed on a temporary basis at hourly or monthly rates of pay consistent with existing schedules and salaries in comparable institutions public schools or other State services

Annual increments not to exceed five hundred ($500) may be paid to the following members of the administrative staff of any state teachers college Dean of Instruction Director of Student Teaching and Placement Directors of Special Curricula Director of Training School Registrar Dean of Men and Dean of Women

Section 3 Classification of any employe enumerated in the fore going salary schedule and the qualifications of such employe must be approved by the Superintendent of Public Instruction to entitle any employe to the benefits of this act

The Superintendent of Public Instruction shall be vested with the sole and final authority in interpreting the provisions of this act pertaining to the rights conferred by the salary schedule hereinbefore referred to

Section 4 Upon reccomendation of the Board of Trustees and approval of the Superintendent of Public Instruction a leave of edsence with pay for one semester for the purpose of study or travel shall be granted to any member of the faculty of any state teachers college who has completed six years of continuous and satisfactory service in such institution No state teachers college shall limit the number of such leaves of absence in any one school year to less than ten per centum of the number of persons eligible for such leaves

Section 5 In making appointments to the faculty of any state teachers college the number of professors appointed shall not exceed twenty per centum (20%) of the total faculty and the number of associate and assistant professors shall not exceed fifty per centum (50%) of the total faculty The number of instructors appointed to the faculty shall not be less than thirty per centum (30%) of the total faculty

Section 6 The provisions of this act shall become effective upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—200

Aaronson,	Frost,	McCosker,	Scanlon,
Andrews,	Gallagher,	McCullough,	Schuster,
Bane,	Getchey,	McKinney,	Scott,
Barrett,	Gibson,	McMillen,	Serrill,
Baumunk,	Goodling,	Mihm,	Shoemaker,
Beech,	Gorman,	Mikula,	Simons,
Bender,	Graybill,	Miller,	Smith, C. C.,
Bentzel,	Greenwood,	Mills,	Smith, C. M.,
Bloom,	Greer,	Mintess,	Snider,
Boles,	Griffiths,	Mohr,	Sollenberger,
Bonawitz,	Guthrie,	Mooney,	Sorg,
Boorse,	Gyger,	Moore, C. E.,	Sproul,
Bower,	Haller,	Moore, H. A.,	Stank,
Breisch,	Haudenshield,	Murray,	Stimmel,
Brice,	Helm,	Myers,	Stockham,
Brown,	Henry,	Najaka,	Stonier,
Brunner,	Hewitt,	Naumann,	Stuart,
Bucchin,	Hocker,	Needham,	Swope,
Cadwalader,	Hoffman,	Neff,	Tahl,
Capano,	Hoopes,	Nelson,	Thomassy,
Cassidy,	Horan,	O'Connor,	Thompson,
Chervenak,	Imbt,	O'Dare,	Tittle,
Chudoff,	Jennings,	O'Donnell,	Tompkins,
Clevenger,	Johnson,	O'Neill,	Toomey,
Cochran,	Johnston,	Orban,	Turner,
Cole,	Jones,	Patten,	Upshur,
Cook,	Jump,	Petrosky,	Vaughan,
Cooper,	Kean,	Pichney,	Verona,
Cordier,	Kelley,	Pickens,	Wachhaus,
Costa,	Kemp,	Polaski,	Wagner,
Crowley,	Kent,	Powers,	Waldron,
Dague,	Kirley,	Price,	Wallin,
Dalrymple,	Kline,	Propert,	Walton,
Davison,	Kohl,	Ragot,	Waterhouse,
De Long,	Kratz,	Readinger,	Watkins,
Demech,	Krise,	Reagan,	Watson,
Dennison,	Kurtz,	Reese, D. P.,	Weidner,
Depuy,	Laughner,	Reese, R. E.,	Weiss,
Dix,	Layer,	Reilly, J. M.,	Wescott,
Dye,	Lee,	Reilly, W. J.,	West,
Efenberg,	Leisey,	Richter,	Wheeler,
Elder,	Livingston,	Riley,	Wolf,
Erb,	Livingstone,	Robbins,	Wood,
Evans,	Loftus,	Robertson,	Worley,
Ewing,	Lovett,	Root,	Yeakel,
Feola,	Lyons,	Rose,	Yester,
Fish,	Madden,	Rowen,	Yetzer,
Fiss,	Madigan,	Royer,	Young,
Flack,	Mazza,	Sarraf,	Lichtenwalter,
Fleming,	McCormack,	Sax,	Speaker.
Foor,			

NAYS—0

NOT VOTING—5

Goff,	McDonald,	Morrison,	Trout,
Hall.			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1044, as follows:

An Act to further amend the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain said funds imposing powers and duties upon boards having the employment of public school employees exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by requiring the retirement board to submit annual statements to contributors

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Paragraph nine of section four of the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purpose thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain said funds imposing powers and duties upon boards having the employment of public school employees exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" as last amended by the act approved the fourteenth day of May one thousand nine hundred twenty-nine (P. L. 1738) is hereby further amended by adding the following at the end of said paragraph

Section 4

* * * * *

9 * * * * *

The retirement board shall submit annually to each contributor a statement indicating the amount credited to such contributor in the School Employees' Retirement Fund

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—200

Aaronson,	Frost,	McCosker,	Scanlon,
Andrews,	Gallagher,	McCullough,	Schuster,
Bane,	Getchey,	McKinney,	Scott,
Barrett,	Gibson,	McMillen,	Serrill,
Baumunk,	Goodling,	Mihm,	Shoemaker,
Beech,	Gorman,	Mikula,	Simons,
Bender,	Graybill,	Miller,	Smith, C. C.,
Bentzel,	Greenwood,	Mills,	Smith, C. M.,
Bloom,	Greer,	Mintess,	Snider,
Boles,	Griffiths,	Mohr,	Sollenberger,
Bonawitz,	Guthrie,	Mooney,	Sorg,
Boorse,	Gyger,	Moore, C. E.,	Sproul,
Bower,	Haller,	Moore, H. A.,	Stank,
Breisch,	Haudenshield,	Murray,	Stimmel,
Brice,	Helm,	Myers,	Stockham,
Brown,	Henry,	Najaka,	Stonier,
Brunner,	Hewitt,	Naumann,	Stuart,
Bucchin,	Hocker,	Needham,	Swope,
Cadwalader,	Hoffman,	Neff,	Tahl,
Capano,	Hoopes,	Nelson,	Thomassy,
Cassidy,	Horan,	O'Connor,	Thompson,
Chervenak,	Imbt,	O'Dare,	Tittle,
Chudoff,	Jennings,	O'Donnell,	Tompkins,
Clevenger,	Johnson,	O'Neill,	Toomey,
Cochran,	Johnston,	Orban,	Turner,
Cole,	Jones,	Patten,	Upshur,
Cook,	Jump,	Petrosky,	Vaughan,
Cooper,	Kean,	Pichney,	Verona,
Cordier,	Kelley,	Pickens,	Wachhaus,
Costa,	Kemp,	Polaski,	Wagner,
Crowley,	Kent,	Powers,	Waldron,
Dague,	Kirley,	Price,	Wallin,
Dalrymple,	Kline,	Propert,	Walton,
Davison,	Kohl,	Ragot,	Waterhouse,
De Long,	Kratz,	Readinger,	Watkins,
Demech,	Krise,	Reagan,	Watson,
Dennison,	Kurtz,	Reese, D. P.,	Weidner,
Depuy,	Laughner,	Reese, R. E.,	Weiss,
Dix,	Layer,	Reilly, J. M.,	Wescott,
Dye,	Lee,	Reilly, W. J.,	West,

Efenberg,	Leisey,	Richter,	Wheeler,
Elder,	Livingston,	Riley,	Wolf,
Erb,	Livingstone,	Robbins,	Wood,
Evans,	Loftus,	Robertson,	Worley,
Ewing,	Lovett,	Root,	Yeakel,
Feola,	Lyons,	Rose,	Yester,
Fish,	Madden,	Rowen,	Yetzer,
Fiss,	Madigan,	Royer,	Young,
Flack,	Mazza,	Sarraf,	Lichtenwalter,
Fleming,	McCormack,	Sax,	Speaker.
Foor			

NAYS—0

NOT VOTING—5

Goff,	McDonald,	Morrison,	Trout,
Hall,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1046, as follows:

An Act to amend section two of the act approved the twenty-sixth day of May one thousand nine hundred twenty-one (P. L. 1172) entitled A Supplement to the act approved the seventeenth day of May one thousand nine hundred seventeen (P. L. 208) entitled "An act to regulate the practice of pharmacy and sale of poisons and drugs and providing penalties for the violation thereof defining the words 'drug' and 'poison' and providing for the appointment of a board which shall have in charge the enforcement of said law and the power to make rules and regulations for the enforcement of said law and providing for the purchase of samples of drugs for determining their quality strength and purity" requiring permits to conduct pharmacies providing for the revocation thereof and prescribing penalties regulating the use of a corporate title in applying for a pharmacy permit and its use on labels signs and advertisements

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two of the act approved the twenty-sixth day of May one thousand nine hundred twenty-one (P. L. 1172) entitled A Supplement to the act approved the seventeenth day of May one thousand nine hundred seventeen (P. L. 208) entitled "An act to regulate the practice of pharmacy and sale of poisons and drugs and providing penalties for the violation thereof defining the words 'drug' and 'poison' and providing for the appointment of a board which shall have in charge the enforcement of said law and the power to make rules and regulations for the enforcement of said law and providing for the purchase of samples of drugs for determining their quality strength and purity" requiring permits to conduct pharmacies providing for the revocation thereof and prescribing penalties is hereby amended to read as follows

Section 2 Upon application on a form to be prescribed and furnished it and the payment of a fee of two dollars ($2.00) the Pennsylvania Board of Pharmacy shall issue a permit to conduct a pharmacy to such persons associations copartnerships or corporations as the board deems qualified to conduct such business Every corporation in applying for a pharmacy permit shall use its full corporate title which shall also be used on all labels signs and advertisements All permits issued under the provisions of this act shall be exposed in a conspicuous place in the pharmacy for which it was issued and shall expire on the first day of July following the date of issue No permit shall be issued unless it appears to the satisfaction of the board that the management of the pharmacy is in the charge of a pharmacist registered under the provisions of the act to which this is a supplement All permit fees collected under the provisions of this act shall be paid into the State Treasury

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—200

Aaronson,	Frost,	McCosker,	Scanlon,
Andrews,	Gallagher,	McCullough,	Schuster,
Bane,	Getchey,	McKinney,	Scott,
Barrett,	Gibson,	McMillen,	Serrill,
Baumunk,	Goodling,	Mihm,	Shoemaker,
Beech,	Corman,	Mikula,	Simons,
Bender,	Graybill,	Miller,	Smith, C. C.,
Bentzel,	Greenwood,	Mills,	Smith, C. M.,
Bloom,	Greer,	Mintess,	Snider,
Boles,	Griffiths,	Mohr,	Sollenberger,
Bonawitz,	Guthrie,	Mooney,	Sorg,
Boorse,	Gyger,	Moore, C. E.,	Sproul,
Bower,	Haller,	Moore, H. A.,	Stank,
Breisch,	Haudenshield,	Murray,	Stimmel,
Brice,	Helm,	Myers,	Stockham,
Brown,	Henry,	Najaka,	Stonier,
Brunner,	Hewitt,	Naumann,	Stuart,
Bucchin,	Hocker,	Needham,	Swope,
Cadwalader,	Hoffman,	Neff,	Tahl,
Capano,	Hoopes,	Nelson,	Thomassy,
Cassidy,	Horan,	O'Connor,	Thompson,
Chervenak,	Imbt,	O'Dare,	Tittle,
Chudoff,	Jennings,	O'Donnell,	Tompkins,
Clevenger,	Johnson,	O'Neill,	Toomey,
Cochran,	Johnston,	Orban,	Turner,
Cole,	Jones,	Patten,	Upshur,
Cook,	Jump,	Petrosky,	Vaughan,
Cooper,	Kean,	Pichney,	Verona,
Cordier,	Kelley,	Pickens,	Wachhaus,
Costa,	Kemp,	Polaski,	Wagner,
Crowley,	Kent,	Powers,	Waldron,
Dague,	Kirley,	Price,	Wallin,
Dalrymple,	Kline,	Propert,	Walton,
Davison,	Kohl,	Ragot,	Waterhouse,
De Long,	Kratz,	Readinger,	Watkins,
Demech,	Krise,	Reagan,	Watson,
Dennison,	Kurtz,	Reese, D. P.,	Weidner,
Depuy,	Laughner,	Reese, R. E.,	Weiss,
Dix,	Layer,	Reilly, J. M.,	Wescott,
Dye,	Lee,	Reilly, W. J.,	West,
Efenberg,	Leisey,	Richter,	Wheeler,
Elder,	Livingston,	Riley,	Wolf,
Erb,	Livingstone,	Robbins,	Wood,
Evans,	Loftus,	Robertson,	Worley,
Ewing,	Lovett,	Root,	Yeakel,
Feola,	Lyons,	Rose	Yester,
Fish,	Madden,	Rowen,	Yetzer,
Fiss,	Madigan,	Royer,	Young,
Flack,	Mazza,	Sarraf,	Lichtenwalter,
Fleming,	McCormack,	Sax,	Speaker.
Foor			

NAYS—0

NOT VOTING—5

Goff,	McDonald,	Morrison,	Trout,
Hall,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection

House Bill No. 1084, Printer's No. 224,

was passed over at the request of the SPEAKER.

REPORTS FROM COMMITTEES

Mr. NELSON from the Committee on Game and Forestry, reported as amended, House Bill No. 454, entitled:

An Act to amend the heading of Article III, and to amend, or further amend, Sections three hundred two, three hundred three, three hundred five, three hundred six, three hundred seven, three hundred eight, three hundred nine, three hundred ten, three hundred eleven, three hundred twelve, three hundred thirteen, three hundred fourteen, three hunderd fifteen, three hundred eighteen, three hundred nineteen, and three hundred tweny-one, of the act approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," by establishing a new schedule of resident and nonresident licenses and fees; fixing a termination date for the issuance of free resident licenses to military personnel; authorizing seizure of licenses of persons mentally or physically incapable of handling firearms safely; and changing penalties.

Mr. HAUDENSHIELD from the Committee on State Government, reported as committed, House Bill No. 850, entitled

An Act to further amend paragraph six of section on of the act approved the twenty-seventh day of June or thousand nine hundred twenty-three (P. L. 858) entitlec "An act establishing a State employes' retirement systen and creating a retirement board for the administratio thereof establishing certain funds from contributions by the Commonwealth and contributing State employes de fining the uses and purposes thereof and the manner o payments therefrom and providing for the guaranty b the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in whicl State employes serve excepting annuities allowances re turns benefits and rights from taxation and judicial pro cess and providing penalties" by further defining Stat employe to include certain employes of the Department of Highways.

Mr. HAUDENSHIELD from the Committee on State Government, reported as committed, House Bill No. 851, entitled:

An Act to further amend section two hundred twenty-two of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department and the administrative departments boards commissioners and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing the reorganization of certain administrative department boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by providing for leaves of absence with pay for certain employes who receive an hourly or per diem wage.

Mr. KELLEY from the Committee on Townships, reported as amended, House Bill No. 951, entitled:

An Act to add article Seven-A to the act, approved the first day of May, one thousand nine hundred thirty-three (P. L. 103), entitled "An act concerning townships of the second class; and amending, revising, consolidating, and changing the law relating thereto," for the protection of the public health providing for the appointment, powers and duties of boards of health and health officers.

Mr. FISH from the Committee on Workmen's Compensation, reported as committed, House Bill No. 952, entitled:

An Act to further amend section four hundred two of the act, approved the fifth day of December, one thousand nine hundred thirty-six (P. L. 1937, page 2897), entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports, and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons; providing procedure and administrative details for the determination, payment and collection of such contributions and the payment of such compensation; providing for cooperation with the Federal Government and its agencies; creating certain special funds in the custody of the State Treasurer; and prescribing penalties," by further defining employes ineligible to compensation.

Mr. MURRAY from the Committee on Insurance, reported as amended, House Bill No. 1021, entitled:

An Act to further amend section two hundred eleven of the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 789), entitled, as amended, "An act relating to insurance; establishing an insurance department; and amending, revising, and consolidating the law relating to the licensing, qualification, regulation, examination, suspension, and dissolution of insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and certain societies and orders, the examination and regulation of fire insurance rating bureaus, and the licensing and regulation of insurance agents and brokers; the service of legal process upon foreign insurance companies, associations, or exchanges; providing penalties; and repealing existing laws," increasing fees for agents' licenses, and imposing a fee for written examinations to applicants for certain licenses.

Mr. GREER from the Committee on Workmen's Compensation, reported as committed, Senate Bill No. 78, entitled:

An Act to further amend clauses (k), (s) and (y) of section four and to re-enact and further amend section three hundred one of the act, approved the fifth day of December, one thousand nine hundred thirty-six (1937 P. L. 2897), entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis; requiring employers to keep records and make reports, and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons; providing procedure and administrative details for the determination, payment and collection of such contributions and the payment of such compensation; providing for cooperation with the Federal Government and its agencies; creating certain special funds in the custody of the State Treasurer; and prescribing penalties," providing for modification of the manner in which employer contribution rates are determined, and for a lag between the period on which contribution rates are based and the rate period; and placing experience rating on a permanent basis.

CONDOLENCE RESOLUTION

Messers. KEAN and ROWEN offered a resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was read, considered and adopted as follows:

In the House of Representatives, April 16, 1947

The House of Representatives has learned with sorrow of the passing of Sarah A. McDonald, mother of honorable Albert McDonald; and

Whereas, Sarah McDonald had been an invalid during the last seven years of her life, yet during all those trying years she was a constant source of inspection to her children and her friends and acquaintances; and

Whereas, We of the House of Representatives sympathize with him in his bereavement; therefore be it

Resolved, That the Chief Clerk of the House send a copy of this resolution to the Honorable Albert McDonald and with it the deepest condolences of the members of the House of Representatives especially those of us who are privileged to number him among our friends.

PERMISSION TO ADD ADDITIONAL SPONSOR

Mr. LOVETT asked and obtained consent to add the name of Mr. Weiss to a resolution he was about to introduce.

Mr. LOVETT offered a resolution which was laid over under the Rules.

LEAVES OF ABSENCE

By consent of the House leave of absence was granted as follows:

Mr. GYGER for himself and for the following membe of the Committee on Welfare: Messrs. WALTON, HOOPE WACHHAUS, SHOEMAKER, CORDIER, GRAYBIL Mrs. McCOSKER, Messrs. BENTZEL, HAUDENSHIEL CLEVENGER, Mrs. DYE, Messrs. MILLER, BEEC MAZZA, POWERS, SNIDER, and WHEELER, for th purpose of visiting mental institutions.

LEGISLATIVE DIRECTORY

The SPEAKER. The Chair would inform the Membe that the Pennsylvania Legislative Directory is now i print and has been distributed by the Chief Clerk. How ever, there are but a limited number of copies availabl at the present time, and the Chief Clerk requested th Chair to remind the Members that they will not be abl to get at the moment just as many copies as they migh wish, until we receive more from the printers.

Also if there are any corrections in addresses will Mem bers please inform the Chief Clerk, or other informatio that may not be contained in the Directory.

ADJOURNMENT

Mr. GRIFFITHS. Mr. Speaker, I move that this Hous do now adjourn until Thursday, April 17, 1947, at 11:0 a. m.

The motion was agreed to, and (at 2:35 p. m.) th House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1947. 137th of the General Assembly.

Vol. 30. HARRISBURG, PA., THURSDAY, APRIL 17, 1947. No. 41.

SENATE

THURSDAY, April 17, 1947.

The Senate met at 11:30 o'clock, a. m., Eastern Standard Time.

The PRESIDENT pro tempore (M. Harvey Taylor) in the Chair.

PRAYER

The Chaplain, Rev. W. MURRAY YOUNG offered the following prayer:

Our Heavenly Father, enable us to fully realize, each day, our God given responsibility. Ever lead us to put ourselves and our labors on the side of right, truth, and justice. We beseech Thee to strengthen us by a serene and sober optimism. May we never lose faith in Thee, our fellows, our country, nor ourselves. Help us to believe with all our hearts, minds and strength, that better and still better days are ahead for America and the world. Believing this, let us set out to make it all possible. For are we not the captains of our own souls, the masters of our own fate. If we believe in Thee, with sufficient sincerity, we may ask what we will and it shall be done unto us. Therefore, Eternal God, increase our faith so that we may be able to remove mountains which now form barriers to the highest and best in store for the State and Nation. Through Christ our Lord we pray. Amen

JOURNAL APPROVED

The PRESIDENT pro tempore. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. TALLMAN and Mr. WALKER, further reading was dispensed with, and the Journal was approved.

CONFERENCE COMMITTEE ON SENATE BILL NO. 104 APPOINTED

The PRESIDENT pro tempore. The Chair would like to announce at this time, the members of the Conference Committee on Senate Bill No. 104, the gentleman from Clearfield, Mr. Letzler; the gentleman from Crawford, Mr. Mahany, and the gentleman from Fayette, Mr. Tarr.

The PRESIDENT pro tempore. At this time the Chair calls to the rostrum Senator Heyburn, to preside.

The PRESIDING OFFICER (Weldon B. Heyburn) in the Chair.

NOMINATIONS BY THE GOVERNOR

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 16, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following:

MEMBERS OF THE BOARD OF TRUSTEES OF PENNSYLVANIA SOLDIERS' AND SAILORS' HOME

J. Clark Mansfield, 1213 Milton Avenue, Swissvale, Allegeheny County, for the term of four years, and until his successor is appointed and qualified. (Reappointment)

Dr. Elmer E. Hess, Erie, Erie County, for the term of four years, and until his successor is appointed and qualified. (Reappointment)

Floyd B. Owens, 2707 German Street, Erie, Erie County, for the term of four years, and until hiis successor is appointed and qualified. (Reappointment)

Edward M. Muck, 933 Market Street, Meadville, Crawford County, for the term of four years, and until his successor is appointed and qualified. (Reappointment)

Melvin G. Keller, Warren, Warren County, for the term of four years, and until his successor is appointed and qualified. (Reapportionment)

Brigadier General Frank D. Beary, 214 Ridge Avenue, Allentown, Lehigh County, for the term of four years, and untiil his successor is appointed and qualified. (Reappointment)

Lieutenant Colonel W. S. Houghton, 154 East Congress Street, Corry, Erie County, from January 25, 1946, for the term of four years, and until his successor is appointed and qualified.

Major Guy J. Wadlinger, 125 Park Avenue, New Castle, Lawrence County, for the term of four years, and until his successor is appointed and qualified, vice Merle C. Quay, Erie, whose term expired.

MEMBERS OF THE STATE VETERANS' COMMISSION

Wm. Ellis Zimmerman, Lazy Creek Farm, Lansdale, Montgomery County, until the third Tuesday of January, 1951, and until his successor shall have been appointed and qualified. (Reappointment)

Carl W. Herdic, Esq., 429 Pine Street, Williamsport, Lycoming County, until the third Tuesday of January, 1951, and until his successor shall have been appointed and qualified. (Reappointment)

William C. McKelvie, Department Commander, Disabled American Veterans of Pennsylvania, 265 Ninth Avenue, Bethlehem, Lehiigh County, until the third Tues-

day of January, 1951, and until his successor shall have been appointed and qualified. (Reappointment)

Oscar M. Kamp, Department Commander, United Spanish War Veterans, 316 North Front Street, Milton, Northumberland County, until the third Tuesday of January, 1951, and until his successor shall have been appointed and qualified. (Reappointment)

John U. Shroyer, Department Commander, Veterans of Foreign Wars, 515 East Dewart Street, Shamokin, Northumberland County, until the third Tuesday of January, 1951, and until his successor shall have been appointed and qualified. (Reappointment)

Clyde E. Rankin, Department Commander, American Legion, 406 Chandler Street, Fox Chase, Philadelphia, Philadelphia County, until the third Tuesday of January, 1951, and until his successor shall have been appointed and qualified, to fill a vacancy.

David B. Ludwig, State Commander, AMVETS, 806 Heberton Street, East End, Pittsburgh, Allegheny County, until the third Tuesday of January, 1951, and until his successor shall have been appointed and qualified. vice Guy J. Wadlinger, New Castle, whose term expired.

JAMES H. DUFF.

MEMBERS OF THE STATE CIVIL SERVICE COMMISSION

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 17, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Members of the State Civil Service Commission:

Mrs. Ruth Pennell (Republican), Mifflintown, Juniata County, until April 9, 1952, and until her successor shall have been appointed and qualified. (Reappointment)

George Young (Republican), 353 North Wade Avenue, Washington, Washington County, from September 18, 1945, until April 9, 1948, and until his successor shall have been appointed and qualified.

JAMES H. DUFF.

JUSTICES OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 17, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Edward L. McKelvey, R. D. No. 1, Kittanning, Armstrong County, for appointment as Justice of the Peace in and for the Township of Manor, Armstrong County, until the first Monday of January, 1948, vice Clarence Charles Olinger, whose term expired.

JAMES H. DUFF.

NOTARIES PUBLIC

He also presented in writing from His Excellency, the Governor of the Commonwealth, nominations for appointment as Notaries Public.

CONSIDERATION OF NOTARIES PUBLIC

Mr. WALKER. Mr. President, I move that the Senate do now proceed to the consideration of nominations for appointment as Notaries Public, sent to the Senate, by His Excellency, the Governor of the Commonwealth, on April 17, 1947.

Mr. BARR. Mr. President, I second the motion.

The motion was agreed to.

The nominations were read as follows:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 17, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the dates set opposite their names:

ALLEGHENY COUNTY

Elmer A. Green, Pittsburgh, 524 Ivy Street, Confirmation.

BEAVER COUNTY

Mrs. Evelyn L. Smith, New Sewickley Twp., R. D. 1, Rochester, Confirmation.

BLAIR COUNTY

Robert K. Miller, Altoona, Confirmation
J. Albert Winter, Altoona, Confirmation.

MONTGOMERY COUNTY

Miss Marcy Campoli, Lower Moreland Twp., Bethayres, Confirmation.

PHILADELPHIA COUNTY

Anthony M. Baldino Phila., 7261 Limekiln Pike, Confirmation.

W. Robert Robinson, Phila., 2407 N. Bouvier St., Confirmation

John A. Schumacher, Phila., 1600 Walnut St. (3), Confirmation.

SCHULYKILL COUNTY

Foster Shoemaker, Ashland, Confirmation.

CAMBRIA COUNTY

Miss Rita H. Ruhe, Johnstown, April 24, 1947.

ALLEGHENY COUNTY

Ben L. Anderson, Pittsburgh, 908 Frick Building, May 6, 1947.

JAMES H. DUFF.

NOMINATIONS FOR NOTARIES PUBLIC

A motion was made by Mr. WALKER and Mr. BARR,

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39

Barr,	Doehla,	Letzler,	Wagner,
Becker,	Donlan,	Mahany,	Walker,
Berger,	Farrell,	Mallery,	Watson,
Blass,	Geltz,	Rahauser,	Wilson,
Carr,	Hare,	Ruth,	Wolfe,
Chapman,	Holland,	Stevenson,	Wood, L. H.,
Crider,	Homsher,	Tallman,	Wood, T. N.,
Crowe,	Jaspan,	Tarr,	Woodring,
Dent,	Klein,	Taylor,	Heyburn,
DiSilvestro,	Leader,	Wade,	Presiding Officer

NAYS—0

Two thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

HOUSE MESSAGE

RESOLUTION RECALLING FROM THE GOVERNOR HOUSE BILL No. 509

The Clerk of the House of Representatives being introduced presented extract from the Journal of the House of Representatives, which was twice read as follows, considered and agreed to:

In the House of Representatives, April 17, 1947.

Resolved (if the Senate concur), That House Bill No. 509, Printer's No. 132, entitled:

An Act making an appropriation to the Elwyn Training School at Elwyn in the County of Delaware, Commonwealth of Pennsylvania, for a deficiency in the one thousand nine hundred forty-five, one thousand nine hundred forty-seven biennial appropriation.

be recalled from the Governor for further consideration.

REPORT FROM COMMITTEE

Mr. WALKER, from the Committee on Corporations, reported as committed, Senate Bill No. 552, entitled:

An Act further prescribing the bonds required of foreign corporations contracting for public buildings, public works or projects.

BILLS INTRODUCED AND REFERRED

Mr. LETZLER read in his place and presented to the Chair Senate Bill No. 609, entitled:

An Act to further amend the act approved the ninth day of June, one thousand nine hundred eleven (P. L. 756) entitled "An act to provide for the health and safety of persons employed in and about bituminous coal mines of Pennsylvania and for the protection and preservation of property connected therewith," by further providing for the health and safety of persons employed in and about the bituminous coal mines of Pennsylvania.

Which was committed to the Committee on Mines and Mining.

Mr. TALLMAN read in his place and presented to the Chair Senate Bill No. 610, entitled:

An Act establishing a Pennsylvania Liquor Control Board Enforcement Officers' Retirement System; providing for payments upon retirement, death, disability, involuntary retirement, and of certain medical expenses from the State Employes' Retirement Fund, under the Administration of the State Employes' Retirement Board; providing for contributions by members of the Pennsylvania Liquor Control Board Enforcement Officers, and the Commonwealth; providing for the guarantee by the Commonwealth of certain of said funds; providing for the subrogation of the Commonwealth to the rights of the member or dependents against certain third parties; exempting annuities, allowances, returns, benefits, and rights from taxation and judicial processes; and providing penalties.

Which was committed to the Committee on State Government.

Mr. WALKER read in his place and presented to the Chair Senate Bill No. 611, entitled:

An Act to amend the act approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," by making it unlawful for any person while hunting or trapping to carry any firearm with the safety off, except during the momentary interval of time necessary to permit the discharge of such firearms, and providing penalties.

Which was committed to the Committee on Forests and Waters, Game and Fish.

RESOLUTION INTRODUCED AND REFERRED

Mr. WALKER. Mr. President, I desire to present to the Chair a resolution, and in doing so I would like to say for the information of the Senate that this resolution merely refers to the Joint State Government Commission the problem of working out the prudent investment theory for fiduciaries. For several years there have been bills in committees dealing with the prudent investment theory of fiduciary investments and this resolution refers the prudent investment theory to the Joint State Government Commission for further study and report back to the Legislature in the 1949 Session.

I present to the Chair the following resolution and move its immediate adoption.

RESOLUTION

DIRECTING THE JOINT STATE GOVERNMENT COMMISSION TO MAKE STUDY OF ADOPTING THE PRUDENT INVESTMENT RULE FOR FIDUCIARIES

Mr. WALKER offered the following resolution which was twice read as follows:

In the Senate, April 17, 1947.

Whereas, Senate Bill No. 388 relating to investments by fiduciaries under the so-called prudent investment rule has been introduced at this session of the General Assembly; and

Whereas, The passage of this bill would represent a departure from the long established law of the Commonwealth limiting investments by fiduciaries to certain enumerated types of investments; and

Whereas, The advisability of making such a change cannot be ascertained without a detailed and careful study into all phases of the question; therefore be it

Resolved, That the Joint State Government Commission is hereby requested to make a detailed, thorough and impartial study of the advisability of adopting the prudent investment rule for fiduciaries in this Commonwealth, to study in connection therewith all bills introduced at this session to accomplish this end and to make a report thereon for the consideration of the General Assembly at its next session.

REQUEST THAT RULE 39 BE SUSPENDED

Mr. WALKER. Mr. President, I ask unanimous consent that Rule 39, which requires resolutions be referred to an appropriate committee, be dispensed with and the Senate proceed to the consideration of the foregoing resolution.

The PRESIDING OFFICER. Is there objection?

Mr. GELTZ. Mr. President, I object.

The PRESIDENT. The resolution is referred to the Committee on Banking.

CALENDAR

BILLS ON FINAL PASSAGE CALENDAR

BILLS ON FINAL PASSAGE

Agreeably to order,

The Senate resumed consideration of Senate Bill No. 255, as follows:

An Act to further aemnd the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" authorizing second class counties to acquire land for and erect operate and maintain thereon garbage disposal plants

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Article five of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" as last amended by the act approved the eleventh day of July one thousand nine hundred forty-one (P. L. 360) is hereby further amended by adding at the end thereof a new subdivision to read as follows

(m)) Refuse Disposal

Section 497 Any county of the second class may acquire by gift lease purchase or eminent domain real property within said county for the purpose of erecting thereon garbage disposal plants and shall have power to erect operate and maintain suitable buildings for garbage and incinerating furnaces In every case of taking private property by eminent domain the county shall acquire the entire title either in fee or otherwise held by the owner or owners of the property or of any interest therein

Section 497.1 The county commissioners of any county of the second class shall have the power to enter into agreements or contracts with any person corporation or political subdivision for the disopsal of garbage and refuse in such plants and to charge and receive fees for such service

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39

Barr,	Doehla,	Letzler,	Wagner,
Becker,	Donlan,	Mahany,	Walker,
Berger,	Farrell,	Mallery,	Watson,
Blass,	Geltz,	Rahauser,	Wilson,
Carr,	Hare,	Ruth,	Wolfe,
Chapman,	Holland,	Stevenson,	Wood, L. H.,
Crider,	Homsher,	Tallman,	Wood, T. N.,
Crowe,	Jaspan,	Tarr,	Woodring,
Dent,	Klein,	Taylor,	Heyburn,
DiSilvestro,	Leader,	Wade,	Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate resumed consideration of Senate Bill No. 341, as follows:

An Act to amend section ten of the act approved the twenty-fifth day of May one thousand nine hundred forty-five (P. L. 1050) entitled "An act relating to the collection of taxes levied by counties county institution districts cities of the third class boroughs towns townships certain school district and vocational school districts conferring powers and imposing duties on tax collectors courts and various officers of said political subdivisions and prescribing penalties" providing for interest on unpaid taxes

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section ten of the act approved the twenty-fifth day of May one thousand nine hundred forty-five P. L. 1050) entitled "An act relating to the collection of taxes levied by counties county institution districts cities of the third class boroughs towns townships certain school districts and vocational school districts conferring powers and imposing duties on tax collector courts and various officers of said political subdivisions and prescribing penalties" is hereby amended to read as follows

Section 10 Discounts Penalties Interest All taxpayers subject to the payment of taxes assessed by any taxing district shall be entitled to a discount of two per centum from the amount of such tax upon making payment of the whole amount thereof within two months after the date of the tax notice All taxpayers who shall fail to make payment of any such taxes charged against them for four months after the date of the tax notice shall be charged a penalty of five per centum which penalty shall be added to the taxes by the tax collector and be collected by him

Interest at the rate of one-half of one per centum shall be added on the first day of January following the beginning of the year for which the tax was levied and on the first day of each month thereafter until such taxes are returned or a lien is entered for the collection of the same except as to occupation taxes per capita taxes and poll taxes in which cases such interest shall be added monthly until such taxes are paid Such interest shall be collected at the same time and in addition to the taxes of which it is made a part

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39

Barr,	Doehla,	Letzler,	Wagner,
Becker,	Donlan,	Mahany,	Walker,
Berger,	Farrell,	Mallery,	Watson,
Blass,	Geltz,	Rahauser,	Wilson,
Carr,	Hare,	Ruth,	Wolfe,
Chapman,	Holland,	Stevenson,	Wood, L. H.,
Crider,	Homsher,	Tallman,	Wood, T. N.,
Crowe,	Jaspan,	Tarr,	Woodring,
Dent,	Klein,	Taylor,	Heyburn,
DiSilvestro,	Leader,	Wade,	Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 462, on final passage, entitled:

An Act relating to Federal aid to political subdivisions or municipality authorities for the development of public airports.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON THIRD READING CALENDAR

BILLS OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous censent that Senate Bill No. 72 on third reading, entitled:

An Act to further amend section three hundred twenty of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by providing for the payment of retirement allowances to widows of deceased county employes and for crediting employes with time spent in military service in counties of the second class

go over in order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 219, on third reading, entitled:

An Act to add sectiion eight hundred twelve to the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidatinig the laws relating thereto and repealing certain acts and parts of acts relating to elections" providing that where members of a political party are appointed or elected to represent the members of such party in an election district said members shall constitute a political committee for such district

go over in order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 532, as follows:

An Act regulating the sale and resale for profit and the carrying on of the business of selling or reselling tickets or other devices for admission to places of amusement providing for the licensing of persons reselling such tickets for profit providing for the suspension and revocation of such licenses imposing duties on licensees and owners or operators of places of amusement imposing powers and duties on the Department of Revenue county treasurers district attorneys and the receiver of taxes and city solicitors in cities of the first class making disposition of moneys collected and providing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Definitions

The following words and phrases when used in this act shall have the meanings ascribed to them in this section

(1) "Amusement" All manner and forms of entertainment including among others theatrical or operatic performances concerts moving picture shows vandeville circus carnival and side shows all forms of entertainment at fair grounds and amusement parks athletic contests including wrestling matches boxing and sparring exhibitions football and baseball games skating golfing tennis hockey bathing swimming archery shooting riding dancing and all other forms of diversion sport recreation or pastime shows exhibitions contests displays and games

(2) "City" Any city of the first class

(3) "Department" The Department of Revenue of the Commonwealth of Pennsylvania

(4) "Established Price" The price fixed by the owner of any place of amusement for admissionthereto which must be stamped printed or written on each ticket of admission

(5) "Licensor" The county treasurer of each county of the second third fourth fifth sixth seventh and eighth class and the receiver of taxes in each city of the first class

(6) "Owner" Any person who operates or controls a place of amusement or who promotes or produces an amusement

(7) "Place of amusement" Any place indoors or outdoors where the general public or a limited or selected number thereof may upon payment of an established price attend or engage in any amusement as herein defined including among others theaters opera houses moving picture houses amusement parks stadiums arenas baseball parks skating rinks circus or carnival tents or grounds fair grounds social sporting athletic riding gun and country clubs riding academies golf courses bathing and swimming places dance halls tennis courts archery rifle or shotgun ranges roof gardens cabarets nightclubs and other like places

(8) "Ticket" Any evidence of the right of entry to any amusement or place of amusement for admission to which a price is charged

Section 2 Reselling of Tickets Licenses

No person shall resell or engage in or continue in the business of reselling any tickets of admission or any other evidence of the right of entry to any place of amusement at a price higher than the established price fixed by the owners of such place of amusement without having first obtained a license to so resell or engage in such business from the licensor of the county or city in which such person intends to conduct such business as hereinafter provided and no person shall so resell or conduct such a business during any period of suspension or revocation of his license

Section 3 Application for License

(a) In order that there may be uniformity throughout the Commonwealth in the application for and issuance of licenses the Department of Revenue shall prepare and furnish to licensors application forms and regulations prescribed by such department pertinent to applications for and issuance of such licenses

(b) Every applicant for a license to engage in such business shall file his written application with the licensor of the county or city in which he intends to conduct such business Such application shall be made upon the forms and consistent with the regulations prescribed by the department

(c) Every such application shall be accompanied by a fee of fifty dollars ($50) which shall be collected by the licensor for the use of the count yor city for which such license is issued the bond as hereinafter specified a description of the location where the applicant proposes to conduct his place of business and proof satisfactory to the licensor that the applicant is of good moral character and repute

(d) If the applicant is an individual his application shall show that the applicant is a citizen of the United States and has been a resident of this Commonwealth for at least one year immediately preceding his application If the applicant is a corporation the application shall show that the corporation was created under the laws of Pennsylvania or holds a certificate of authority to transact business of Pennsylvania that all its officers directors and stockholders are citizens of the United States and that its manager is a citizen of the United States

(e) Every application by an individual shall set forth his address If the applicant is an association the application shall set forth the names and addresses of the per-

sons constituting the association and if a corporation the names and addresses of the principal officers thereof

(f) The application shall be signed and verified by affidavit of the applicant if a natural person or if an association by a member or partner thereof or if a corporation by any individual specifically authorized by the corporation to sign the application to which shall be attached written evidence of his authority If any false statement is intentionally made in any part of the application the affiant shall be deemed guilty of a misdemeanor and upon indictment and conviction shall be subject to the penalties provided by this act

Section 4 Issuance of License

Upon receipt of the application fee and bond and upon being satisfied that the applicant is of good moral character and repute and that the location of the proposed place of business is suitable and that the applicant has cimplied with all other necessary requirements the licensor shall grant and issue a license to the applicant

Section 5 Bond

(a) No license shall be granted and issued to any applicant until he has filed with the licensor an approved bond payable to the county or city in which such license is to be granted and issued in the amount of one thousand dollars ($1000) Such bond shall have as surety a duly authorized surety company

(b) Every such bond shall be conditioned for the faithful observance of the provisions of this act and regulations of the department formulated hereunder Every such bond shall be filed with and retained by the licensor and a record thereof made in alphabetical order which record shall be open to public inspection Every such bond shall be turned over to the district attorney of the proper county or to the city solicitor t obe collected if and when the licensee's license shall have been revoked and his bond forfeited as provided in this act

Section 6 Non-Assignability Non-Transferability

No license issued under this act shall be assigned or transferred

Section 7 Removal of Office of Licensee Notice

(a) No change in the location of the place of business of any licensee covered by any license shall be made unless such licensee first obtains the approval of the licensor

(b) When any licensee holding an unexpired license issued pursuant to this act having first obtained the approval of the licensor removes his place of business to a location other than that described in his license but within the jurisdiction of the licensor he shall within twenty-four hours immediately following such removal give written notice to the licensor Such written notice shall describe the premises to which such removal is made the date on which it is made and shall be accompanied by the license issued Immediately upon receipt by the licensor of such notice and license he shall cause to be written or stamped across the face of such license a statement to the effect that the licensee therein described has removed on the date stated in such written notice from the place originally described in such license to the place described in such written notice and he shall then return the license with the endorsement thereon to the licensee therein described

(c) No more than one change of location shall be permitted a licensee in any one calendar year

Section 8 License Year Renewal

Each license issued or granted shall expire on the thirty-first day of December following its issuance Licenses shall be renewed upon the payment of a fifty dollar ($50) fee annually

Section 9 License Hearings Revocation and Suspension of Licenses Appeals

(a) The licensor upon the written request of any applicant for a license or for renewal thereof whose application therefor has been refused shall afford such license an opportunity to be heard by giving such licensee five (5) days' notice by mail to such licensee

(b) If any applicant who has appeared before the licensee in any such case is aggrieved by the refusal of the licensor to issue or renew a license he may appeal within twenty (20) days from the date of refusal to the court of quarter sessions of the county in which the applicant proposes to locate his place of business Such appeal shall be upon petition of the applicant who shall serve a copy thereof upon the licensor whereupon a hearing shall be held upon the petition by the court upon ten days' notice to the licensor who shall be represented in the proceeding by the district attorney of the proper county or the city solicitor The court shall hear the application de novo at such time as it shall fix of which notice shall be given to the licensor The court shall either sustain the refusal of the board or order the issuance of the license to the applicant There shall be no further appeal Any appeal shall act as a supersedeas unless upon sufficient cause shown the court shall determine otherwise

(c) If any licensee shall have obtained his license by fraud or misrepresentation or made any misstatement in his application or otherwise violates any of the provisions of this act or any rule or regulation of the department relative to this act or for other sufficient cause the licensor shall be empowered on giving five (5) days' notice by mail to such licensee and on affording such licensee an opportunity to answer the charges made against him to suspend for such period as he may deem proper or revoke in proper cases the license issued to him if such said licensee fails to appear at the time set for hearing or if after such hearing the licensor shall find such licensee guilty of such charges When a license is revoked the licensee's bond may be forfeited by the licensor

Any licensee whose license is revoked shall be ineligible to have a license under this act until the expiration of three (3) years from the date such license was revoked

Any licensee aggrieved by the action of the licensor in any such case shall have the right to appeal to the court of quarter sessions in the same manner as herein provided for appeals from refusals to grant or renew licenses Such appeal shall act as a supersedeas unless upon sufficient cause shown the court shall deterrcine otherwise

Section 10 Posting of License Price-Lists Records

(a) Immediately upon the receipt of the license issued pursuant to this act the licensee named therein shall cause such license to be posted and at all times displayed in a conspicuous place in the place of business for which it is issued so that all persons visiting such office may readily see the same

(b) No resale shall be made by any licensee except at such place of business

(c) Every licensee shall cause to be posted and at all times displayed in a conspicuous place in his place of business a price list showing the established price and the price being charged by such licensee for every type of ticket which he is reselling

(d) Every licensee shall at all times keep full and accurate sets of records showing the prices at which he has bought and sold all tickets and the names and addresses of the person from whom they were bought

(e) The place of business and the records of every licensee shall at all reasonable times be subject and open to inspection by the licensor or the agents thereof

Section 11 Printing Prices on Tickets

The owner of every place of amusement shall if a price be charged for admsision thereto cause to be plainly stamped or printed or writeen on the face of every ticket to be used the established price Such owner shall likewise cause to be plainly stamped printed or written on the face of each such ticket the maixmum premium which shall not exceed one-half the price of the ticket or the sum of one dollar ($1.00) whichever shall be less plus lawful taves at which such ticket may be resold or offered for resale

Section 12 Resale Violation

It shall be unlawful for any person to resell or offer to resell any such ticket at any price in excess of such maximum premium plus the established price and lawful taxes as stamped printed or written thereon

Section 13 Penalties

(a) Every person who violates any provision of this act shall upon summary conviction thereof for the first offence be sentenced to pay a fine of not more than one hundred dollars ($100) and costs of prosecution and in default of payment thereof shall undergo imprisonment for thirty (30) days and for a second or subsequent offense shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not to exceed one thousand dollars ($1000) or to undergo imprisonment for a period not to exceed two (2) years or both if the violation shall be by a corporation partnership or association the officers and directors of such corporation or the members of such partnership or association its agents and employes with guilty knowledge of the fact shall be guilty and upon conviction shall be punished as herein before provided

(b) The right of the licensor to suspend and revoke licenses granted and issued under this act shall be in addition to the penalties set forth in this section

Section 14 Disposition of Fees Forfeitures

All fees and moneys accruing from bond forfeitures received or recovered under the provisions of this act shall be paid into the county or city treasury for the use of the county or city in which such license was issued

Section 15 This act shall supersede all municipal ordinances embracing the same subject matter provided that this act shall not affect the rights of any licensee or licensor existing under nor bar any prosecution for a violation of any such ordinance prior to the effective date of this act

Section 16 The provisions of this act shall become effective on the first day of January one thousand nine hundred forty-eight

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39

Barr,	Doehla,	Letzler,	Wagner,
Becker,	Donlan,	Mahany,	Walker,
Berger,	Farrell,	Mallery,	Watson,
Blass,	Geltz,	Rahauser,	Wilson,
Carr,	Hare,	Ruth,	Wolfe,
Chapman,	Holland,	Stevenson,	Wood, L. H.,
Crider,	Homsher,	Tallman,	Wood, T. N.,
Crowe,	Jaspan,	Tarr,	Woodring,
Dent,	Klein,	Taylor,	Heyburn,
DiSilvestro,	Leader,	Wade,	Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 536, on third reading, entitled:

An Act regulating the discharge of police officers in townships of the second class and in boroughs and townships of the first class having police forces of less than three members

go over in order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 617, as follows:

An Act to further amend section four hundred one of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" further regulating the abolition of wards

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section four hundred one of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" as amended by the act approved the second day of July one thousand nine hundred thirty-seven (P. L. 2802) is hereby further amended to read as follows

Section 401 Petitions to Create Divide or Redivide Wards The court of quarter sessions upon petition may divide or redivide any township heretofore or hereafter created into wards erect any wards out of two or more adjoining wards or parts thereof divide any wards already erected into two or more wards or alter the lines or boundaries of any two or more adjoining wards and may cause lines or boundaries of wards to be fixed and established No township shall be divided or redivided into more than fifteen wards

No ward shall be created containing less than three hundred electors therein and all wards which now or at any time hereafter shall contain less than three hundred and fifty electors therein [shall] may in the discretion of the court be abolished and if so abolished the territory thereof shall be distributed among the remaining wards in such manner as the court of quarter sessions shall direct All other wards as heretofore established shall remain as heretofore until altered or divided as provided in this article

Provided that if in townships wherein any ward shall be abolished as herein provided the number of wards shall be reduced to less than five then the commissioner in the ward or wards abolished shall continue in office for the term for which elected and shall become the commissioner or commissioners at large from such township as provided in this act with respect to townships having less than five wards

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39

Barr,	Doehla,	Letzler,	Wagner,
Becker,	Donlan,	Mahany,	Walker,
Berger,	Farrell,	Mallery,	Watson,
Blass,	Geltz,	Rahauser,	Wilson,
Carr,	Hare,	Ruth,	Wolfe,
Chapman,	Holland,	Stevenson,	Wood, L. H.,
Crider,	Homsher,	Tallman,	Wood, T. N.,
Crowe,	Jaspan,	Tarr,	Woodring,
Dent,	Klein,	Taylor,	Heyburn,
DiSilvestro,	Leader,	Wade,	Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 640, as follows:

An Act authorizing cities to enact ordinances prohibiting smoking or the carrying of lighted cigarettes cigars pipes or matches or using matches or other fire producing devices in certain retail stores within such cities and to provide penalties therefor

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 City councils in cities of the first second or third class are hereby authorized and empowered to enact ordinances prohibiting the smoking or carrying of lighted cigarettes cigars pipes or matches and the use of matches or fire producing devices in retail stores arranged to accommodate three hundred persons or more or which employ twenty-five or more employes Provided That any such ordinance passed under the provisions of this act shall not prohibit smoking in any restaurant room rest room beauty parlor executive offices or any room designated for smoking in such store

Such ordinances may also provide penalties for violations thereof

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39

Barr,	Doehle,	Letzler.	Wagner,
Becker,	Donlan,	Mahany,	Walker,
Berger,	Farrell,	Mallery,	Watson,
Blass,	Geltz,	Rahauser,	Wilson,
Carr,	Hare,	Ruth,	Wolfe,
Chapman,	Holland,	Stevenson,	Wood, L. H.,
Crider,	Homsher,	Tallman,	Wood, T. N.,
Crowe,	Jaspan,	Tarr,	Woodring,
Dent,	Klein,	Taylor,	Heyburn,
DiSilvestro,	Leader,	Wade,	Presiding Officer

NAYS—0

A mapority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 646, on third reading, entitled:

An Act to further amend clause two of section nine of the act approved the twenty-fifth day of May one thousand nine hundred thirty-three (P. L. 1050) entitled "An act creating and establishing a fund for the care maintenance and relief of aged retired and disabled employes of the bureau of fire in cities of the second class creating a board for the management thereof providing the mode and manner of payment to beneficiaries and for the care and disposition of its funds and providing for the transfer and payment of all moneys and securities in existing funds in similar boards superseded by the fund and board herein created" by changing the method of distributing dues paid into the fund in cases of deceased firemen.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON SECOND READING CALENDAR

BILLS OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 35, on second reading, entitled:

An Act to further amend the act approved the twenty-fifth day of July one thousand nine hundred thirteen (P. L. 1024) entitled "An act to protect the public health and welfare by regulating the employment of females in certain establishments with respect to their hours of labor and the conditions of their employment by establishing certain sanitary regulations in the establishments in which they work by requiring certain abstracts and notices to be posted by providing for the enforcement of this act by the Commissioner of Labor and Industry and others by prescribing penalties for violations thereof by defining and procedure in prosecutions and by repealing all acts and parts of acts inconsistent with the provisions thereof" providing for payment of time and one-half for overtime changing hours of labor and restrictions relative to age in certain employments and extending provisions to include additional persons.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 41, on second reading, entitled:

An Act to further amend section eight of the act approved the nineteenth day of July one thousand nine hundred thirty-five (P. L. 1356) entitled "An act to regulate the sale and delivery of solid fuel as herein defined providing for appointment of licensed weighmasters prescribing their powers and duties authorizing substitute licensed weighmasters imposing certain duties on the Department of Internal Affairs and providing penalties" increasing the penalties for violations thereof.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 169, entitled:

An Act authorizing the arbitration of death taxes when there are conflicting claims as to the domicile of the decedent and making uniform the law relating thereto.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 170, entitled:

An Act authorizing the compromise of death taxes when there are conflicting claims as to the domicile of the decedent and making uniform the law relating thereto.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 195, on second reading, entitled:

An Act to further amend the act approved the fifth day of May one thousand nine hundred thirty-three (P. L.364) entitled "An act relating to business corporations defining and providing for the organization merger consolidation reorganization winding up and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and shareholders prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the second class within the provisions of this act prescribing the terms and conditions upon which foreign business corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas and certain State departments commissions and officers authorizing certain State departments boards commissions or officers to collect fees for services required to be rendered by this act imposinig penalties and repealing certain acts and parts of acts relating to corporations" changing the time of the inception of corporate existence or authority to do business and the requirements and effect of notices to shareholders in certain cases providing for cancellation of shares acquired by issuing corporation and limiting the rights of dissenting shareholders in certain cases

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 204, entitled:

An Act establishing a uniform time for appeals to the Superior and Supreme Courts and from the Superior to the Supreme Court in all proceedings and repealing inconsistent acts

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 211, on second reading, entitled:

An Act to encourage and promote the apple industry of the Commonwealth creating the Pennsylvania State Apple Board defining its powers and duties providing for campaigns of education advertising publicity sales promotion and research to promote the sale and consumption of Pennsylvania apples levying a tax on apples appropriating the proceeds of such tax conferring powers and imposing duties on the Department of Revenue and prescribing penalties

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 218, on second reading, entitled:

An Act to further amend the first paragraph of section nine hundred seventy-six of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nominations of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by further providing procedure for rejection of nomination petitions papers or certificates

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 239, entitled:

An Act to amend the last paragraph of section nine of the act approved the twenty-fourth day of June one thousand nine hundred thirty-three (P. L. 1433) entitled "An act defining the powers of the courts of quarter sessions the Municipal Court of Philadelphia and the County or Juvenile Court of Allegheny County with respect to the care guidance control trial placement and commitment of delinquent dependent and neglected children under sixteen years of age and of persons over sixteen years of age contributing to or encouraging the delinquency neglect and dependency of children and amending revising and consolidating the law relating thereto" further defining liability for support of children in private homes foster homes children's homes and institutions and providing for the enforcement thereof

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 250, entitled:

An Act permitting certain personnel of State-owned mental hospitals to certify as to the condition of mental patients in lieu of attendance in person before any court in certain cases

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 268, entitled:

An Act to amend section three of the act approved the first day of June one thousand nine hundred forty-five (P. L. 1222) entitled "An act providing for the complete medical and dental examination of all children of school age and teachers and other school employes in the public and private elementary and secondary schools of the Commonwealth and imposing certain duties upon the Department of Health and the Department of Public Instruction and making an appropriation" providing that nurses and physicians performing the services required of them in certain schools situated in school districts of the first class shall remain employes of such municipal corporations by whom they are employed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL POSTPONED

Mr. TALLMAN. Mr. President, I move that further consideration of Senate Bill No. 280, on second reading, entitled:

An act relating to relations between employers and employes creating a Division of Conciliation in the Department of Labor and Industry defining its powers and duties providing procedures for collective bargaining conciliation and arbitration providing for the conducting of hearings by a Commission in disputes in industries affecting the public interest limiting right to strikes and lockouts providing procedures for taking a secret ballot before a strike is instituted providing for the determination of jurisdictional disputes establishing financial responsibility of labor organizations and their liability for suits for breach of contract

be placed on the Postponed Calendar.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 284, entitled:

An Act to further amend the act approved the thirtieth day of March one thousand nine hundred thirty-seven (P. L. 115) entitled "An act to provide for the permanent personal registration of electors in cities of the first class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties bodies of electors registration commissions commissioners registrars inspectors of registration and other appointees of registration commission election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics real estate brokers rental agents certain public service companies persons firms and corporations operating vehicles for moving furniture and household goods and boards of school directors and imposing penalties" by imposing an additional penalty

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 309, entitled:

An Act to further amend subsection (e) of section three of the act approved the first day of August one thousand nine hundred forty-one (P. L. 744) entitled "An act requiring school boards in all school districts and boards of directors of all vocational school districts to grant leaves of absense to all school employes who shall volunteer or be called for military or naval service in time of war or during a state of national emergency preserving certain contracts salaries increments retirement rights seniority State contributions and grants to local school boards eligibility lists reemployment authorizing school boards and boards of directors of vocational schools to employ substitutes in place of such employes requiring school districts and vocational school districts to make additional payments into the School Employes' Retirement Fund reserving all rights and privileges of employes granted leaves of absence under the provisions herein and superseding or repealing all contrary laws" by providing that former school employes who entered the military or naval service may obtain credit for such period of service when they return to school service

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 317, on second reading, entitled:

An Act to reenact and amend the title and the act approved the second day of May one thousand nine hundred forty-five (P. L. 375) entitled "An act conferring upon the councils of cities of the first class the power and devolving upon them the duty of fixing and determining the salaries wages and other compensation payable out of the treasury of such cities from and after the first day of January one thousand nine hundred and forty-six of all public officers clerks and other public employes except the salaries of elected officers whose salaries are fixed by law and except the salaries wages or other compensation of officers clerks and employes of the courts which are fixed by law or by the courts" by vesting in city council of cities of the first class the power to fix the salaries wages or other compensation of employes of the courts

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 333, on second reading, entitled:

An Act to further amend clause (a) of subsection three of section fourteen of the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by providing for an increased employe's annuity

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 350, entitled:

An Act to amend section sixteen of the act approved the twenty-fourth day of January one thousand eight hundred forty-nine (P. L. 678) entitled "An act authorizing the commissioners of the incorporated districts of the Northern Liberties and Kensington to open a street to be called Delaware avenue relative to the duties of assessors venders of mineral waters the Fire association of Philadelphia vacancies in the school boards in the county of Philadelphia to lost mortages auditors of Philadelphia county rebuilding of the court house in Philadelphia to enable the commissioners of Philadelphia county to borrow money to settle certain accounts between Spring Garden and the Commonwealth and respecting the appointment of auditors" limiting appointive powers of judges in certain cases.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL POSTPONED

Mr. TALLMAN. Mr. President, I move that further consideration of Senate Bill No. 361, on second reading, entitled:

An Act to further amend the act approved the first day of June one thousand nine hundred thirty-seven (P. L. 1168) entitled "An act to protect the right of employes to organize and bargain collectively creating the Pennsylvania Liquor Labor Relations Board conferring powers and imposing duties upon the Pennsylvania Labor Relations Board officers of the State government and courts providing for the right of employes to organize and bargain collectively declaring certain labor practices by employers to be unfair providing that representatives of a mojority of the employes be the exclusive representatives of all the employes authorizing the board to conduct hearings and elections and certify as to representatives of employes for purposes of collective bargaining empowering the board to prevent any person from engaging in any unfair labor practice and providing a procedure for such cases including the issuance of a complaint the conducting of a hearing and the making of an order empowering the board to petition a court of a common pleas for the enforcement of its order and providing a procedure for such cases providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order and establishing a procedure for such cases providing for an appeal from the common pleas court to the Supreme Court providing the board with investigatory powers including the power to issue subpoenas and the compelling of obedience to them through application to the proper court providing for service of papers and process of the board prescribing certain penalties" further defining certain terms declaring certain additional labor practices of employers and employes to be unfair authorizing the Pennsylvania Labor Relations Board to conduct strike votes and votes to return to work by secret ballot and further defining the scope of collective bargaining

be placed on Postponed Calendar.

Mr. TAYLOR, Mr. President, I second the motion.

The motion was agreed to.

BILL ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 381, entitled:

An Act to further amend subsection (f) of section four hundred forty-eight of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" increasing the number of members of The Advisory Board requiring one of such members to be a licensed dentist and one to be a licensed pharmacist

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 389, on second reading, entitled:

An Act to amend section two of the act approved the seventh day of June one thousand nine hundred eleven (P. L. 668 No. 261) entitled "An act to restrain and regulate the use of billiard-tables pool-tables and bagatelle-boards or tables kept and maintained for the use of the general public for hire or reward in cities of the first class in this Commonwealth providing for the granting of licenses and providing for punishments for the violations of the provisions of this act" by requiring applicant for license to have been a resident of the city in which he desires a license for a period of two years immediately preceding the filing of his petition for a license

go over in order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 419, entitled:

An Act validating county treasurers' sales for delinquent taxes where the reports and returns of such sales were not made to the court of common pleas and such sales were not confirmed by the court

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS POSTPONED

Mr. TALLMAN. Mr. President, I move that further consideration of Senate Bill No. 426, on second reading, entitled:

An Act to amend section five and to further amend section six and subsection (c) of section eight of the act approved the first day of June one thousand nine hundred thirty-seven (P. L. 1168) entitled "An act to protect the right of employes to organize and bargain collectively creating the Pennsylvania Labor Relations Board conferring powers and imposing duties upon the Pennsylvania Labor Relations Board officers of the State government and courts providing for the right of employes to organize and bargain collectively declaring certain labor practices by employers to be unfair further providing that representatives of a majority of the employers be the exclusive representatives of all the employes authorizing the board to conduct hearings and elections and certify as to representatives of employes for purposes of collective bargaining empowering the board to prevent any person from engaging in any unfair labor practice and providing a procedure for such cases including the issuance of a complaint the conducting of a hearing and the making of an order empowering the board to petition a court of common pleas for the enforcement of its order and providing a procedure for such cases providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order and establishing a procedure for such cases providing for an appeal from the common pleas court to the Supreme Court providing the board with investigatory powers including the power to issue subpoenas and the compelling of obedience to them through application to the proper court providing for service of papers and process of the board prescribing certain penalties" making it an unfair labor practice to require membership or non-membership in a labor organization a condition of employment establishing the right to join or refrain from joining such organizations as a right of employes and providing for the enforcement thereof

be placed on the Postponed Calendar.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

Mr. TALLMAN. Mr. President, I move that further consideration of Senate Bill No. 427, on second reading, entitled:

An Act to amend section five of the act approved the second day of June one thousand nine hundred thirty-seven (P. L. 1198) entitled "An act relating to employes and organizations thereof defining labor disputes prescribing the procedure by which and the conditions under which injunctions may be granted in such disputes and the scope thereof declaring certain undertakings and promises between employers and employes contrary to public policy and void prescribing the nature of proof necessary in actions arising out of labor disputes against persons or associations prescribing the terms and conditions for bonds to be furnished prior to the issuance of injunctions prescribing the procedure in case of appeal from granting injunctions limiting the duration of temporary and permanent injunctions in case of labor disputes and providing for the payment of costs and repealing all acts or parts of acts inconsistent herewith" including among provisions of contracts which are unenforceable in law or equity agreements to become or remain a member of labor or employer organizations

be placed on Postponed Calendar.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 428, entitled:

An Act to further amend clause (17) of subdivision (4) of subsection (L) of section four of the act approved the fifth day of December one thousand nine hundred thirty-six (1937 P. L. 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" by expressly excluding from the definition of "employment" services of certain solicitors and salesmen who are compensated on a commission basis

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 429, entitled:

An Act authorizing the establishment in the Pennsylvania State College through the extension services of said institution an educational program in industrial and labor relations stating the objectives and purposes of said program conferring obligations and duties on the trustees and president of said institution providing for the establishment of an advisory committee its appointment and defining its powers and duties and making an appropriation therefor

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. GELTZ. Mr. President, I move that Senate Bill No. 429, the bill just read, be recommitted to the Committee on Appropriations.

Mr. STEVENSON. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 446, entitled:

An Act to further amend section one of the act approved the seventeenth day of June one thousand nine hundred thirteen (P. L. 507) entitled "An act to provide revenue for State and county purposes and in cities coextensive with counties for city and county purposes imposing

taxes upon certain classes of personal property providing for the assessment and collection of the same providing for the duties and compensation of prothonotaries and recorders in connection therewith and modifying existing legislation which provided for raising revenue for State purposes" providing that corporations limited partnerships and joint stock associations holding certain taxable securities as mere custodian for the real owner shall not be taxed therefor

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to th second reading and consideration of Senate Bill No. 448, entitled:

An Act to further amend section one of the act approved the twenty-fourth day of July one thousand nine hundred thirteen (P. L. 1013) entitled "An act regulating the issuance of licenses to marry prohibiting the issuance of such licenses to certain persons regulating the time during which licenses shall be valid and the time when returns shall be made of marriages solemnized to the clerk of the orphans' court and prescribing the duties of the clerk of the orphans' court" by permitting a master duly appointed by the orphans' court to authorize the issuance of marriage licenses in cases of emergency or extraordinary circumstances

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 453, entitled:

An Act to amend Section fourteen of Article XIX of the Act approved the twenty-fifth day of June one thousand nine hundred nineteen (P. L. 581) entitled "An act for the Better Government of Cities of the First Class of the Commonwealth of Pennsylvania" by extending the time for posting of eligible lists after examinations held by the Civil Service Commission when more than one thousand applicants are examined

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 487, entitled:

An Act to amend the act approved the twenty-fifth day of May one thousand nine hundred forty-five (P. L. 1050) entitled "An act relating to the collection of taxes levied by countes county institution districts cities of the third class boroughs towns townships certain school districts and vocational school districts conferring powers and imposing duties on tax collectors courts and various officers of said political subdivisions and prescribing penalties" changing the method of furnishing notices of taxes

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 487, entitled:

An Act to add subsection three point one to section eight of the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guarantly by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by further providing for certain Commonwealth contributions to the fund

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 492, on second reading, entitled:

An Act to amend Section 2 of the act approved the third day of May one thousand nine hundred and thirty-three (P. L. 227) entitled "An act authorizing stock corporations with certain exceptions to make provision for and to issue shares of capital stock of any class or classes or to change shares of authorized or outstanding capital stock of any class into one or more classes with or without nominal or par value and with such designations terms relative rights powers privileges preferences limitations restrictions and qualifications as may be specified regulating such corporations and the liabilities of their directors making other provisions relating to the capital and capital stock of such corporations and repealing all acts or parts of acts inconsistent herewith" by empowering subject to certain conditions the boards of directors of corporations to issue out of the authorized but unissued shares of capital stock the kinds and classes of shares so authorized regulating the creation and issuance of preferred or special stock in series and designating the variations in the relative rights and preferences as between different series and empowering subject to certain conditions the boards of directors of corporations as respects the authorized but unissued shares of preferred or special stock of the corporation to divide the same into series and subject to certain conditions and limitations to fix and determine the relative rights and preferences of any series so established

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 505, entitled:

An Act to further amend the act approved the fourth day of June one thousand nine hundred forty-three (P. L. 886) entitled "An act creating a Municipal Employes' Retirement System for the payment of retirement allow-

ances to officers and employes of political subdivisions and institutions supported and maintained by them and providing for the administration of the same by a board composed of certain state officers and others appointed by the Governor imposing certain duties on the State Employes' Retirement Board and the actuary thereof providing the procedure whereby political subdivisions may join such system and imposing certain liabilities and obligations on such political subdivisions in connection therewith and as to certain existing retirement and pension systems and upon officers and employes of such political subdivisions and institutions supported and maintained by them providing certain exemptions from taxation execution attachment levy and sale and making an appropriation" changing the provisions relating to prior service and defining prior salary changing the superannuation retirement age eliminating the requirement for joinder of system by twenty-five municipalities reducing the amount of contributions by members and changing provisions relating to retirement allowances

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 506, entitled:

An Act to further amend the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" providing for fixing the number and compensation of all appointed officers deputies assistants clerks and other persons whose compensation is paid out of the county treasury whether employed by the county the courts or by any judge thereof creating a salary board in each county defining its powers and duties providing for appeals and repealing inconsistent acts

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 507, entitled:

An Act abolishing all existing county salary boards and providing for the transfer of their books records and property

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 514, entitled:

An Act to amend the act approved the thirteenth day of June one thousand eight hundred eighty-three (P. L. 122) entitled "A supplement to an act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved April twenty-ninth one thousand eight hundred and seventy-four providing for the improvement amendment and alteration of the charters of corporations of the second class and authorizing the incorporation of traction motor companies" by changing the requirements for advertising notice of intention to improve amend or alter a charter incorporated under said supplement.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration House Bill No. 517, entitled:

An Act to further amend sections eight hundred eight and one thousand one hundred one of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 364) entitled "An act relating to business corporations defining and providing for the organization merger consolidation reorganization winding up and dissolution of such corporations conferring certain rights powers and duties and immunities upon them and their officers and shareholders prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the second class within the provisions of this act prescribing the terms and conditions upon which foreign business corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas and certain State departments boards commissions or officers to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" eliminating requirement that certificates of clearance be filed with articles of amendment or of dissolution.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 525, entitled:

An Act to amend section eight hundred seven of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 364) entitled "An act relating to business corporations defining and providing for the organization merger consolidation reorganization winding up and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and shareholders prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the second class within the provisions of this act prescribing the terms and conditions upon which foreign business corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas and certain State departments commissions and officers authorizing certain State departments boards commissions or officers to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" providing for advertisement of articles of amendment after adoption by shareholders.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I as unanimous consent that Senate Bill No. 527, on second reading, entitled:

An Act to add (i) to section two hundred one of the act approved the twenty-ninth day of November one thousand nine hundred thirty-three (P. L. 15, 1933-34) entitled as amended "An act to regulate and restrain the sale manufacture possession transportation importation traffic in and use of alcohol and alcoholic and malt or brewed beverages conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents the Department of Public Instructioin other officers of the State government courts and district attorneys authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises and the granting of licenses subject to local option to sell such beverages for consumption on and off the premises forbidding importation or bringing of such beverages into the State except as herein provided prohibiting certain sales or practices in connection with and transactions in such beverages by licenses and others providing for the forfeiture of certain property making disposition of the receipts from State stores and of fees and imposing penalties" empowering Liquor Control Board to warn licensees as to uncleanliness or unsanitary conditions existing on licensed premises and prescribing manner of regulation in such cases.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered n Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 527, entitled:

An Act to further amend section nine hundred four of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 364) entitled "An act relating to business corporations defining and providing for the organization merger consolidation reorganization winding up and dissolution of such corporatons conferring certain rights powers duties and immunities upon them and their officers and shareholders prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the second class within the provisions of this act prescribing the terms and conditions upon which foreign business corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas and certain State departments commissions and officers authorizing certain State department boards commissions or officers to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" limiting requirement to adevrtise intention to file articles of merger or consolidation.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 528 on second reading, entitled:

An Act to add section four hundred fifty-one to the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consoldating the laws relating thereto" providing for training of volunteer fire companies by counties of the second class.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 532, entitled:

An Act to amend section twenty of the act approved the twenty-fifth day of May one thousand nine hundred forty-five (P. L. 1050) entitled "An act relating to the collection of taxes levied by counties county institution districts cities of the third class boroughs towns townships certain school districts and vocational school districts conferring powers and imposing duties on tax collectors courts and various officers of said political subdivisions and prescribing penalties" making a husband liable for his wife's per capita poll and occupation taxes and providing for the collection thereof.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 543, entitled:

An Act ratifying confirming and validating certain sales of unused and unnecessary lands sold by any Board of School Directors.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 557, entitled:

An Act providing for and regulating the merger and consolidation of corporations organized for the transportation and storage of oil by means of pipe lines and tanks defining the rights and powers of the surviving or new corporation providing for the service of process on foreign corporations and defining the rights of dissenting stockholders.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 563, entitled:

An Act to amend clause (a) and the first paragraph of clause (b) of section three hundred twenty-four of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protecton of home foreign insurance companies Lloyds associations reciprocal and interinsurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carred by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by further regulating the notice of meetings required to be given stockholders in certain cases.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 575, on second reading, entitled:

An Act concerning the ascertainment of principal and income and the apportionment of receipts and expenses among tenants and remaindermen.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 770, entitled:

An Act to amend section two hundred seven of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 289) entitled "An act relating to nonprofit corporations defining and providing for the organization merger consolidation and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and members prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the first class within the provisions of this act prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas prothonotaries of such courts recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" permitting applications for charters to be referred by court to masters only upon objections being filed thereto.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 772, entitled:

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by changing the name of the Thaddeus Stevens Industrial School.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 785, on second reading, entitled:

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by creating the Public Service Institute Board in the Department of Public Instruction and defining its powers and duties.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 838, entitled:

An Act to further amend the definition of "Extension education" in section one of the act approved the second day of May one thousand nine hundred twenty-five (P. L. 492) entitled "An act to provide for the equalization of educational opportunity and the encouragement of the study of citizenship by recognition of extension education for boys and girls who are employed and for adults as a

function of the public schools of this Commonwealth and to facilitate the proper organization and administration of such extension education" including recreational or social service for youth and children within the meaning of the term "extension education"

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1016, on second reading, entitled:

An Act to amend section four hundred thirty-nine of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant-Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" increasing the membership of the Sanitary Water Board and providing compensation for certain members of such board

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS INTRODUCED AND REFERRED

Mr. GELTZ. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. GELTZ read in place and presented to the Chair Senate Bill No. 612, entitled:

An Act to further amend sections twenty-seven and forty-five and to add a new section to the act, approved the seventh day of June, one thousand nine hundred one (P. L. 493), entitled as amended "An act providing for the examination, licensure and registration of persons, firms or corporations engaged or engaging in the business or work of plumbing or house drainage, and prescribing certain rules, regulations and requirements for the construction of plumbing, house drainage and cesspools, in cities of the second class, second class A and third class and imposing fines, penalties and forfeiture for violation thereof," prescribing further rules, regulations and requirements for the construction of plumbing, house drainage and cesspools.

Which was committed to the Committee on Education.

Mr. MAHANY. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Messrs. DENT and MAHANY read in place and presented to the Chair Senate Bill No. 613, entitled:

An Act to authorize counties, cities, boroughs, incorporated towns, townships, school districts, poor districts, and county institution districts to file tax and municipal claims not filed within the time specified by law, and to amend such claims where the property affected is not sufficiently described, and to file suggestions of nonpayment and averments of default, or to sue out writs of scire facias on certain tax or municipal claims, and to revive judgments where the lien of such claims or the judgment thereon have been lost; and providing for the reinstatement of the liens of such claims and judgments.

Which was committed to the Committee on Local Government.

SENATE BILL No. 528 CALLED UP

Mr. TALLMAN. Mr. President, I request that the Senate return to the order of business of consideration of the Calendar and on page 25 of the Calendar, I call up for consideration at this time, Senate Bill No. 528.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 528, entitled:

An Act to add section four hundred fifty-one to the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" providing for training of volunteer fire companies by counties of the second class.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL ON FIRST READING

Mr. TALLMAN. Mr. President, I move that the Senate do now proceed to the first reading of the bill reported from committee for the first time at today's session.

Mr. MALLERY. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 552, entitled:

An Act further prescribing the bonds required of foreign corporations contracting for public buildings, public works or projects.

And said bill having been read at length the first time.

Ordered, To be laid aside for second reading.

HOUSE MESSAGE

HOUSE BILL FOR CONCURRENCE

The Clerk of the House of Representatives being introduced presented for concurrence bill of the House, as follows:

House Bill No. 1091, entitled:

An Act to amend the act approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "Administration Code of 1929," as amended, by amending Section 220 and 2413, and adding new Sections 526 and 701(1), authorizing and directing the Governor to prescribe the filing system to be adopted by each department, board and commission, and to direct, subject to approval by the Executive Board, what records shall be preserved by photoraphic process, and what assignment and utilization shall be made of space in the Capitol buildings.

Which was committed to the Committee on State Government.

ADJOURNMENT

Mr. TALLMAN. Mr. President, I move that the Senate do now adjourn until Monday, April 21, 1947, at 4:00 o'clock, p. m., Eastern Standard Time.

Mr. LLOYD H. WOOD. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 12:41 o'clock, p. m., Eastern Standard Time, until Monday, April 21, 1947, at 4:00 o'clock, p. m., Eastern Standard Time.

HOUSE OF REPRESENTATIVES

THURSDAY, April 17, 1947

The House met at 11:00 a. m.

The SPEAKER (Franklin H. Lichtenwalter) in the Chair.

PRAYER

The Chaplain, Rev. Lester C. Updegrove offered the following prayer:

Dear Lord we ask Thy presence, the gift of Thy grace, and the blessing of Thy wisdom. Teach us how to live by blessing Thy divine truth unto us; be gracious and bestow this mercy. Inspire our zeal to live up to the highest and best that is in us. By wise precept and by exalted example may we do Thy will. In all our obligations to our God and to our fellowmen help us, and may we never break faith with ourselves. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of Wednesday, April 16, 1947.

The Clerk proceeded to read the Journal of Wednesday, April 16, 1947, when, on motion of Mr. EVANS unanimously agreed to, the further reading was dispensed with and the Journal approved.

STUDENTS OF GANNON COLLEGE, ERIE, WELCOMED

The SPEAKER. The Chair is very pleased to have as guests this morning in the hall of the House a student delegation from Gannon College of Erie, Pennsylvania, who are here attending the Inter-collegiate Conference on Government, and who are the guests of Representative Dalrymple of Erie.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence, bills numbered and entitled as follows:

SENATE BILL No. 234.

An Act to amend section fifteen of the act approved the seventeenth day of July one thousand nine hundred thirty-five (P. L. 1092) entitled "An act defining fraternal benefit societies and their status authorizing such societies to create subordinate lodges and to pay benefits to members and their beneficiaries from funds collected and regulating such benefits and collections providing for the organization and incorporation of such societies and for their supervision regulation and examination by the Insurance Commissioner and for the admission of foreign societies designating tables of mortality as a basis for rates of contribution requiring all societies to make annual and other reports and appointing the Insurance Commissioner as attorney for service of process providing penalties for any violations of the act exempting such societies from taxation and certain other societies from its provisions and requiring beneficial associations other than fraternal benefit societies to report to and be supervised by the Insurance Commissioner and repealing existing laws" by further providing for the investment of funds by domestic societies

Referred to the Committee on Insurance.

SENATE BILL No. 342.

An Act making an appropriation to the Senate and the House of Representatives to pay the expenses of their committees directed to visit State institutions under the supervision of the Department of Welfare

Referred to the Committee on Appropriations.

SENATE BILL No. 369.

An Act to authorize railroad corporations incorporated in this Commonwealth to hold directors' meetings at such place within this Commonwealth or elsewhere as appointed by a majority of the directors

Referred to the Committee on Judiciary.

SENATE BILL No. 371.

An Act to amend section six and section thirteen of the act, approved the twenty-third day of May, one thousand nine hundred forty-five (P. L. 926), entitled "An act for the protection of the public health by regulating the conduct and operation of public eating and drinking places within this Commonwealth; requiring their licensing; imposing certain duties on the Department of Health of this Commonwealth on the local health authorities; and providing penalties," by conferring on local health authorities powers to suspend or revoke licenses and making fines collected in cities, boroughs, and townships of the first class payable to these political subdivisions.

Referred to the Committee on Public Health and Sanitation.

SENATE BILL No. 393.

An Act authorizing certain existing beneficial or protective societies heretofore incorporated to reincorporate or to merge and reincorporate as limited life insurance companies for the purpose of making insurance upon the health of individuals and against personal injury and disablement and death including endowment insurance regulating such corporations and limiting the amounts for which such corporations may issue policies

Referred to the Committee on Insurance.

SENATE BILL No. 394.

An Act to further amend section four hundred nineteen of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by permitting certain additional stock insurance companies to come within the provisions thereof

Referred to the Committee on Insurance.

SENATE BILL No. 408.

An Act authorizing the Pennsylvania Historical and Museum Commission to accept on behalf of the Commonwealth certain real estate comprising the Crispin Cemetery in Philadelphia and providing for its restoration and maintenance as an historic shrine

Referred to the Committee on State Government.

SENATE BILL No. 434.

An Act to further amend section two of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 685) entitled "An act designating certain life insurance companies as limited life insurance companies and further describing the powers thereof" further describing the powers of limited life insurance companies under certain conditions

Referred to the Committee on Insurance.

RESOLUTION INTRODUCED AND REFERRED

By Messrs. LOVETT, PETROSKY and WEISS.

RESOLUTION No. 42.

In the House of Representatives, April 16, 1947.

Whereas, The basketball team of Irwin High School, under the expert tutelage of its coach, has won the Class B State basketball championship, the first time that it entered into that class of competition; therefore be it

Resolved, That the Members of the House of Representatives extend Irwin High School, its team and coach, their hearty congratulations on the success therein achieved by their combined efforts; and be it further

Resolved, That we wish them continued success in the future; and be it further

Resolved, That in token of our feelings, the Chief Clerk of the House of Representatives is directed to transmit a copy of this resolution to the Principal of Irwin High, Irwin, Pennsylvania.

Referred to the Committee on Rules.

COMMUNICATIONS FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILLS 313 AND 572

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 17, 1947.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 313, Printer's No. 226, entitled "An Act authorizing and empowering cities of the first class of this Commonwealth to acquire by purchase lease or condemnation any land within said cities with the buildings thereon if any to construct buildings and facilities thereon to operate the same as parking lots or public garages subject to certain conditions or to lease such parking lots or garages for private operation and to fix the terms and conditions of such leases."

JAMES H. DUFF.

April 17, 1947.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 572, Printer's No. 133, entitled " An act to amend the act approved the twenty-fifth day of May one thousand nine hundred thirty-nine (P. L. 191) entitled 'An act authorizing transfers of sums of money from the General Fund to the State Stores Fund under certain conditions providing for subsequent transfers of equal sums from the State Stores Fund to the General Fund and making appropriations necessary to effect such transfers' by increasing the limit of funds which may be temporaily transferred from the General Fund to the State Stores Fund."

JAMES H. DUFF.

BILL SIGNED BY SPEAKER

Bill numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the title was publicly read as follows:

SENATE BILL No. 51.

An Act providing for the observance of September fourteenth of each year as National Anthem Day.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

USE OF HALL OF HOUSE GRANTED

Mr. BOWER. Mr. Speaker, I request privilege of using the Hall of the House for a public hearing to be held jointly by the Senate Labor Committee and the House Labor Relations Committee next Wednesday, April 23rd at 9:30 a. m.

The SPEAKER. The Chair might ask the gentleman about what time will be needed, in the good judgment of the Chairman of the Labor Relations Committee.

Mr. BOWER. I feel, Mr. Speaker, that if we have until 12:30 it will give us ample time.

The SPEAKER. Will the House give its unanimous consent for the use of the Hall of the House as requested by the Chairman of the Labor Relations Committee? Is There objection? The Chair hears none, and consent is granted.

ANNOUNCEMENT

The SPEAKER. The Chair would announce that there will be a public hearing on Senate Bill No. 78, and House Bill 952, in the new House Caucus Room on Tuesday, April 22nd at 9:30 a. m., before the Committee on Workmen's Compensation.

QUESTION OF PERSONAL PRIVILEGE

Mr. YETZER. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state it.

Mr. YETZER. Mr. Speaker, on page 970 of the Legislative Journal of March 26th I am recorded as voting "aye" on final passage of House Bill 661, whereas I voted "no." The original official roll call shows that I did vote "no."

RECALL RESOLUTION (HOUSE BILL 509)

Mr. SPROUL offered a resolution which was read, considered and adopted as follows:

In the House of Representatives, April 17, 1947.

Resolved, (if the Senate concurs), That House Bill No. 509, Printer's No. 132, entitled "An act making an appropriation to the Elwyn Training School at Elwyn in the County of Delaware, Commonwealth of Pennsylvania, for a deficiency in the one thousand nine hundred forty-five one thousand nine hundred forty-seven biennial appropriation," be recalled from the Governor for further consideration.

Ordered, That the Clerk present the same to the Senate for concurrence.

REPORTS FROM COMMITTEES

Mr. CHERVENAK from the Committee on Townships, reported as committed, House Bill No. 1165, entitled:

An Act to further amend section five hundred forty-five of the act, approved the first day of May, one thousand nine hundred thirty-three (P. L. 103), entitled "An act concerning townships of the second class; and amending, revising, consolidating, nad changing the law relating thereto," increasing the pay of auditors.

Mr. O'CONNOR from the Committee on Townships, reported as amended, Senate Bill No. 293, entitled:

An Act to further amend sections one thousand three one thousand one hundred seven and one thousand eight hundred two of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" further regulating the powers and duties of township auditors and controllers and the letting of contracts.

Mr. SPROUL from the Committee on Townships, reported as amended, Senate Bill No. 313, entitled:

An Act to reenact, amend and revise the act approved the first day of May one thousand nine hundred and thirty-three (P. L. 103), as amended, entitled "An act concerning townships of the second class; and amending, revising, consolidating and changing the law relating thereto."

The SPEAKER. The Chair requests the gentleman from Northumberland, Mr. Bower, to preside during the first reading calendar.

MR. BOWER IN THE CHAIR

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 96, entitled:

An Act relating to contracts of employment between labor unons and public utility companies; requiring the submission of labor disputes to arbitration and the acceptance of the award of the arbitrators; and providing for forfeiture of bargaining rights and of certificates public convenience in cases of violations.

And said bill having been read at length the first tim
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and co sideration of House Bill No. 137, entitled:

An Act to amend section five and to further amen clause (c) of subsection (1) of section six of the act, a proved the first day of June, one thousand nine hundre thirty-seven (P. L. 1168), entitled "An act to protect th right of employes to organize and bargain collectivel creating the Pennsylvania Labor Relations Board; co ferring powers and imposing duties upon the Pennsy vania Labor Relations Board, officers of the State goverr ment, and courts; providing for the right of employes t organize and bargain collectively; declaring certain labo practices by employers to be unfair; further providin that representatives of a majority of the employes b the exclusive representatives of all the employes; au thorizing the board to conduct hearings and elections, an certify as to representatives of employes for purposes o collective bargaining; empowering the board to preven any person from engaging in any unfair labor practic and providing a procedure for such cases, including th issuance of a complaint, the conducting of a hearing, an the making of an order; empowering the board to petitio a court of common pleas for the enforcement of it order, and providing a procedure for such cases; provid ing for the review of an order of the board by a cour of common pleas on petition of any person aggrieved b such order, and establishing a procedure for such cases providing for an appeal from the common pleas court t the Supreme Court; providing the board with investigatory powers, including the power to issue subpoenas an the compelling of obedience to them through applicatio to the proper court; providing for service of papers and process of the board; prescribing certain penalties," making unlawful any agreement or contract requiring membership or non-membership in a labor organization a condition of employment and prescribing penalties.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 195, entitled:

An Act prohibiting discrimination in rate of pay because of sex; conferring powers and imposing duties on the Department of Labor and Industry and prescribing penalties.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 364, entitled:

An Act to further amend subsection (a) of section two hundred ten of the act approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing creating reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions defining the powers and duties of the Governor

and other executive and administrative officers and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes in certain departments, boards and commissions shall be administered," increasing the salary of the Commissioner of Fisheries.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 454, entitled:

An Act to amend the heading of Article II, and to amend, or further amend, Sections three hundred two, three hundred three, three hundred five, three hundred six, three hundred seven, three hundred eight, three hundred nine, three hundred ten, three hundred eleven, three hundred twelve, three hundred thirteen, three hundred fourteen, three hundred fifteen three hundred eighteen, three hundred nineteen, three hundred twenty-one of the act approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "An act concerning game and wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," by establishing a new schedule of resident and nonresident licenses and fees; fixing a termination date for the issuance of free resident licenses to military personnel; authorizing seizure of licenses of persons mentally or physically incapable of handling firearms safely; and changing penalties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 586, entitled:

An Act relating to the public practice of certified public accountants providing for the certification of persons desiring to practice, and the listing of persons engaged in practicing, as certified public accountants; and for the suspension and revocation of such certificates, subject to appeal, and for their reinstatement; prescribing the powers and duties of the State Board of Examiners of Public Accountants and the Department of Public Instruction; providing for ownership of working papers; defining unlawful acts and acts not unlawful providing penalties and repealing existing laws.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 652, entitled:

An Act to amend sub-section (g) of section nine hundred forty-two and clause (f) of section nine hundred forty-three of Article 12 of the act approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," by regulating the use of posters comparable to those used by the Game Commission, and providing penalties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 678, entitled:

An Act to amend, or further amend, Sections five hundred six, seven hundred one, seven hundred sixteen, and clause (q) of Section seven hundred thirty-one of the act approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," by reducing the penalty for the unlawful possession of live fawn deer; requiring the payment of a fee for raccoon possession permits; and making it unlawful to aid or assist in the purchase or sale of wild game.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 703, entitled:

An Act for the protection of the public and the prevention of fraud by prohibiting any person individually or in association or partnership with another person or persons to practice as an accountant, auditor, certified public accountant or public accountant under a false assumed, fictitious or trade name; prohibiting any corporation organized or registered after the effective date of this act from engaging in the practice as such, and fixing the time when such practice by existing corporations shall entirely cease in this Commonwealth and providing penalties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 758, entitled:

An Act to further amend the act, approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858), entitled "An act establishing a State employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing State employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon the heads of departments in which State employes serve; excepting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," by further defining "State employe" and "original member" to include Members of the General Assembly at their option; and permitting such members to retire under certain circumstances.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 825, entitled:

An Act to further amend the act, approved the twenty-fourth day of July, one thousand nine hundred thirteen (P. L. 965), entitled "An act defining commodities; regulating the sale thereof; and providing penalties for violation hereof," by further providing penalties for violations thereof.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 826, entitled:

An Act relating to strikes by public employes, providing that such employes by striking terminate their employment providing for reinstatement under certain conditions and prohibiting strikes by public employes

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 839, entitled:

An Act to amend the title and to further amend the act approved the thirteenth day of May one thousand nine hundred twenty-seven (P. L. 988) entitled "An act providing for and regulating the State registration of nurses and licensed attendants the annual recording of registration certificates and regulating the profession of nursing and repealing certain existing laws" providing for the registration and licensing of practical nurses and the biennial recording of certificates

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 850, entitled:

An Act to further amend paragraph six of section one of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State Employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by further defining the State employe to include certain employes of the Department of Highways

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 851, entitled:

An Act to further amend section two hundred twenty-two of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissioners and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant-Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by providing for leaves of absence with pay for certain employes who receive an hourly or per diem wage

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 951, entitled:

An Act to add article Seven-A to the approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" for the protection of the public health providing for the appointment powers and duties of boards of health and health officers

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 952, entitled:

An Act to further amend section four hundred two of the act approved the fifth day of December one thousand nine hundred thirty-six (P. L. 1937 page 2897), entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" by further defining employes ineligible to compensation

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1001, entitled:

An Act to provide that Labor Unions shall file certain statements and reports annually with the Department of Labor and Industry imposing powers and duties on the department relative thertto and providing penalties

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1021, entitled:

An Act to further amend section two hundred eleven of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 789) entitled as amended "An act relating to insurance establishing an insurance department and amending revising and consolidating the law relating to the licensing qualification regulation examination suspension and dissolution of insurance companies Lloyds associations reciprocal and inter-insurance exchanges and certain societies and orders the examination and regulation of fire insurance rating bureaus and the licensing and regulation of in-

surance agents and brokers the service of legal process upon foreign insurance companies associations or exchanges providing penalties and repealing existing laws" increasing fees for agents' licenses and imposing a fee for written examinations to applicants for certain licenses

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1039, entitled:

An Act authorizing and directing the Delaware River Joint Commission to formulate a specific program for the promotion of the navigable section of the Delaware River and Bay extending from Trenton New Jersey and Morrisville Pennsylvania to the Atlantic Ocean as a highway of commerce and to make a study for the purpose of formulating a specific plan and report relative to the need for and advisability of constructing additional tunnels or bridges across that section of the Delaware River extending from Trenton New Jersey and Morrisville Pennsylvania to the Delaware Bay and making an appropriation

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1040, entitled:

An Act authorizing and directing the Delaware River Joint Commission to undertake immediately an aggressive campaign to promote increased commerce on the Delaware River both freight and passenger as authorized by the compact with the State of New Jersey under which said commission operates

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1050, entitled:

An Act to protect consumers in the purchase for fuel purposes of the hard coal known as anthracite providing for and regulating the sale offering for sale resale delivery and shipment of anthracite according to a standard provided for in this act requiring producers and dealers and persons engaged in the sale and resale of anthracite from storage yards or otherwise to consumers to keep certain records conferring powers on the Anthracite Committee and its agents and providing penalties

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1071, entitled:

An Act to further amend subsection (1) of section six of the act approved the first day of June one thousand nine hundred thirty-seven (P. L. 1168) entitled "An act to protect the right of employes to organize and bargain collectively creating the Pennsylvania Labor Relations Board conferring powers and imposing duties upon the Pennsylvania Labor Relations Board officers of the State government and courts providing for the right of employes to organize and bargain collectively declaring certain labor practices by employers to be unfair further providing that representatives of a majority of the employes be the exclusive representatives of all the employes authorizing the board to conduct hearings and elections and certify as to representatives of employes for purposes of collective bargaining empowering the board to prevent any person from engaging in any unfair labor practice and providing a procedure for such cases including the issuance of a complaint the conducting of a hearing and the making of an order empowering the board to petition a court of common pleas for the neforcement of its order and providing a procedure for such cases providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order and establishing a procedure for such cases providing for an appeal from the common pleas court to the Supreme Court providing the board with investigatory powers including the power to issue subpoenas and the compelling of obedience to them through application to the proper court providing for service of papers and process of the board prescribing certain penalties" declaring certain additional labor practices by employers to be unfair

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1076, entitled:

An Act to amend subsection two of section six of the act approved the first day of June one thousand nine hundred thirty-seven (P. L. 1168) entitled "An act to protect the right of employes to organize and bargain collectively creating the Pennsylvania Labor Relations Board conferring powers and imposing duties upon the Pennsylvania Labor Relations Board officers of the State government and courts providing for the right of employes to organize and bargain collectively declaring certain labor practices by employers to be unfair further providing that representatives of a majority of the employes be the exclusive representative of all the employes authorizing the board to conduct hearings and elections and certify as to representatives of employes for purposes of collective bargaining empowering the board to prevent any person from engaging in any unfair labor practice and providing a procedure for such cases including the issuance of a cmoplaint the conducting of a hearing and the making of an order empowering the board to petition a court of common pleas for the enforcement of its order and providing a procedure for such cases providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order and establishing a procedure for such cases providing for an appeal from the common pleas court to the Supreme Court providing the board with investigatory powers including the power to issue subpoenas and the compelling of obedience to them through application to the proper court providing for service of papers and process of the board prescribing practices by employes to be unfair

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1086, entitled:

An Act to amend rule fifteen of Article XII of the act approved the second day of June one thousand eight hundred ninety-one (P. L. 176) entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith" further regulating operators approaching inaccessible workings

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1087, entitled:

An Act to amend rule four of Article XII of the act approved the second day of June one thousand eight hundred ninety-one (P. L. 176), entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith" requiring weekly examinations of all accessible parts of an abandoned portion of a mine in which mine explosive gases have at any time been found

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1210, entitled:

An Act to repeal the act approved the fourth day of June one thousand nine hundred forty-five (P. L. 1388) entitled "An act relating to the practice procedure regulations and adjudication of departments departmental administrative boards and commissions independent administrative boards and commissions officers and other administrative agencies of this Commonwealth and judicial review thereof and preserving equitable jurisdiction in certain cases"

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1211, entitled:

An Act to repeal the act approved the fourth day of June one thousand nine hundred forty-five (P. L. 1392) entitled "An act providing for the Pennsylvania Register for the publiccation and distribution of certain orders regulations rules notices proclamations and similar instruments imposing powers and duties on the Legislative Reference Bureau and the Department of Property and Supplies creating the Pennsylvania Register Board and defining its powers and duties and making an appropriation for payment of expenses and costs of publication and distribution of the Pennsylvania Register"

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 78, entitled:

An Act to further amend clauses (k), (s) and (y) of section four and to re-enact and further amend section three hundred one of the act, approved the fifth day of December, one thousand nine hundred thirty-six (1937 P. L. 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis; requiring employers to keep records and make reports, and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons; providing procedure and administrative details for the determination, payment and collection of such contribution and the payment of such compensation; providing for cooperation with the Federal Government and its agencies; creating certain special funds in the custody of the State Treasurer; and prescribing penalties," providing for modification of the manner in which employer contribution rates are determined, and for a lag between the period on which contribution rates are based and the rate period; and placing experience rating on a permanent basis.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill N. 360, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor, to convey to the Borough of Bristol certain real property located in said Borough.

INTERROGATION

Mr. ANDREWS. Mr. Speaker, I desire to interrogate the Majority Leader.

The SPEAKER pro tempore. Will the gentleman from Elk, Mr. Sorg, permit himself to be interrogated?

Mr. SORG. I shall, Mr. Speaker.

Mr. ANDREWS. Mr. Speaker, will the Majority Leader furnish us with the numbers of the bills on first reading that have been amended in Committee, and therefore will not be the bills as they are in the pink? We have said nothing this morning about reading the bills, but we have no way of knowing over the weekend which of the bills on first reading have been amended because they are not out on the desks in white.

Mr. SORG. I will be glad to furnish them Mr. Speaker.

The SPEAKER pro tempore. The list will be sent to the Minority Leader's office.

THE SPEAKER (Franklin H. Lichtenwalter) IN THE CHAIR

The SPEAKER. The Chair thanks the gentleman from Northumberland, Mr. Bower, for presiding.

INTERROGATION

Mr. ANDREWS. Again, Mr. Speaker, I would like to interrogate the Majority Leader.

The SPEAKER. Will the gentleman from Elk permit himself to be interrogated?

Mr. SORG. I shall, Mr. Speaker.

Mr. ANDREWS. Mr. Speaker, will it be possible to have the list before the Members leave for their homes so that those who are interested in particular bills that have been amended may make every effort to get copies of them, in order that they may study them over the week-end. Sending the list to my office after the session would not serve the purpose because the Members would have left the city.

Mr. SORG. Mr. Speaker, does the gentleman request lists for the minority Members only?

Mr. ANDREWS. That is all we want, Mr. Speaker. We don't care whether you know anything about the bills over on that side or not.

Mr. SORG. Mr. Speaker, we assume that our Members do know what the bills are about.

Mr. ANDREWS. Mr. Speaker, the Majority Leader surmises quite rightly because they are the ones that put the amendments in, but over here we don't know what amendments you have put in.

The SPEAKER. The Chair might get into this little debate. We have sent down for a copy of the Reports

from Committees. I believe that the Chair is properly informed that the Minority Leader receives daily a mimeographed copy of bills that have been reported from committees. That copy shows whether the bills have been reported out as committed or amended. The Chair might say, if the gentleman wishes it, that we will make up duplicate lists of those bills that have been amended and cooperate with the gentleman. Before the House adjourns the Chair is informed that the list will be available.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 84, entitled:

An Act to amend section one thousand one of the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" by providing for compensation of councilmen for attendance at meetings

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 94, entitled:

An Act abolishing the office of high constable in boroughs and repealing certain sections of the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" and other inconsistent acts or parts of acts

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 314, entitled:

An Act to further amend sections five and six of the act approved the twentieth day of May one thousand nine hundred fifteen (P. L. 566) entitled "An act requiring cities of the first class to establish a pension fund for employes of said cities and all county or other public employes if any paid by appropriation of the city councils thereof and out of the treasury of said cities and regulating the administration and the payment of such pensions" by requiring all city county or other public employes whether paid a per diem wage or otherwise to become members of the pension system of such city and removing optional rate of contribution

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 388, entitled:

An Act to amend Section 202 of an act approved May 21 1943 (P. L. 571) entitled "An act relating to assessment for taxation in counties of the fourth fifth sixth seventh and eighth classes designating the subjects property and persons subject to and exempt from taxation for county borough town township school except in cities and county institution district purposes and providing for and regulating the assessment and valuation thereof for such purposes creating in each such county a board for the assessment and revision of taxes defining the powers and duties of such boards providing for the acceptance of this act by cities regulating the office of ward borough town and township assessors abolishing the office of assistant triennial assessors in townships of the first class providing for the appointment of a chief assessor assistant assessors and other employes providing for their compensation payable by such counties prescribing certain duties of and certain fees to be collected by the recorder of deeds and eliminating the triennial assessment" by adding to subsection 12 a new paragraph to be known as (d) and providing that exemption from liability for school taxes must also be approved by the State Council of Education

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 450, entitled:

An Act to add section one thousand eight point two to the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" permitting borough councils to follow a certain procedure in publishing certain ordinances

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 460, entitled:

An Act to further amend section one thousand three hundred eleven of the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 1053) entitled "An act relating to the regulation of public utilities defining as public utilities certain corporations companies associations and persons providing for the regulation of public utilities including to a limted extent municipalities engaging in public utility business by prescribing defining and limiting their dutes powers and liabilities and regulating the exercise surrender or abandonment of their powers privileges and franchises defining and regulating carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle conferring upon the Pennsylvania Utility Commission the power and duty of supervising and regulating persons associations companies and corporations including to a limited extent municipal corporations subject to this act and administering the provisions of this act authorizing the commission to fix temporary rates placing the burden of proof on public utilities to sustain their rates and certain other matters authorizing a permissive or mandatory sliding scale method of regulating rates providing for the supervision of financial and contractural relations between public utilities and affiliated interests and supervision and regulation of accounts and securities or obligations issued assumed or kept by persons associations companies corporations or municipal corporations subject to this act conferring upon the commission power to vary reform or revise certain contracts confering upon the commission the exclusive power to regulate or order the construction relocation protection or abolition of crossings of facilities of public utilities and of such facilities by or over public highways to appropriate

property for the construction or improvement of such crossings and to award or apportion resultant costs and damages authorizing owners of such property to sue the Commonwealth for such damages providing for ejectment proceedings in connection with the appropriation of property for crossings conferring upon the commission power to control and regulate budgets of public utilities imposing upon persons associations companies and corporations (except municipal corporations) subject to regulation the cost of administering this act prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action givin gthe court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings prescribing penalties fines and imprisonment for violations of the provisions of this act and regulations and orders of the commission and the procedure for enforcing such fines and penalties and repealing legislation supplied and superseded by or inconsistent with this act" by authorizing the court to impose prison sentences in certain cases

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 537, entitled:

An Act requiring owners of hotels and restaurants and places of amusement and entertainment to give notice to patrons therof that concessions for certain services have been granted to other persons and that gratuities received by the employes of such concessions are the property of the owner thereof

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

PERMISSION TO ADDRESS HOUSE

Mr. O'CONNOR asked and obtained unanimous consent to address the House.

Mr. Speaker, I reported House Bill 544 out of Committee with instructions from the Committee that it was to be called up and passed on second reading, and then rereferred to the Committee on Appropriations. I don't know if the sponsor knows that or not.

The SPEAKER. The sponsor is not present at this morning's Session. The Chair might suggest, if it agreeable to the gentleman from Cambria, to just pass the bill over until a later time.

Mr. O'CONNOR. I am agreeable, Mr. Speaker.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 582, entitled:

An Act to further amend section eight hundred of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" increasing per diem compensation and mileage of school directors for attendance at conventions

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 610, entitled:

An Act to amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolly omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admisisble as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" providing a penalty for counterfeiting theft removal or transfer of certificates of inspection and providing for procecutions

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 642, entitled:

An Act to further amend section five hundred sixty-three of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by providing for the revision of the budget of school districts of the second third and fourth classes during the fiscal year

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 645, entitled:

An Act to further amend section five of the act approved the thirteenth day of May one thousand nine hundred fifteen (P. L. 286) entitled "An act to provide for the health safety and welfare of minors By forbidding their employment or work in certain establishments and occupations and under certain specified ages by restricting their hours of labor and regulating certain conditions of their employment by requiring employment certificates for certain minors and prescribing the kinds thereof and the rules for the issuance reissuance filing return and recording of the same by providing that the Industrial

Board shall under certain conditions determine and declare whether certain occupations are within the prohibitions of this act requiring that certain minors shall during the period of their employment attend certain schools to be established as therein provided and to be approved by the State Superintendent of Public Instruction and regulating the conditions of such attendance authorizing the State Board of Education in certain cases to appoint attendance officers to aid in enforcing the provisions of this act and creating the salary and expenses of such officers a charge against the school district wherein they are employed requiring certain abstracts and notices to be posted providing for the enforcement of this act by the Commissioner of Labor and Industry the attendance officers of school districts and police officers and defining the procedure in prosecutions thereunder and establishing certain presumptions in relation thereto providing penalties for the violation of the provisions thereof and repealing all acts or parts of acts inconsistent therewith" permitting employment of male minors sixteen years of age or over in public bowling-alleys

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 670, entitled:

An Act to amend section four hundred two of the act approved the twenty-fifth day of June one thousand nine hundred forty-one (P. L. 159) entitled "An act amending revising consolidating and changing the law relating to the borrowing of money by certain political subdivisions the authorization issuance and sale of general obligation bonds as herein defined of bonds imposing no general obligation of debt and of bonds not deemed to constitute a debt for certain purposes and to the funding of debt and the refunding of bonds regulating the keeping and use of sinking funds imposing powers and duties upon the Department of Internal Affairs and upon corporate bodies and officers of political subdivisions imposing penalties and repealing existing laws" providing that in certain cases moneys assessed and collected from property owners adjoining or abutting improvements may be paid into a revolving fund and not in the sinking fund

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 692, entitled:

An Act to amend section four hundred three of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by making further provision for the appointment of teachers

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 745, entitled:

An Act to amend sections one thousand one hundred twenty-one and one thousand one hundred thirty of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by providing for the budgeting of the traveling expenses of county and assistant county superintendents and the allocation of same

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 746, entitled:

An Act to further amend sections two and four of the act approved the thirtieth day of April one thousand nine hundred forty-three (P. L. 145) entitled as amended "An act providing for and regulating the accumulation investment and expenditure by counties cities boroughs incorporated towns townships and school districts of funds for post war projects" permitting contributions to fund after post war period and the purchase of replacement of school buses

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 752, entitled:

An Act to authorize the arrival of judgments entered in favor of the Commonwealth of Pennsylvania by filing a suggestion of non-payment

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 779, entitled:

An Act to amend section forty of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1237) entitled "An act affecting martial relations prescribing grounds and proceedings for divorce and the annulment of bigamous marriages and amending revising and consolidating the law relating thereto" providing for a rule upon respondent to furnish a bill of particulars in certain cases

The first section was read.

On the question,

Will the House agree to the section?

Mr. O'DONNELL offered the following amendment:

Amend page 2, line 14, by striking through "has set"

It was agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 793, entitled:

An Act to amend section one thousand one hundred fifty-six of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" providing for the regulation of encroachments on townships highways and the issuing of permits therefor by the township supervisors instead of by the Department of Highways of the Commonwealth and for the payment of permit fees into the township treasury

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 813, entitled:

An Act to further amend subsections A and B of section seven hundred seven of the act approved the fifth day of May one thousand nine hundred and thirty-three (P. L. 457) entitled "An act relating to the business of building and loan associations providing for the organization and voluntary dissolution of such associations defining the rights powers duties liabilities and immunities of such associations and of their officers directors shareholders solicitors and other employes prohibiting the transaction of business in this Commonwealth by foreign building and loan associations conferring powers and imposing duties upon the courts recorders of deeds and certain State departments commissions and officers establishing limitations of actions imposing penalties and repealing certain acts and parts of acts" eliminating requirement that certificates of clearance be filed with articles of amendment

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 814, entitled:

An Act to further amend subsections A and B of section eight hundred seven of the act approved the fifteenth day of May one thousand nine hundred and thirty-three (P. L. 624) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employes of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothontaries recorders of deeds and certain State departments commissions and officers imposing panilties and repealing certain acts and parts of acts" eliminating requirement that certificates be filed with articles of amendment

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 875, entitled:

An Act to further amend section one of the act approved the seventh day of June one thousand nine hundred eleven (P. L. 680) entitled "An act providing for the examination licensure and registration of persons firms or corporations engaged or engaging in the business or work of plumbing or house drainage and prescribing certain rules regulations and requirements for the construction of plumbing house drainage and cesspools in cities of the first class and imposing fines penalties and forfeitures for violation thereof" by exempting therefrom the construction of sewers and water lines

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 886, entitled:

An Act to add section seven point one to the act approved the twenty-ninth day of June one thousand nine hundred twenty-three (P. L. 957) entitled "An act authorizing boroughs and townships of the first class to adopt and enforce zoning ordinances regulating the location construction and use of buildings the size of courts and open spaces the density of population and the use of land" providing an alternative plan for the adoption of zoning ordinances by boroughs

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 949, entitled:

An Act to authorize political subdivisions and agencies thereof to participate in the Federal Social Security program in order to secure coverage for their officers and employes under the old-age and survivors insurance provisions of the Federal Social Security Act upon the extensions of the provisions of the provisions of such Federal act to include such persons

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 955, entitled:

An Act to amend section five hundred ten of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by changing the title of township supervisors

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 964, entitled:

An Act to further amend sections thirty-eight of the act approved the seventeenth day of May one thousand

nine hundred twenty-one (P. L. 869) entitled "An act providing for the organization government discipline maintenance and regulation of the armed land forces of this Commonwealth" changing the basic annual allowance for all troops and decreasing the minimum allowance and providing for expenses of headquarters

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1022, entitled:

An Act to amend clause seventeen of section one of the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances return benefits and rights from taxation and judicial process and providing penalties" by defining "salary" and redefining "final salary" as applied to contributors.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1085, entitled:

A Supplement to the act approved the fourth day of June one thousand nine hundred forty-five (P. L. 1191) entitled "An act to authorize the Pennsylvania Post-War Planning Commission under certain conditions to enter into agreements with political subdivisions of this Commonwealth for the financing of plans and specifications for public works and making an appropriation" providing for the winding up of the functions of the Pennsylvania Post-War Planning Commission by the State Planning Board and reappropriating the unexpended balance of the appropriation.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1090, entitled:

An Act to further amend the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" providing for medical examiners in lieu of medical inspectors and prescribing their duties making mandatory the employment of a school nurse and repealing provisions relating to medical inspections and reports of medical inspectors.

The first and second sections were separately read and agreed to.

The third section was read.

On the question,

Will the House agree to the section?

Mr. HELM. Mr. Speaker, I desire to offer the following amendment.

Amend Section 1515 by adding a sub-section 1515.1 to read as follows:

Section 1515.1 If the record of the medical or dental examination of any child examined under the School Health Act discloses a condition which requires medical, dental, or surgical treatment, and the parent or guardian states to the school authorities that he is financially unable to have a physician or dentist of his choice render such care, he shall be advised that the cost of such care will be provided if application is made to the appropriate county board of public assistance which shall authorize payment for necessary medical, dental, or surgical care as assistance as defined in the standards, rules, and regulations to be established by the Secretary of Public Assistance in consultation with the Secretary of Health and the Superintendent of Public Instruction and with the approval of the State Board of Public Assistance.

In instances where it appears that the parent or guardian was financially able to pay for the medical, dental, or surgical care for which payment was made on the authorization of a county board of assistance, the Department of Public Assistance shall have full recourse to recover the amounts thus expended from the parent or guardian liable for the support of such child as provided in the support law.

On the question,

Will the House agree to the amendment?

Mr. WATKINS. Mr. Speaker, I noticed that the amendments to House Bill 1090 would to a certain extent take care of some of the features which were written in House Bill 725 which I recommitted to the State Government Committee on April 8 and of which I highly approve. However, it has always appeared to me, and has been my idea that after a physical or dental examination and after parents are notified as to a defect, that in turn the parents should make a report to the examiner as to the extent, if any, these defects or physical ailments have been corrected.

Now, I don't know how the Members of the House feel about that particular proposition but I do know this, that I have come across in our particular district on many occasions where these examinations have been made, the parents have been notified accordingly as to the examination and nothing has been done by the parents in a great many cases. So, in order to bring this thing to a proper conclusion I believe the best thing for me to do is to take the matter up with the gentleman from Armstrong, Mr. Helm, and see whether we cannot come down to some basis on that proposition while this bill is on second reading.

AMENDMENT WITHDRAWN

Mr. HELM. Mr. Speaker, in view of the fact that we do not desire to take up controversial matters today, I will withdraw the amendments and ask that they be held over until Monday.

The SPEAKER. The gentleman from Armstrong withdraws his amendments. The Chair will rescind his decision on the first and second sections of the bill as having

been agreed to if there is no objection. The Chair hears none.

The gentleman from Armstrong requests that the bill be passed over and not be called up at this time. The Chair hears no objection, and the bill is passed over.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1103, entitled:

An Act to amend sections two hundred seven and eight hundred nine of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 364) entitled "An act relating to business corporations defining and providing for the organization merger consolidation reorganization winding up and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and shareholders prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the second class within the provisions of this act prescribing the terms and conditions upon which foreign business corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas and certain State departments commissions and officers authorizing certain State departments boards commissions or officers to collect fee for services required to be rendered by this act imposing pnalties and repealing certain acts and parts of acts relating to corporations" requiring the recording of corporation charters and amendments thereto.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1106, entitled:

An Act to amend the act approved the second day of May one thousand nine hundred forty-five (P. L. 401) entitled "An act defining and providing for the licensing and regulation of private trade schools and classes conferring powers and imposing duties on the State Board for Vocational Education and prescribing penalties" broadening the definition of private trade school and providing for the licensure of agents of such trade schools.

The first section was read.

On the question,

Will the House agree to the section?

Mr. HELM offered the following amendments:

Amend sec. 1 (Sec. 1), page 2, line 14, by inserting a bracket before and after the words "other than" and inserting immediately thereafter the following: " 'Private Trade School' or 'school' shall not include any school maintained or class conducted (i) for".

Amend sec. 1 (Sec. 1), page 2, line 15, by inserting after the word "or" the following: "(ii)".

Amend sec. 1 (Sec. 1), page 2, line 16, by inserting a bracket before the word "or".

Amend sec. 1 (Sec. 1), page 3, line 1, by inserting a bracket after the word "required".

Amend sec. 1 (Sec. 1), page 3, line 1, by striking out the word "or" and inserting in lieu thereof: "nor shall the terms include".

Amend sec. 1 (Sec. 1), page 3, line 2, by striking out the word "and".

Amend sec. 1 (Sec. 1), page 3, line 3, by inserting after the word "schools" "or degree granting institutions".

They were agreed to.

The section was agreed to as amended.

The second section was read and agreed to.

The title was read.

On the question,

Will the House agree to the title?

Mr. HELM offered the following amendment:

Amend title, page 1, next to last line of title, by striking out the word "broadening" and inserting in lieu thereof: "changing".

It was agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time and agreed to as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1107, entitled:

An Act to further amend section one of the act approved the sixteenth day of May one thousand eight hundred sixty-one (P. L. 708) entitled "An act relating to brokers and private bankers" by changing the times for filing returns and for payment of the tax due

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1110, entitled:

An Act to amend sections two and three of the act approved the twenty-second day of June one thousand nine hundred thirtyone (P. L. 694) entitled "An act imposing a tax on gross receipts as an excise on the use of the public highways by certain owners or operators of motor vehicles transporting passengers and property for hire" by further providing for the filing of reports and for certain deductions

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1122, entitled:

An Act providing for the payment of salary wages medical and hospital expenses of employes of a jail prison workhouse penitentiary penal reformatory or correctional institution hospitals for the insane or any institution for the feeble minded or epileptic persons for inebriates or for juvenile delinquent and dependents maintained in whole or in part by the Commonwealth or any county within the Commonwealth who are injured in the performance of their duty and providing that absence during such injury shall not reduce any usual sick leave period

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1137, entitled:

An Act to further amend the act approved the twenty-sixth day of May one thousand nine hundred thirty-three (P. L. 1076) entitled "An act to provide for the organization incorporation operation and supervision of coopera-

tive savings and credit associations to be termed credit unions designating such credit unions as corporations and defining their powers and duties conferring certain powers and duties on the Department of Banking and providing penalties" further defining the membership of Credit Unions and permitting loans to other credit unions

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1148, entitled:

An Act to further amend section one thousand four of the act approved the fifteenth day of May one thousand nine hundred thirty-three (P. L. 624) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employes of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" further regulating the pledge of assets for deposits

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1209, entitled:

An Act to further amend the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that art or may be inconsistent therewith" providing for supervisors of child accounting

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1235, entitled:

An Act to further amend subsection (d) of section eight hundred fourteen of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" providing for off the roadway parking facilities for school buses in certain districts

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1283, entitled:

An Act to amend the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 289) entitled "An act relating to nonprofit corporations defining and providing for the organization merger consolidation and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and members prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the first class within the provisions of this act prescribing the terms upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas prothonotaries of such courts recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" providing that name registrations shall automatically expire if the registrant has not become incorporated within six months requiring a statement in the articles that the name registration has been made within such period and providing for re-registration in case of such expiration

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 38, entitled:

An Act to further amend sections one and two of the act approved the thirty-first day of May one thousand eight hundred and ninety-three (P. L. 188) entitled "An act designating the days and half days to be observed as legal holidays and for the payment acceptance and protesting of bills notes drafts checks and other negotiable paper on such days" by making Saturdays bank holidays under certain conditions and repealing inconsistent laws.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

BILL PASSED OVER

There being no objection

Senate Bill No. 114, Printer's No. 21,

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 148, entitled:

An Act to amend the act approved the fifth day of June one thousand nine hundred thirty-seven (P. L. 1703) entitled "An act relating to criminal prosecutions limiting the effect of demurrers by defendants at the close of the cases of the Commonwealth" providing for the disposition of cases where evidence has been improperly admitted and the court has failed to sustain the demurrer at the close of the Commonwealth's case

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order.

The House proceeded to the second reading and consideration of Senate Bill No. 244, entitled:

An Act providing for the establishment of temporary college centers in cooperation with certain accredited colleges and universities to meet certain educational needs of veterans and others creating the Area College Center Commission a temporary departmental administrative commission in the Department of Public Instruction and defining its powers and duties jroviding for the creation of certain local committees and defining their powers and duties and making certain appropriations

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 245, entitled:

An Act making certain appropriations to the Department of Public Instruction for the payment of the cost of conducting certain college courses and classes for the fiscal biennium ending May thirty-first one thousand nine hundred forty-seven

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

BILL ON FINAL PASSAGE

BILL PASSED OVER

There being no objection

House Bill No. 641, Printer's No. 376,

was passed over at the request of the SPEAKER.

BILLS ON THIRD READING

BILLS PASSED OVER

There being no objection

House Bill No. 339, Printer's No. 273, and

House Bill No. 1084, Printer's No. 224,

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1091, as follows:

An Act to amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the maner in which the number and compenation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" as amended by amending Sections 220 and 2413 and adding new Section 526 and 701(1) authorizing and directing the Governor to prescribe the filing system to be adopted by each department board and commission and to direct subject to approval by the Executive Board what records shall be preserved by photographic process and what assignment and utilization shall be made of space in the Capitol buildings

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 220 of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officrs thereof including the boards of trustees of the State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certian administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and precribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" is hereby amended to read as follows

Section 220 Departmental Offices Each administrative department and each independent administrative board and commission shall maintain a central office at Harrisburg in rooms assigned to it by the Governor [Board of Commissioners of Public Grounds and Buildings] The head of any department or any independent administrative board or commission may with the approval of the Governor establish and maintain at places other than Harrisburg [in quarters assigned by the Board of Commisisoners of Public Grounds and Buildings] branch offices for the conduct of any one or more functions of such depratment board or commission or of any departmental administrative or advisory board or commission in such department

Section 2 A new section to be known as section five hundred twenty-six shall be added immediately following section five hundred twenty-five to read as follows

Section 526 Filing and Record Systems The Governor shall from time to time cause studies to be made of the accumulations of files of correspondence reports records and other papers in possession of departments boards and commissions and may direct said departments boards or commissions to comply with the provisions of sections 524 and 525 of this act The requisitions warrants cancelled checks books records correspondence and files of the Department of the Auditor General the Department of Internal Affairs and the Treasury Department which date back a period of four years or more shall be expressly covered by the provisions of this section

Section 3 That section seven hundred one of said act is amended by adding thereto a new subsection (1) to read as follows

Section 701 The Governor The Governor shall have the power and it shall be his duty

* * * * *

(1) To prescribe the filing system to be adopted by each department board and commission to direct with the approval of the Executive Board what records shall be destroyed and what records preserved by photographic process and to assign space in the Capitol Buildings or in leased quarters for conduct of work and for storage of records

Section 4 Section two thousand four hundred thirteen of said act is hereby amended to read as follows

Section 2413 Board of Commissioners of Public Grounds and Buildings The Board of Commissioners of Public Grounds and Buildings shall have the power and its duty shall be

[(a) To assign rooms in the State Capitol to the Governor the General Assembly and the officers and committees thereof the Supreme and Superior Courts and the judges and officers thereof and as far as possible to the several administrative departments boards and commission of the State Government

(b) Whenever the Department of Property and Supplies shall have leased offices rooms or accommodations outside the Capitol buildings for the use of the administrative departments boards or commissions to assign such rooms to such administrative departments boards or commissions as cannot be adequately accommodated in the Capitol buildings]

[(c)] (a) To approve or disapprove proposed leases for branch offices roms and accommodations outside the capital city [and to assign such offices rooms and accommodations if and when leased]

[(d)] (b) To approve or disapprove proposed purchases by the Department of Property and Supplies as purchasing agency of articles other than those on the department's schedules when a similar article is included on such schedules and to approve or disapprove departures from specifications contained in the schedules or from standard specifications for articles not included in the schedules by departments boards or commission having charge of State institutions

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—181

Aaronson,	Frost,	McCullough,	Sax,
Andrews,	Gallagher,	McKinney,	Scanlon,
Bane,	Getchey,	McMillen,	Schuster,
Barrett,	Gibson,	Mihm,	Scott,
Baumunk,	Goodling,	Mikula,	Serrill,
Bender,	Gorman,	Mills,	Simons,
Bloom,	Greenwood,	Mintess,	Smith, C. C.,
Boles,	Greer,	Mohr,	Smith, C. M.,
Bonawitz,	Griffiths,	Mooney,	Sollenberger,
Boorse,	Guthrie,	Moore, C. E.,	Sorg,
Bower,	Gyger,	Moore, H. A.,	Sproul,
Breisch,	Haller,	Murray,	Stank,
Brice,	Helm,	Myers,	Stimmel,
Brown,	Henry,	Najaka,	Stockham,
Brunner,	Hewitt,	Naumann,	Stonier,
Bucchin,	Hocker,	Needham,	Stuart,
Cadwalader,	Hoffman,	Neff,	Swope,
Capano,	Horan,	Nelson,	Tahl,
Cassidy,	Imbt,	O'Connor,	Thomassy,
Chervenak,	Jennings,	O'Dare,	Thompson,
Chudoff,	Johnson,	O'Donnell,	Tittle,
Cochran,	Johnston,	O'Neill,	Tompkins,
Cole,	Jones,	Patten,	Toomey,
Cook,	Jump,	Petrosky,	Turner,
Cooper,	Kean,	Pichney,	Upshur,
Costa,	Kelley,	Pickens,	Vaughan,
Crowley,	Kemp,	Polaski,	Verona,
Dague,	Kent,	Price,	Waldron,
Dalrymple,	Kirley,	Propert,	Wallin,
Davison,	Kline,	Ragot,	Waterhouse,
De Long,	Kohl,	Readinger,	Watkins,
Demech,	Kratz,	Reagan,	Watson,
Dennison,	Krise,	Reese, D. P.,	Weidner,
Depuy,	Kurtz,	Reese, R. E.,	Weiss,
Dix,	Laughher,	Reilly, J. M.,	Wescott,
Ebenberg,	Layer,	Reilly, W. J.,	West,
Elder,	Lee,	Richter,	Wolf,
Erb,	Leisey,	Riley,	Wood,
Evans,	Livingston,	Robbins,	Worley,
Ewing,	Livingstone,	Robertson,	Yeakel,
Feola,	Loftus,	Root,	Yester,
Fish,	Lovett,	Rose,	Yetzer,
Fiss,	Lyons,	Rowen,	Young,
Flack,	Madden,	Royer,	Lichtenwalter,
Fleming,	Madigan,	Sarraf,	Speaker.
Foor,	McCormack,		

NAYS—0

NOT VOTING—24

Beech,	Graybill,	McDonald,	Snider,
Bentzel,	Hall,	Miller,	Trout,
Clevenger,	Haudenshield,	Morrison,	Wachhaus,
Cordier,	Hoopes,	Orban,	Wagner,
Dye,	Mazza,	Powers,	Walton,
Goff,	McCosker,	Shoemaker,	Wheeler,

The majority required by the Constitution having voted in the affirmative, the question was destermined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

INTERROGATION

Mr. ANDREWS. Mr. Speaker, I again desire to interrogate the Majority Leader.

The SPEAKER. Will the gentleman from Elk permit himself to be interrogated?

Mr. SORG. I shall, Mr. Speaker.

Mr. ANDREWS. Mr. Speaker, I desire to ask the Majority Leader whether Labor Bills will be recommitted to Committee for a hearing before they have passed second reading?

Mr. SORG. Mr. Speaker, if the gentleman so wishes they will. Otherwise they might not.

Mr. ANDREWS. Mr. Speaker, we would much prefer that the labor bills be recommitted on second reading for the hearing and then be subject to amendment following the hearing.

Mr. SORG. That will be entirely satisfactory, Mr. Speaker.

SENATE MESSAGE

RESOLUTION CONCURRED IN BY SENATE

The Clerk of the Senate being intrdouced, informed that the Senate has concurred in the resolution from the House of Representatives, as follows:

In the House of Representatives, April 17, 1947.

Resolved (if the Senate concur), That House Bill No. 509, Printer's No. 132, entitled "An act making an appropriation to the Elwyn Training School at Elwyn in the County of Delaware Commonwealth of Pennsylvania for a deficiency in the one thousand nine hundred forty-five one thousand nine hundred forty-seven biennial appropriation," be recalled from the Governor for further consideration.

BILL INTRODUCED AND REFERRED

By Mr. PROPERT, HOUSE BILL No. 1315.

An Act to reenact and further amend clauses six and seven of section two of the act approved the twenty-eighth day of May, one thousand nine hundred thirty-seven (P. L. 1053), entitled "An act relating to the regulation of public utilities; defining as public utilities certain corporations, companies, associations, and persons; providing for the regulation of public utilities, including, to a limited extent, municipalities engaging in public util-

ity business, by prescribing, defining, and limiting their duties, powers, and liabilities, and regulating the exercise, surrender, or abandonment of their powers, privileges, and franchises; defining and regulating contract carriers by motor vehicles and brokers in order to regulate effectively common carriers by motor vehicle; conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons, associations, companies, and corporations, including, to a limited extent, municipal corporations subject to this act, and administering the provisions of this act; authorizing the commission to fix temporary rates; placing the burden of proof on public utilities to sustain their rates and certain other matters; authorizing a permissive or mandatory sliding scale method of regulating rates; providing for the supervision of financial and contractual relations between public utilities and affiliated interests, and supervision and regulation of accounts and securities or obligations issued, assumed or kept by persons, associations, companies, corporations, or municipal corporations subject to this act; conferring upon the commission power to vary, reform, or revise certain contracts; conferring upon the commission the exclusive power to regulate or order the construction, alteration, relocation, protection, or abolition of crossings of facilities of public utilities, and of such facilities by or over public highways, to appropriate property for the construction or improvement of such crossings, and to award or apportion resultant costs and damages; authorizing owners of such property to sue the Commonwealth for such damages; providing for ejectment proceedings in connection with the appropriation of property for crossings; conferring upon the commission power to control and regulate budgets of public utilities; imposing upon persons, associations, companies and corporations (except municipal corporations) subject to regulation, the cost of administering this act; prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action; giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings; prescribing penalties, fines, and imprisonment for violations of the provisions of this act and regulations and orders of the commission, and the procedure for enforcing such fines and penalties; and repealing legislation supplied and superseded by or inconsistent with this act," by bringing within the jurisdiction of the Pennsylvania Public Utility Law, independent contractors transporting farm products, also certain dump truck opertaors and operators of trucks transporting voting machines.

Referred to the Committee on Public Utilities.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence, bills numbered and entitled as follows:

SENATE BILL No. 105.

An Act to prohibit the payment of appropriations to institutions which pay for insurance or annuity contracts to insurance companies associations and exchanges of other states and foreign countries not legally doing business in Pennsylvania and not subject to the jurisdiction of the Insurance Commissioner

Referred to the Committee on Insurance.

SENATE BILL No. 433.

An Act authorizing the Secretary of Property and Supplies to sell and convey a tract of land in Limerick Township Montgomery County Pennsylvania with the approval of the Governor

Referred to the Committee on State Government.

RESOLUTIONS INTRODUCED AND REFERRED

By Messrs. HELM and McMILLEN.

(Concurrent) RESOLUTION No. 43.

In the House of Rpresentatives, April 17, 1947

Whereas, The dictates of common sense require, and experience has proven, that where large numbers of persons are in daily attendance within a given area, first-aid facilities for the treatment and comfort of persons suffering minor accidents or illness should be maintained; and

Whereas, Hundreds of persons, particularly during the legislative sessions, are in daily attendance in the capitol building as visitors, interested parties and guests; and

Whereas, Frequently among such persons there are those who meet with a minor accident or suffer an illness, and no facilities presently exist where such persons may seek emergency aid or comfort, therefore be it

Resolved (if the Senate concur), That the Department of Property and Supplies be directed to establish and maintain at a central location in the main capitol building a first-aid room with adequate first-aid equipment, supplies and comfort facilities, and that during the sessions of the General Assembly the services of a registered nurse in daily attendance be supplied.

Referred to the Commitee on Rules.

By Messrs. KRATZ and VAUGHAN

RESOLUTION No. 44.

In the House of Representatives, April 17, 1947

Whereas, The position of the United States as a potent force in international affairs is a fact which must be accepted and acted upon by the government and people of the United States, and

Whereas, The government of the United States, through all its branches, and great numbers of private citizens are aware of such fact and that crucial decisions involving the formulation of governmental foreign policies must be made and made authoritatively, carefully, and with dispatch, and

Whereas, Henry A. Wallace, former Vice President of the United States (among other high official positions), as a governmental official and now as a private citizen has seen fit at every opportunity to castigate the program on foreign policy in the process of formulation by our government's authorized representatives, being made in the course of day to day diplomatic exchanges and conferences to meet problems arising in a changing difficult world, and

Whereas, Mr. Wallace has, time after time, on international matters vitally affecting the safety and welfare of the American people, supported the positions of governments founded on tenets diametrically opposed to our principles of democracy and liberty, and

Whereas, His position cannot be defended as the practice of the doctrine of appeasement, for far too recent history has demonstrated the futility of such a position. The ugly fact therefore remains that Henry Wallace deliberately supports and serves a form of government opposed to personal freedom and to our time honored constitutional guarantys and that he is seeking to discredit and overthrow democracy in the United States and to replace it with communism; therefore be it

Resolved, That the House of Representatives of the Commonwealth of Pennsylvania hereby censure and condemn the attitude and utterances of Henry A. Wallace as treasonable and recommend to the Department of Justice of the United States that all applicable provisions of the Federal constitution and laws be invoked to suppress this threatening evil and to punish the wrongdoer; and be it further

Resolved, That duly certified copies of this resolution be transmitted to Henry A. Wallace and to the Attorney General of the United States.

Referred to the Committee on Rule

BILL ON SECOND READING

Mr. HELM. Mr. Speaker, I desire to call up at this time House Bill No. 1090, Printer's No. 297, on page 30 of today's calendar, Bills on Second Reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1090, entitled:

An Act to further amend the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," providing for medical examiners in lieu of medical inspectors, and prescribing their duties, making mandatory the employment of a school nurse and repealing provisions relating to to medical inspections and reports of medical inspectors.

The first and second sections were read separately and agreed to.

The third section was read.

On the question,

Will the House agree to the section?

Messrs. HELM and WAGNER offered the following amendment:

Amend Section 1515 by adding a sub-section 1515.1 to read as follows:

Section 1515.1. If the record of the medical or dental examination of any child examined under the School Health Act discloses a condition which requires medical, dental, or surgical treatment, and the parent or guardian states to the school authorities that he is financially unable to have a physician or denties of his choice render such care, he shall be advised that the cost of such care will be provided if application is made to the appropriate county board of public assistance which shall authorize payment for necessary medical, dental, or surgical care as assistance as defined in the standards, rules, and regulations to be established by the Secretary of Public Assistance in consultation with the Secretary of Health and the Superintendent of Public Instruction and with the approval of the State Board of Public Assistance.

In instances where it appears that the parent or guardian was financially able to pay for the medical, dental, or surgical care for which payment was made on the authorization of a county board of assistance, the Department of Public Assistance shall have full recourse to recover the amounts thus expended from the parent or guardian liable for the support of such child as provided in the support law.

It was agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time and agreed to as amended,

Ordered, To be transcribed for a third reading.

ADJOURNMENT

Mr. YETZER. Mr. Speaker, I move that this House do now adjourn until Monday, April 21, 1947 at 4:30 p. m.

The motion was agreed to, and (at 12:33 p. m.) the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1947. 137th of the General Assembly.

Vol. 30. HARRISBURG, PA., MONDAY, APRIL 21, 1947. No. 42.

SENATE

MONDAY, April 21, 1947

The Senate met at 4:00 o'clock, p. m., Eastern Standard Time.

The PRESIDENT (Lieutenant-Governor Daniel B. Strickler) in the Chair.

PRAYER

The Chaplain, Rev. W. MURRAY YOUNG, offered the following prayer:

Blessings and honor, dominion and power, be unto Thee O God, our Father, by Whose mercy we are permitted to greet the beauty of another Legislative day; at the alter of prayer accept our tribute of praise. Open our hearts to see the splendor of Thy law; make us seekers and lovers of truth and justice. Hide not Thy face from us, but give us all a glimpse of better things to come. May it please Thee to be with our churches and their priesthood, with the schools of learning in our fair land, and all their teachers and administrators. Let Thy spirit work in them that the things fair and profitable may become possible. Be with the childhood and the youth of our land; and as parents, may we be in haste to give them the best that we have and to do for them the best that we know. May it please Thee, O God, to be the centre and the theme of all our affections, convictions and purposes of life; through Christ our Lord, we pray, Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. TALLMAN and Mr. DOEHLA, further reading was dispensed with, and the Journal was approved.

LEAVE OF ABSENCE

Mr. Kephart asked and obtained leave of absence for Mr. FRAZIER, who is in Kansas City.

NOMINATIONS BY THE GOVERNOR

COMMISSIONER OF DEED AND NOTARIES PUBLIC

The Secretary of the Governor being introduced, presented in writing from His Excellency, the Governor of the Commonwealth, nominations for appointment as Commissioner of Deeds and Notaries Public.

CONSIDERATION OF NOTARIES PUBLIC

Mr. KEPHART. Mr. President, I move that the Senate do now proceed to the consideration of nominations for appointment as Commissioner of Deeds and Notaries Public, sent to the Senate, by His Excellency, the Governor of the Commonwealth, on April 21, 1947.

Mr. SNOWDEN. Mr. President, I second the motion.

The motion was agreed to.

The nominations were read as follows:

COMMISSIONER OF DEEDS

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 21, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Joseph F. O'Connell, Jr., 11 Pemberton Square, Boston, Massachusetts, for appointment as Commissioner of Deeds for the Commonwealth of Pennsylvania, with residence in the Commonwealth of Massachusetts, for the term of five years, to compute from the date of confirmation.

JAMES H. DUFF.

NOTARIES PUBLIC

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 21, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as Notaries Public, for terms of four years to compute from the dates set opposite their names:

ALLEGHENY COUNTY

David J. Ryan, Pittsburgh, 202 City-County Bldg., April 30, 1947.

YORK COUNTY

Miss Edna Harnish, West York, May 1, 1947.

PHILADELPHIA COUNTY

Miss Betty Koshar, Phila., 316 Walnut St., May 4, 1947.
Mrs. Mildred W. Sandler, Phila., 2218 W Ontario St. May 5, 1947.

CAMBRIA COUNTY

Miss Marion Kauffman, Johnstown, May 6, 1947.

JAMES H. DUFF.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 21, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Miss A. D. Corcoran, Homestead.
Mel H. Cummings, Pittsburgh, 209 N. Negley Ave.
E. B. Montgomery, Springdale.
Charles E. Warren, Pittsburgh, Baum-Liberty Motor Inc., Liberty Ave. at Baum Blvd. (24).
Albert F. Yunker, Stowe Twp., 515 Marwood Ave., McKees Rocks.

BLAIR COUNTY

Charles Leroy Hobson, Altoona.
Donald R. Yingling, Hollidaysburg.

DAUPHIN COUNTY

Miss Marguerite L. Brosious, Harrisburg.

DELAWARE COUNTY

Miss Edna L. Lewis, Norwood.

ERIE COUNTY

Mrs. Geraldine Moran, Millcreek Twp., Rt. 1, West Lake Road, Erie.

LUZERNE COUNTY

Andrew Gdovin, Hazleton.

LYCOMING COUNTY

George W. Kehrer, Williamsport.

MONTGOMERY COUNTY

Homer P. Hoffman, Cheltenham Twp., 301 Central Ave., Cheltenham.

PHILADELPHIA COUNTY

Miss Ruth E. Bauman, Phila., 3043 Chestnut St. (4).
Harry W. Dunkelberger, Phila., 443 N. 12th St. (23).
Miss Shirley L. Linet, Phila., 4722 N. Marvine St. (41).
Joseph P. Meehan, Phila., 1539 Cherry St.
David T. Robinson, Phila., 4733 Chestnut St.
Vernon Worthington, Jr., Phila., Byberry Rd., Somerton.

SCHUYLKILL COUNTY

Miss Janet E. Mitchell, Pottsville.

WASHINGTON COUNTY

R. Kenneth Gessler, Canonsburg.
Miss Laura M. Restelli, Monongahela.

WESTMORELAND COUNTY

Jas. T. Hughes, Latrobe.

YORK COUNTY

J. R. Fleming, Hanover.

JAMES H. DUFF.

NOMINATIONS FOR COMMISSIONER OF DEEDS AND NOTARIES PUBLIC

A motion was made by Mr. KEPHART and Mr. SNOWDEN,

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Geltz,	Lord,	Tarr,
Becker,	Haluska,	Mahany,	Taylor,
Berger,	Hare,	Mallery,	Tyler,
Blass,	Heyburn,	Margie,	Wade,
Carr,	Holland,	Rahauser,	Wagner,
Chapman,	Homsher,	Rosenfeld,	Walker,
Crider,	Jaspan,	Ruth,	Watson,
Crowe,	Kephart,	Scarlett,	Wilson,
Dent,	Klein,	Snowden,	Wolfe,
DiSilvestro,	Lane,	Stevenson,	Wood, L. H.,
Doehla,	Leader,	Stiefel,	Wood, T. N.,
Donlan,	Letzler,	Tallman,	Woodring,
Farrell,			

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

PERMISSION TO ADDRESS SENATE

Mr. LANE asked and obtained unanimous consent to address the Senate.

Mr. LANE. Mr. President, in view of the strong objections voiced by my constituents and in reply to my critics on the position I take on the so-called smoke control bill, otherwise identified as House Bill No. 7, Printer's No. 269, I want it specifically understood that I am not connected, directly or indirectly, with any coal company or corporation, and I have no personal interest whatsoever in this particular bill, with the exception of conscientiously representing my constituents.

I listened, with more than my usual interest, to the debate that took place in the House of Representatives on this particular measure, and I want everyone to know that I am for smoke control in Pittsburgh and Allegheny county, when such restrictions do not affect the welfare and well-being of the residents of the bituminous coal areas.

The economic structure of Washington and Greene counties is built almost entirely around the mining and sale of bituminous coal and any restriction, irregardless of the interpretation of same by persons in authority, in my opinion, is definitely detrimental to the welfare and economic well-being of the good citizens of my Senatorial District.

Coal-mining is a hazardous occupation, to say the least, and an efficient coal-miner can only acquire that skill by virtue of years and years of experience in the mines. The occupation, in most cases, is handed down from father to son, and the curtailment of the market for bituminous coal will most certainly work hardships upon those that are skilled in that particular line of endeavor.

I have read this bill a number of times and, even with the inclusion of the much discussed amendments, this legislative proposal is not satisfactory to me, and I also take the position that Pittsburgh is not really ready for smoke control. I do not have any statistics or figures as to the cost or to the amount of equipment which might be necessary to control smoke in the Pittsburgh area, but I do know that if this cost is very great the residents of that area are going to discontinue the use of high bituminus volatile coal and install other types of heating equipment, and I also doubt very much that the necessary amount of equipment to comply with the provisions of this bill is available in the entire state.

I respect and appreciate the position of those that are supporting this measure, because it vitally affects their particular community. However, in my opinion, it is a fantastic pipe-dream.

We, the elected representatives of the people, should seriously consider our position on this legislation because we are in reality holding the lot of the coal-mining industry in the palm of our hands. The coal-mining industry in Pennsylvania really needs encouragement, not discouragement or restrictions, as I have figures to prove that they have made money in but two years out of the past ten years, and that was during the war period, and we cannot take the position of "robbing Peter to pay Paul" to accomplish an objective, and I ask the entire membership, especially those from the coal-mining areas, whether it be anthracite or bituminous, to recall to their minds the time when we all hoped that there would be smoke rolling from the stacks of the steel mills and locomotives, and I want all of you from the coal-mining areas to recall the time when you sincerely hoped that the coal mines would work more than one or two days a week, and work the full five or six days, because it was only then that the residents of these areas had sufficient earning power to keep the economic cycle in circulation.

I have given this problem considerable thought and have arrived at the definite conclusion that, irregardless of the position taken by the leadership of both political parties, that I prefer to putting up with the smoke, dust, grime and "prosperity".

I know that I am going to be criticized by the public press, by members of my own party and by quite a number of the good citizens of Pittsburgh for the position I have taken, but I will gladly take that criticism because I feel that the position I take on this legislation is consistent with the welfare and the economic well-being of the good citizens of Western Pennsylvania. It has been said, many, many times, that Pittsburgh and Western Pennsylvania is the "workshop of the world" and I, for one, stand alone and declare that I am definitely in favor of encouraging that "workshop of the world" to remain in Westren Pennsylvania, and I trust that the members of this body will consider my remarks and assist me in defeating this fantastic pipedream.

Mr. President, in conclusion, I would like to ask Senator Crowe to either postpone the meeting of the Committee on Mines and Mining until Thursday, or, if possible, hold the meeting on Tuesday, as I find that I will be unable to attend the meeting scheduled for Wednesday, due to the public hearing to be held by the Senate Committee on Labor and Industry, and I would like to attend the Mines and Mining Committee meeting, as I have a series of amendments that I would like to submit to the committee membership for their consideration.

BILLS INTRODUCED AND REFERRED

Mr. HOLLAND read in his place and presented to the Chair Senate Bill No. 614, entitled:

An Act to further amend subsections (u) and (x) of section four of the act, approved the fifth day of December, one thousand nine hundred thirty-six (1937 P. L. 2897), entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis; requiring employers to keep records and make reports, and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons; providing procedure and administrative details for the determination, payment and collection of such contributions and the payment of such compensation; providing for cooperation with the Federal Government and its agencies; creating certain special funds in the custody of the State Treasurer; and prescribing penalties," providing that wages received by an individual under a minimum annual wage contract who has been discharged or suspended by his employer in a reduction of labor force shall not be considered wages within the meaning of the act.

Which was committed to the Committee on Labor and Industry.

Mr. LORD read in his place and presented to the Chair Senate Bill No. 615, entitled:

An Act making provisions for community property law; providing that the act shall apply to husbands and wives and their property subsequent to the effective date of the act; defining separate property and the community property of the husband and wife; providing for the management, control and disposition thereof, including the homestead; defining the ownership of funds on deposit in any bank or banking institution; providing for the rights and remedies of creditors; providing that either spouse may give or convey his or her community property to the other; providing for disposition of community property on dissolution of marriage; providing for the substitution of one spouse under certain conditions for the other through legal proceedings in the management, control and disposition of community property; providing for the administration and distribution of the interests of a deceased spouse in community property.

Which was committed to the Committee on Judiciary General.

Messrs. HALUSKA and TALLMAN read in place and presented to the Chair Senate Bill No. 616, entitled:

An Act to add clause fifty-six to section two thousand four hundred three of the act, approved the twenty-third day of June, one thousand nine hundred thirty-one P. L. 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto, "empowering city councils, by ordinance, to define and penalize disorderly conduct.

Which was committed to the Committee on Local Government.

Mr. T. NEWELL WOOD read in his place and presented to the Chair Senate Bill No. 617, entitled:

An Act to reenact and amend sections four hundred ninety-six, four hundred ninety-six point one, four hundred ninety-six point two, four hundred ninety-six point three, and four hundred ninety-six point four, of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes and revising, amending and consolidating the laws relating thereto," authorizing eighth class counties to acquire, operate and lease aviation landing fields and airdromes; conferring power of eminent domain for such purposes; authorizing the appropriation of certain lands purchased at tax sales for such purposes and joint action with other political subdivisions in the operation and maintenance of such airfields and providing for the expenditure of funds for such purposes in cooperation with State, Federal or other public agencies.

Which was committed to the Committee on Local Government.

He also read in his place and presented to the Chair Senate Bill No. 618, entitled:

An Act to add subsection D to section nine of the act, approved the second day of May, one thousand nine hundred forty-five (P. L. 382), entitled "An act providing for the incorporation as bodies corporate and politic of 'Authorities' for municipalities, counties and townships; prescribing the rights, powers and duties of such Authorities heretofore or hereafter incorporated; authorizing such Authorities to acquire, construct, improve, maintain and operate projects, and to borrow money and issue bonds therefor; providing for the payment of such bonds, and prescribing the rights of the holders thereof; conferring the right of eminent domain on such Authorities; authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof; and conferring exclusive jurisdiction on certain courts over rates," providing for the assumption of obligations by Authorities incidental to the assignment of certain airports.

Which was committed to the Committee on Local Government.

Messrs. ROSENFELD and DENT read in place and presented to the Chair Senate Bill No. 619, entitled:

An Act to reenact and amend the act, approved the twenty-first day of June, one thousand nine hundred thirty-nine (P. L. 566), entitled "An act defining the liability of an employer to pay damages for occupational disease contracted by an employe arising out of and in the course of employment; establishing an elective schedule of compensation; providing procedure for the determination of liability and compensation thereunder; imposing duties on the Department of Labor and Industry, the Workmen's Compensation Board, Workmen's Compensation Referees, and deans of medical schools; creating a medical board to determine controverted medical issues; establishing an Occupational Disease Fund in custody of the State Workmen's Insurance Board; imposing upon the Commonwealth a part of the compensation payable for certain occupational diseases; making an appropriation; and prescribing penalties," further defining and extending the liability of an employer to pay damages for occupational diseases contracted by an employe arising out of and in the course of employment; modifying the procedure and determination of liability thereunder, making an additional appropriation; and prescribing penalties.

Which was committed to the Committee on Labor and Industry.

Messrs. RAHAUSER and TARR read in place and presented to the Chair Senate Bill No. 620, entitled:

An Act to promote the welfare of the veterans of this Commonwealth; creating a State Veterans' Loan Authority as a body corporate and politic with power to guarantee bank loans to veterans to establish themselves in business or professions; authorizing and regulating the issuance of bonds by said Authority and providing for the payment of such bonds and the rights of the holders thereof, and providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act; prescribing the powers and duties of said Authority and making an appropriation.

Which was committed to the Committee on Banking.

Mr. CHAPMAN. Mr. President, I am about to submit to the Chair a bill, but before doing so I should like to make a statement relative to this bill. The late Dr. Chase, of Philadelphia, left $1,000,000 to Temple University for research in cancer. There is to be about $25,000 of that available each year.

This bill intends to augment that fund for research in cancer to Temple University.

Mr. CHAPMAN read in his place and presented to the Chair Senate Bill No. 621, entitled:

An Act appropriating the sum of One Hundred and Seventy-five Thousand dollars ($175,000) for the two fiscal years beginning June first one thousand nine hundred and forty-seven to the School of Medicine of Temple University, Philadelphia Pennsylvania, towards the maintenance and equipment of The Institute for Research into the Cause or Causes of Cancer and its Diagnosis, Prevention and Treatment.

Which was committed to the Committee on Appropriations.

Mr. BERGER read in his place and presented to the Chair Senate Bill No. 622, entitled:

An Act to add section eight hundred thirty-seven point one to the act aprpoved the twenty-fourth day of June, one thousand nine hundred and thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth," by making it a felony to make, give, issue, receive or cause to be made, given, issued, or received, a false receipt, bill or statement of charges with intent to defraud, or with intent to enable the securing of funds from other parties based upon or as a result of such false instrument, and prescribing penalties.

Which was committed to the Committee on Judiciary General.

PERSONAL PRIVILEGE

Mr. DiSILVESTRO asked and obtained unanimous consent to speak on a matter of personal privilege.

Mr. DiSILVESTRO. Mr. President and members of the Senate, last Thursday and Friday a committee of the House and Senate visited a number of state hospitals in the eastern and central parts of the state.

Among them were such fine institutions as Allentown State Hospital, our first stop, where Dr. Harry F. Hoffman is doing such a wonderful job. We went to Farview State Hospital in Wayne county, Clark's Summit State Hospital in Lackawanna county, Retreat State Hospital in Luzerne county, Danville State Hospital in Montour county and Laurelton State Village in Union county. A full report of conditions as found will be submitted by the chairman of our committee.

But there is one institution on which I feel I must speak to you at once, because there is a bill pending before us that has to do with the shocking conditions I found there.

Retreat State Hospital, in Luzerne county, is the institution. We found there an old antiquated wooden fire trap housing some eleven hundred men and women, most of whom are unable to care for themselves.

I now quote from the pamphlet "A Pictorial Report on Mental Institutions in Pennsylvania," page 42: "Chief drawback to the efficient operation of this institution is its inaccessibility. It can be reached only by a flatboat ferry over the Susquehanna River, from Route 11, or by a rough mountain trail, with grades as steep as twenty per cent. This little boat carried 97,525 passengers on 33,747 trips during the year ending May 31, 1946.

It also carried 12,186 tons of freight. During the year, it was idle for 45 days because of repairs, ice, and floods. During those periods the institution was virtually isolated."

According to the superintendent, Dr. Baskett, efforts have been made in the past to have a bridge built, but these efforts have been nullified, he said, because after everything had been approved, a certain judge had interfered because a friendly contractor had not received the contract.

We must not gamble with human life. I am certain that if a fire were to break out in this hospital most of its unfortunate inmates would be doomed. Their blood, gentlemen, would be on our hands, and I for one do not want to be responsible for what might happen to them.

There is a bill, presented by Senator T. Newell Wood, for the erection of such a bridge or road now before the Senate.

Action should be taken immediately and further, all those inmates should be distributed among other hospitals until such time as the proper measure for their safety have been completed.

Until this is done, the authorities who have these people in their care, and that include the members of the Senate and House can not be considered to have done their full duty.

These people are unable to help themselves. They depend on us. The are wards of the state. In event of trouble they wouldn't know how to take care of themselves—panic would ensue and the outcome would shock the state.

We have been lucky that there has been no difficulty until now—with the future we must not gamble.

Gentlemen of the Senate, I know when this subject of mental hospitals comes up there will be many phases concerning these institutions taken up on the floor.

I had the privilege of taking this trip and I found out from the different superintendents that the important phase of this mental institution program, that is, the rehabilitation program, has either been started or is in full swing in many of the hospitals but here and there it is a little spotty; so until the proper time I just wish to bring to the attention of this Senate a bill presented by Senator T. Newell Wood on which bill it is very important that we take action, and if we close this session of the Legislature without taking action I do not know how lucky we will be, because twenty years is a long time to be lucky in an institution like Retreat; it looks like a medieval dungeon. It seems that those who put that hospital there had the idea of just throwing those poor people into a hole away from humanity, just to keep them away from human beings. On a day like today the Susquehanna River is probably very choppy and it is almost impossible to cross over the river with the things that are necessary for these inmates. Their farm is right across the river. I know, if you talk with any of the members of that committee, they will confirm what I am telling you. It would be a difficult proposition to close this session without putting through the bill sponsored by Senator T. Newell Wood.

RESOLUTION

Mr. WATSON, offered the following resolution, which was twice read, considered and agreed to:

TIME OF NEXT MEETING

In the Senate, April 21, 1947.

Resolved (if the House of Representatives concur) That when the Senate adjourns this week it reconvene on Monday, April 28, 1947, at four o'clock p. m.; and when the House of Representatives adjourns this week it reconvene on Monday, April 28, 1947, at four-thirty o'clock p. m.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

CALENDAR

BILL ON FINAL PASSAGE

Agreeably to order,

The Senate resumed the consideration of House Bill No. 462, as follows:

An Act relating to Federal aid to political subdivision or municipality authority for the development of public airports

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 No political subdivision or municipality authority whether acting alone or jointly with another political subdivision or municipality authority or with the Commonwealth shall submit to the Administrator of Civil Aeronautics of the United States any project application under the provisions of section nine (a) of the Act of Congress approved the thirteenth day of May one thousand nine hundred forty-six (Public Law 377 Seventy-ninth Congress) known and hereinafter designated as the "Federal Airport Act" or any amendment thereof or other Act of Congress hereafter adopted unless the project and the project application have been first approved by the Pennsylvania Aeronautics Commission No political subdivision or municipality authority shall directly accept receive receipt for or disburse any funds granted by the United States under the Federal Airport Act or other law but it shall designate the Pennsylvania Aeronautics Commission as its agent and in its behalf to accept receive receipt for and disburse such funds It shall enter into an agreement with the commission prescribing the terms and conditions of such agency in accordance with Federal laws rules and regulations and applicable laws of this Commonwealth Such moneys as are paid over by the United States government shall be retained by the Commonwealth or paid over to the political subdivision or municipality authority under such terms and conditions as may be imposed by the United States government in making such grant

Section 2 The provisions of this act shall become effective immediately upon final enactment

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Geltz,	Lord,	Tarr,
Becker,	Haluska,	Mahany,	Taylor,
Berger,	Hare,	Mallery,	Tyler,
Blass,	Heyburn,	Margie,	Wade,
Carr,	Holland,	Rahauser,	Wagner,
Chapman,	Homsher,	Rosenfeld,	Walker,

Crider,	Jaspan,	Ruth,	Watson,
Crowe,	Kephart,	Scarlett,	Wilson,
Dent,	Klein,	Snowden,	Wolfe,
DiSilvestro,	Lane,	Stevenson,	Wood, L. H.,
Doehla,	Leader,	Stiefel,	Wood, T. N.,
Donlan,	Letzler,	Tallman,	Woodring,
Farrell,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

BILL ON THIRD READING CALENDAR

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 72, on third reading, entitled:

An Act to further amend section three hundred twenty of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," by providing for the payment of retirement allowances to widows of deceased county employes and for crediting employes with time spent in military service, in counties of the second class.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS POSTPONED

Mr. WALKER. Mr. President, I move that Senate Bill No. 169, on third reading, entitled:

An Act authorizing the arbitration of death taxes when there are conflicting claims as to the domicile of the decedent and making uniform the law relating thereto

be placed on the Postponed Calendar.

Mr. HEYBURN. Mr. President, I second the motion.

The motion was agreed to.

Mr. WALKER. Mr. President, I move that Senate Bill No. 170, on third reading, entitled:

An Act authorizing the compromise of death taxes when there are conflicting claims as to the domicile of the decedent and making uniform the law relating thereto

be placed on the Postponed Calendar.

Mr. HEYBURN. Mr. President, I second the motion.

The motion was agreed to.

Mr. WALKER. Mr. President, I move that Senate Bill No. 204, on third reading, entitled:

An Act establishing a uniform time for appeals to the Superior and Supreme Courts and from the Superior to the Supreme Court in all proceedings and repealing inconsistent acts

be placed on the Postponed Calendar.

Mr. HEYBURN. Mr. President, I second the motion.

The motion was agreed to.

BILL ON THIRD READING

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 219, entitled:

An Act to add section eight hundred twelve to the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" providing that where members of a political party are appointed or elected to represent the members of such party in an election district said members shall constitute a political committee for such district

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. JASPAN. Mr. President, I desire to interrogate the gentleman from Philadelphia, Senator Farrell.

The PRESIDENT. Will the gentleman from Philadelphia permit himself to be interrogated?

Mr. FARRELL. I will, Mr. President.

Mr. JASPAN. Will the gentleman from Philadelphia explain the nature of this bill.

Mr. FARRELL. Mr. President, this bill is to amend the election code by providing that when nomination petitions and nomination papers are presented to the County Board of Elections the genuineness of signatures—

Mr. JASPAN. Mr. President, I think the gentleman from Philadelphia is discussing the wrong bill. I am referring to Senate Bill 219.

Mr. FARRELL. I beg the gentleman's pardon.

Senate Bill 219 provides that two members of one committee from a division, in themselves, may constitute a political committee within that division. The reason for this is to provide a method for the making of a substituted nomination in the event of death or withdrawal of a candidate for an election office elected at the primary elections.

I might say to Senator Jaspan that my colleague from Philadelphia, Senator Kephart, is very familiar with these bills, which are short bills and they are good bills, and he can explain them more thoroughly than I can.

Mr. JASPAN. Mr. President, may I then interrogate the gentleman from Philadelphia, Senator Kephart.

The PRESIDENT. Will the gentleman from Philadelphia permit himself to be interrogated?

Mr. KEPHART. I will, Mr. President.

Mr. JASPAN. Mr. President, I desire to know what the practice now is in Philadelphia in the event of a vacancy in an election board

Mr. KEPHART. Mr. President, I imagine that Senator Jaspan probably is more able to answer that question than I am. I am afraid that I can not answer that question.

Mr. JASPAN. Mr. President, under the circumstances I do not see how we could vote for this bill, it means nothing. We have laws on the statute books providing for the filling of vacancies and this bill is absolutely meaningless. Nobody has explained its purpose. I ask what the provisions now are under the law for filling

vacancies and nobody knows. I would like to get some information.

The PRESIDENT. Is the Senator telling us or asking?

Mr. JASPAN. I am asking, if you please. Does anybody know what this bill actually does.

Mr. KEPHART. Mr. President, I think Senator Farrell explained the bill and gave all the explanation that was necessary. I can not go any further than Senator Farrell has gone.

REQUEST THAT BILL GO OVER IN ORDER

Mr. JASPAN. Mr. President, I ask that Senate Bill 219 go over in its order until such time as we get a proper explanation.

Mr. KEPHART. Mr. President, I object.

Mr. JASPAN. Mr President, may I interrogate the gentleman from Lebanon, Senator Becker?

The PRESIDENT. Will the gentleman from Lebanon permit himself to be interrogated?

Mr. BECKER. I will, Mr. President.

Mr. JASPAN. Mr. President, at the very outset I should like to say I am merely trying to learn something about this bill, I have no ulterior motive in mind, and I ask the gentleman from Lebanon to withdraw his objection, as probably overnight I can find some reason for this bill.

Mr. BECKER. Mr. President, I am not aware of the fact that I was one who objected. The President indicated objection had been made before I had evidenced any interest in what was happening at the time.

In other words, Senator Jaspan, I was not the one who objected. I may have made some gestures here, but the objection was announced long before I did so.

Mr. JASPAN. Mr. President, I now ask Senator Kephart to withdraw his objection until tomorrow.

Mr. KEPHART. Mr. President, this bill has been on the calendar for at least a week now, and I believe longer than that, and I think it ought to be acted on.

Mr. JASPAN. Mr. President, if it has been on the calendar for a week, how is it the gentleman from Philadelphia, Senator Kephart, knows little or nothing about it? Certainly, coming from Philadelphia, he ought to know, and I am interested in what this bill stands for.

Mr. ROSENFELD. Mr. President, I think the purpose of this bill is to provide for a means of substituting an election officer by a political committee which is presently provided for under the law, but there is no political committee provided at the present time to substitute the name of a judge or inspector of election. At the present time a petition must be filed with the court and the court must then name the inspector. This will permit the division committeeman to act as a political body to substitute for a nominee who has either removed or died.

Mr. JASPAN. Mr. President, if such is the case I am very much afraid it is a very dangerous bill, particularly as it concerns the votes as cast by our people. The right to vote is a very important right and a sacred right, and it should be protected at all events and when we leave the choice of election officers to two men to constitute a committee in any particular division, there is great danger. This bill, I repeat, is fraught with great danger. I would sooner take a chance with the court. In fact, I have respect for the court, and feel that is the only place where you can fill vacancies in the event a vacancy takes place at any particular polling place, but to put that power in the hands of two men, who may not have had the education and who may not have had the experience, there is no telling what would happen with the political machinery.

Therefore I am going to vote against this bill and ask my colleagues to vote against it.

And the question recurring,

Will the Senate agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. DENT. Mr. President, may the Senate be at ease for just a few minutes?

(The Senate was at ease)

Mr. DENT Mr. President, I have been unhappily surrounded by a group of Philadelphia lawyers, and, not being a lawyer myself, I suggest to the majority side that there is an honest difference of opinion between men representing the same districts, that is, in the same community, the city of Philadelphia, as to what this bill intends to do, and I am sure if the sponsor will allow the bill to go over in its order that we will resolve this difference and tomorrow be able to vote upon the bill.

As the question now stands, gentlemen, the Democratic caucus has approved the bill under one interpretation, but there has been a doubt cast now as to whether that interpretation of the bill is right.

So therefore, Mr. President, I would like to have permission of the sponsor to permit the bill to go over in its order until tomorrow.

Mr. FARRELL. Mr. President, I will gladly join in the request of the gentleman from Westmoreland that Senate Bill 219 go over in its order.

The PRESIDENT. The bill has already passed third reading. Is it the desire of the gentleman from Westmoreland that it go over in its order on final passage?

Mr. DENT. That is right, Mr. President. I want to thank the gentleman from Philadelphia, Senator Farrell.

BILL OVER IN ORDER

Mr. DENT. Mr. President, I ask unanimous consent that Senate Bill No. 219, on final passage reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 239, as follows:

An Act to amend the last paragraph of section nine of the act approved the twenty-fourth day of June one thousand nine hundred thirty-three (P. L. 1433) entitled "An act defining the powers of the courts of quarter sessions the Municipal Court of Philadelphia and the County of Juvenile Court of Allegheny County with respect to the care guidance control trial placement and commitment of delinquent dependent and neglected children under sixteen years of age and of persons over sixteen years of age contributing to or encouraging the delinquency neglect and dependency of children and amending revising and consolidating the law relating thereto" further defining liability for support of children in private homes foster homes children's homes and institutions and providing for the enforcement thereof

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The last paragraph of section nine of the act approved the twenty-fourth day of June one thousand nine hundred thirty-three (P. L. 1433) entitled "An act defining the powers of the courts of quarter sessions the Municipal Court of Philadelphia and the County or Juvenile Court of Allegheny County with respect to the care guidance control trial placement and commitment of delinquent dependent and neglected children under sixteen years of age and of persons over sixteen years of age contributing to or encouraging the delinquency neglect and dependency of children and amending revising and consolidating the law relating thereto" is hereby amended to read as follows

Section 9 Support Orders

* * * * *

In all cases where the cost of board or care and maintenance of a child have been ordered paid by the county it shall be directly liable to the person family association society or institution having the care guidance and control of the child [but the county shall in all cases have full recourse to recover the amounts so paid from the persons or poor district liable for the support of such child] In cases where the county is responsible for support maintenance or care of any child or children in any private home foster home children's home or institution whether public or private the court may order the parents or persons responsible for the education support maintenance or care of said child or children to reimburse the county for the cost of support maintenance or care of said child or children The court shall have power to enforce any such order for support maintenance or care of such child or children in like manner as courts of quarter sessions or other courts of record having jurisdiction may enforce orders for support under the laws of this Commonwealth

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Geltz,	Lord,	Tarr,
Becker,	Haluska,	Mahany,	Taylor,
Berger,	Hare,	Mallery,	Tyler,
Blass,	Heyburn,	Margie,	Wade,
Carr,	Holland,	Rahauser,	Wagner,
Chapman,	Homsher,	Rosenfeld,	Walker,
Crider,	Jaspan,	Ruth,	Watson,
Crowe,	Kephart,	Scarlett,	Wilson,
Dent,	Klein,	Snowden,	Wolfe,
DiSilvestro,	Lane,	Stevenson,	Wood, L. H.,
Doehla,	Leader,	Stiefel,	Wood, T. N.,
Donlan,	Letzler,	Tallman,	Woodring,
Farrell,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 250, as follows:

An Act permitting certain personnel of State-owned mental hospitals to certify as to the condition of mental patients in lieu of attendance in person before any court in certain cases

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Whenever the Superintendent or any physician or psychiatrist of any State-owned mental hospital is required to appear and testify before any court or commission issued out of such court in a civil proceeding relating to the mental condition of any patient in his charge in such hospital the deposition of or sworn statement by such superintendent physician or psychiatrist may be admissible in evidence as to the condition of such patient in lieu of the appearance and testimony of such superintendent physician or psychiatrist in court or before a commission unless by special order the court directs and requires the appearance and testimony in person of such superintendent physician or psychiatrist

Section 2 All acts and parts of acts inconsistent with the provisions of this act are hereby repealed

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—33

Becker,	Farrell,	Mahany,	Wade,
Berger,	Geltz,	Mallery,	Wagner,
Blass,	Hare,	Scarlett,	Walker,
Carr,	Heyburn,	Snowden,	Watson,
Chapman,	Homsher,	Stevenson,	Wilson,
Crider,	Kephart,	Tallman,	Wolfe,
Crowe,	Letzler,	Taylor,	Wood, L. H.,
Doehla,	Lord,	Tyler,	Wood, T. N.,
Donlan,			

NAYS—15

Barr,	Holland,	Margie,	Stiefel,
Dent,	Jaspan,	Rahauser,	Tarr,
DiSilvestro,	Lane,	Rosenfeld,	Woodring,
Haluska,	Leader,	Ruth,	

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 268, as follows:

An Act to amend section three of the act approved the first day of June one thousand nine hundred forty-five (P. L. 1222) entitled "An act providing for the complete medical and dental examination of all children of school age and teachers and other school employes in the public and private elementary and secondary schools of the Commonwealth and imposing certain duties upon the Department of Health and the Department of Public Instruction and making an appropriation" providing that nurses and physicians performing the services required of them in certain schools situated in school districts of the first class shall remain employes of such municipal corporations by whom they are employed

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section three of the act approved the first day of June one thousand nine hundred forty-five (P. L. 1222) entitled "An act providing for the complete medical and dental examination of all children of school age and teachers and other school employes in the public and private elementary and secondary schools of the Commonwealth and imposing certain duties upon the Department of Health and the Department of Public Instruction and making an appropriation" is hereby

amended to read as follows

Section 3 Medical and dental examinations All Children of school age during the time they are members of the first third fifth seventh ninth and eleventh grades in any school within the Commonwealth teachers janitors cooks and other cafeteria help and all others employed at schools within the Commonwealth shall at least once in every two years be given a complete medical and dental examination by medical and dental examiners appointed by the Secretary of Health in fourth class districts and by medical and dental examiners appointed or approved by him in first second and third class districts Teachers and all other school employes shall be given a complete medical examination every two years

In any school district of the first class any physician or nurse who is an employe with civil service status under any municipal corporation within the territorial limits of the school district and who performs any duty or duties under this act shall continue to be an employe of the said municipal corporation and shall retain all of his or her civil service rights and rights under the pension system of the said municipal corporation

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as fololws, viz:

YEAS—49

Barr,	Geltz,	Lord,	Tarr,
Becker,	Haluska,	Mahany,	Taylor,
Berger,	Hare,	Mallery,	Tyler,
Blass,	Heyburn,	Margie,	Wade,
Carr,	Holland,	Rahauser,	Wagner,
Chapman,	Homsher,	Rosenfeld,	Walker,
Crider,	Jaspan,	Ruth,	Watson,
Crowe,	Kephart,	Scarlett,	Wilson,
Dent,	Klein,	Snowden,	Wolfe,
DiSilvestro,	Lane,	Stevenson,	Wood, L. H.,
Doehla,	Leader,	Stiefel,	Wood, T. N.,
Donlan,	Letzler,	Tallman,	Woodring,
Farrell,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 284, on third reading, entitled:

An Act to further amend the act approved the thirtieth day of March one thousand nine hundred thirty-seven (P. L. 115 entitled "An act to provide for the permanent personal registration of electors in cities of the first class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties bodies of electors registration commissions commissioners registrars inspectors of registration and other appointees of registration commission election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics real estate brokers rental agents certain public service companies persons firms and corporations operating vehicles for moving furniture and household goods and boards of school directors and imposing penalties" by imposing an additional penalty

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 309, as follows:

An Act to further amend subsection (e) of section three of the act approved the first day of August one thousand nine hundred forty-one (P. L. 744) entitled "An act requiring school boards in all school districts and boards of directors of all vocational school districts to grant leaves of absence to all school employes who shall volunteer or be called for military or naval service in time of war or during a state of national emergency preserving certain contracts salaries increments retirement rights seniority State contributions and grants to local school boards eligibility lists reemployment authorizing school boards and boards of directors of vocational schools to employ substitutes in place of such employes requiring school districts and vocational school districts to make additional payments into the School Employes' Retirement Fund reserving all rights and privileges of employes granted leaves of absence under the provisions herein and superseding or repealing all contrary laws" by providing that former school employes who entered the military or naval service may obtain credit for such period of service when they return to school service

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (e) of section three of the act approved the first day of August one thousand nine hundred forty-one (P. L. 744) entitled "An act requiring school boards in all school districts and boards of directors of all vocational school districts to grant leaves of absence to all school employes who shall volunteer or be called for military or naval service in time of war or during a state of national emergency preserving certain contracts salaries increments retirement rights seniority State contributions and grants to local school boards eligibility lists reemployment authorizing school boards and boards of directors of vocational schools to employ substitutes in place of such employes requiring school districts and vocational school districts to make additional payments into the School Employes' Retirement Fund reserving all rights and privileges of employes granted leaves of absence under the provisions herein and superseding or repealing all contrary laws" as amended by the act approved the third day of May one thousand nine hundred forty-five (P. L. 415) is hereby further amended to read as follows

Section 3

* * * * *

(e) The school district or vocational school district shall pay into the School Employes' Retirement Fund on behalf of each such employe in addition to the contributions required by law to be made by it the full amount of the contribution required by law to be paid by the employe so that such employe's retirement rights shall in no way be affected by such leave of absence Provided That if any such employe resigns or fails to return to his employment as provided in this act the amount contributed by the school district or vocational school district under this subsection shall be deducted from the refund payable to such employe under existing law and the amount so deducted shall be refunded to the school district by which it was paid In all cases where any part of the salary of any employe is payable to his dependents under the provisions of this act the school district or vocational school

district shall deduct from the part of his salary so payable in so far as the same is sufficient therefor all moneys paid by it into the retirement fund on account of the employe's contribution Provided further That if any such employe shall return within one year from the date of his discharge from military service to school service in any other school district or vocational school district within this Commonwealth or as an employe of any institution or board the employes of which are entitled to membership in the School Employes' Retirement Association in accordance with the provisions of the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) as amended he shall be entitled to have full credit for each year he spent in military or naval service upon his restoring to the School Employes' Retirement Fund to the credit of the annuity savings account his total accumulated deductions in the amount they should have been at the time he resigned from or failed to return to the school district or vocational school district from which he entered the military or naval service Such back payments may either be paid in a lump sum or by such monthly payroll deductions as may be approved by the School Employes' Retirement Board

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Farrell,	Letzler,	Tallman,
Becker,	Geltz,	Lord,	Tarr,
Berger,	Haluska,	Mahany,	Taylor,
Blass,	Hare,	Mallery,	Tyler,
Carr,	Heyburn,	Margie,	Wade,
Chapman,	Holland,	Rahauser,	Wagner,
Crider,	Homsher,	Rosenfeld,	Walker,
Crowe,	Jaspan,	Ruth,	Watson,
Dent,	Kephart,	Scarlett,	Wilson,
DiSilvestro,	Klein,	Snowden,	Wolfe,
Doehla,	Lane,	Stevenson,	Wood, L. H.,
Donlan,	Leader,	Stiefel,	Wood, T. N.,
			Woodring,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 350, as follows:

An Act to amend section sixteen of the act approved the twenty-fourth day of January one thousand eight hundred forty-nine (P. L. 678) entitled "An act authorizing the commissioners of the incorporated districts of the Northern Liberties and Kensington to open a street to be called Delaware avenue relative to the duties of assessors venders of mineral waters the Fire association of Philadelphia vacancies in the school boards in the county of Philadelphia to lost mortgages auditors of Philadelphia county rebuilding of the court house in Philadelphia to enable the commissioners of Philadelphia county to borrow money to settle certain accounts between Spring Garden and the Commonwealth and respecting the appointment of auditors" limiting appointive powers of judges in certain cases

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section sixteen of the act approved the twenty-fourth day of January one thousand eight hundred forty-nine (P. L. 678) entitled "An act authorizing the commissioners of the incorporated districts of the Northern Liberties and Kensington to open a street to be called Delaware avenue relative to the duties of assessors venders of mineral waters the Fire association of Philadelphia vacancies in the school boards in the county of Philadelphia to lost mortgages auditors of Philadelphia county rebuilding of the court house in Philadelphia to enable the commissioners of Philadelphia county to borrow money to settle certain accounts between Spring Garden and the Commonwealth and respecting the appointment of auditors" is here amended to read as follows

Section 16 That from and after the passage of this act it shall not be lawful for [the judges] any judge of the several courts of this Commonwealth [or any one of said judges] to appoint as auditor master in chancery master in divorce examiner commissioner or appraiser any person related or connected with said [judges or any one or more of them] judge by ties of consanguinity or marriage

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

Mr. BARR. Mr. President, I submit to the members of the Senate, if they want to do the honest thing, they would take out Section 16 entirely from this bill and do away with this provision entirely. As it is now this appears to be one of those bills, you scratch my back and I will scratch yours.

In other words, say in a court there are two judges and one may have a son and the other a son-in-law, who are lawyers, and this section would make it possible for the one judge to name the other's son as a master, examiner or commissioner, and the other might appoint the son-in-law.

In this town of Harrisburg we have just witnessed a major trial concerning one of the things that legislation like this has caused, and I refer to the Johnson case which was just tried.

I suggest if the Senate wants to do the honest thing it will eliminate all of Section 16 and not make it a courtesy to be entered into between judges sitting on the same bench in the same court.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—34

Becker,	Farrell,	Ruth,	Wagner,
Berger,	Geltz,	Scarlett,	Walker,
Blass,	Hare,	Snowden,	Watson,
Carr,	Heyburn,	Stevenson,	Wilson,
Chapman,	Homsher,	Tallman,	Wolfe,
Crider,	Kephart,	Taylor,	Wood, L. H.,
Crowe,	Letzler,	Tyler,	Wood, T. N.,
Doehla,	Lord,	Wade,	Woodring,
Donlan,	Mahany,		

NAYS—12

Barr,	Haluska,	Lane,	Rosenfeld,
Dent,	Holland,	Leader,	Stiefel,
DiSilvestro,	Jaspan,	Mallery,	Tarr,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 381, as follows:

An Act to further amend subsection (f) of section four hundred forty-eight of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" increasing the number of members of The Advisory Health Board requiring one of such members to be a licensed dentist and one to be a licensed pharmacist

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (f) of section four hundred forty-eight of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" as last amended by the act approved the sixth of June one thousand nine hundred forty-five (P. L. 1398) is hereby further amended to read as follows

Section 448 Advisory Boards and Commissions The advisory boards and commissions within the several administrative departments shall be constituted as follows

* * * * *

(f) The Advisory Health Board shall consist of the Secretary of Health and [six] seven members a majority of whom shall be physicians graduates of legally constituted medical colleges and of at least ten years' experience in the practice of their profession one of whom shall be a dentist and one of whom shall be a pharmacist graduates of legally constituted dental and pharmacy colleges respectively and of at least ten years' experience in the practice of their profession and one of whom shall be a civil engineer The Secretary of Health shall be chairman of the board

[Three] Four members of the board together with the Secretary of Health shall constitute a quorum

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	Farrell,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahauser,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsher,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Lane,	Stevenson,	Wood, L. H.,
Doehla,	Leader,	Stiefel,	Wood, T. N.,
Donlan,	Letzler,	Tallman,	Woodring,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence,

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 419, as follows:

An Act validating county treasurers' sales for delinquent taxes where the reports and returns of such sales were not made to the court of common pleas and such sales were not confirmed by the court

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Whenever heretofore any land has been sold by the county treasurer of any county for the purpose of securing the payment of delinquent taxes which were assessed and levied against such land and the deed to the purchaser of such land was properly executed and acknowledged but the said county treasurer failed to make a report and return of such sale to the court of common pleas and failed to publish a notice of such report and the said sale was never confirmed by the court as required by law such sale shall not be invalidated by reason of such failure to comply with existing law if in all other respects the laws relating to such sales were fully complied with and all such treasurers' sales are hereby ratified confirmed and validated and the title to any such land purchased by any person or by the county commissioners of any county at any such treasurers' sale is hereby declared to be as valid as if such failure to make the aforesaid report and return and confirmation of such sale had not been made Provided however That nothing herein contained shall affect or be applicable to any lands so sold for which action at law or equity are now pending for the purpose of determing title to said lands

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	Farrell,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,

Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahauser,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsher,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Lane,	Stevenson,	Wood, L. H.,
Doehla,	Leader,	Stiefel,	Wood, T. N.,
Donlan,	Letzler,	Tallman,	Woodring,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence,

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 428, on third reading, entitled:

An act to further amend clause (17) of subdivision (4) of subsection (L) of section four of the act approved the fifth day of December one thousand nine hundred thirty-six (1937 P. L. 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" by expressly excluding from the definition of "employment" services of certain solicitors and salesmen who are compensated on a commission basis

go over in order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 446, as follows:

An Act to further amend section one of the act approved the seventeenth day of June one thousand nine hundred thirteen (P. L. 507) entitled "An act to provide revenue for State and county purposes and in cities coextensive with counties for city and county purposes imposing taxes upon certain classes of personal property providing for the assessment and collection of the same providing for the duties and compensation of phonotaries and recorders in connection therewith and modifying existing legislation which provided for raising revenue for State purposes" providing that corporations limited partnerships and joint stock associations holding certain taxable securities as mere custodian for the real owner shall not be taxed therefor

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one of the act approved the seventeenth day of June one thousand nine hundred thirteen (P. L. 507) entitled "An act to provide revenue for State and county purposes and in cities coextensive with counties for city and county purposes imposing taxes upon certain classes of personal property providing for the assessment and collection of the same providing for the duties and compensation of prothonotaries and recorders in connection therewith and modifying existing legislation which provided for raising revenue for State purposes" as last amended by the act approved the eleventh day of May one thousand nine hundred forty-five (P. L. 447) is hereby further amended to read as follows

Section 1 Be it enacted &c That all personal property of the classes hereinafter enumerated owned held or possessed by any resident which as used in this section shall mean any person persons copartnership or unincorporated association or company resident located or liable to taxation within this Commonwealth or by any joint-stock company or association limited partnership bank or corporation whatsoever formed erected or incorporated by under or in pursuance of any law of this Commonwealth or of the United States or of any other state or government and liable to taxation within this Commonwealth whether such personal property be owned held or possessed by such resident in his her their or its own right or as active trustee agent attorney-in-fact or in any other capacity or by any resident as trustee agent or attorney-in-fact jointly with one or more trustees agents or attorney-in-fact domiciled in another state where such personal property is held and managed in this Commonwealth except as executor or administer of the estate of a nonresident decedent and except as trustee for a resident or nonresident religious chartiable or educational organizations no part of the net earnings of which inures to the benefit of any private stockholder or individual for the use benefit or advantage of any other person copartnership unincorporated association company joint-stock company or association limited partnership bank or corporation and the equitable interest in any such personal property of the classes hereinafter enumerated owned held or possessed by any resident where the legal title of such personal property is vested in a trustee agent or attorney-in-fact domiciled in another state or where the legal title to such personal property is vested in more than one trustee agent or attorney-in-fact one or more of whom are domiciled in another state and one or more of whom are domiciled within this Commonwealth and such personal property is held and managed in another state and where such resident is entitled to receive all or any part of the income therefrom is hereby made taxable annually for county purposes and in cities coextensive with counties for city and county purposes at the rate of four mills on each dollar of the value thereof and no failure to assess or return the same shall discharge such owner or holder thereof from liability therefor that is to say

All mortages all moneys owing by solvent debtors whether by promissory note or penal or single bill bond or judgment all articles of agreement and accounts bearing interest all public loans whatsoever except those issued by this Commonwealth or the United States and except the public loans and obligations of any county city borough town township school district and incorporated district of this Commonwealth and except the bonds and obligations of bodies corporate and politic of this Commonwealth known as municipal authorities all loans issued by any corporation association company or limited partnership created or formed under the laws of this Commonwealth or of the United States or any other state or government including car-trust securities and loans secured by bonds or any other form of certificate or evidence of indebtedness whether the interest be included in the principal of the obligation or payable by the terms thereof except such loans as are made taxable for State purposes by section seventeen of the act approved the twenty-second day of June one thousand nine hundred thirty-five (P. L. 414) as reenacted and amended all shares of stock in any bank corporation association company or limited partnership created or formed under the laws of this Commonwealth or of the United States or of any other state or government except shares of stock in any bank bank and trust company national banking association savings institution corporation or limited partnership liable

to a tax on its shares or a gross premiums tax or liable to or relieved from the capital stock or franchise tax for State purposes under the laws of this Commonwealth and all moneys loaned or invested in other states territories the District of Columbia or foreign countries all other moneyed capital owing to individual citizens of the State Provided That this section shall not apply to bank notes or notes discounted or negotiated by any bank or banking institution savings institution or trust company nor to loans shares of stock or other securities held by bankers or brokers solely for trading purposes nor to accounts or debit balances owing by customers of bankers or brokers in the usual courses of business nor to interest bearing accounts in any bank or banking institution savings institution employes' thrift or savings association whether operated by employes or the employer or trust company nor to personal property held in the commercial department and owned in its own right by a banking institution savings institution or trust company in liquidation by a receiver trustee or other fiduciary nor to personal property formerly held by a banking institution in its own right but assigned by it to one or more trustees for liquidation and payment to the creditors and stockholders of such banking institutions it being the intent and purpose of this proviso that no tax be assessed or collected for the years one thousand nine hundred and thirty-five one thousand nine hundred and thirty-six one thousand nine hundred and thirty-seven one thousand nine hundred and thirty-eight one thousand nine hundred thirty-nine one thousand nine hundred and forty and thereafter upon the personal property enumerated herein nor shall this act apply to the proceeds of any life insurance policy held in whole or in part by the insurer nor the principal value of annuities nor to any personal property held in any trust forming part of a stock bonus pension or profit sharing plan of an employer for the exclusive benefit of his employes or their beneficiaries which trust under the latest ruling of the Commissioner of Internal Revenue is exempted from Federal income tax And provided further That the provisions of this act shall not apply to building and loan associations or to shares of stock issued by building and loan associations or to savings institutions having no capital stock and if at any time either now or hereafter any persons individuals or bodies corporate have agreed or shall hereafter agree to issue his their or its securities bonds or other evidences of indebtedness clear of and free from the said four mills tax herein provided for or any part thereof or have agreed or shall hereafter agree to pay the same nothing herein contained shall be so construed as to relieve or exempt him it or them from paying the said four mills tax on any of the said such securities bonds or other evidences of indebtedness as may be held owned by or owing to the said savings institution having no capital stock And provided further That the provisions of this act shall not apply to fire companies firemen's relief associations life casualty or fire insurance corporations having no capital stock secret and beneficial societies labor unions and labor union relief associations and all beneficial organizations paying sick or death benefits or either or both from funds received from voluntary contributions or assessments upon members of such associations societies or unions And provided further That corporations limited partnerships and joint-stock associations liable to tax on their shares or the aforesaid capital stock or franchise tax for State purposes shall not be required to make any report or pay any further tax under this section on the mortgages bonds and other securities owned by them in their own right but corporations limited partnerships and joint-stock associations holding such serities as trustees executors administrators guardians or in any other manner except as mere custodian for the real owner and except as executor or administrator of the estate of a nonresident decedent and except as trustee for a resident or nonresident religious charitable or educational organization no part of the net earnings of which inures to the benefit of any private stockholder or individual shall return and pay the tax imposed by this section upon all securities so held by them as in the case of individuals And provided further That none of the classes of property made taxable by this section for county purposes and in cities coextensive with counties for city and county purposes shall be taxed or taxable for any other local purpose under the laws of this Commonwealth And provided further That the provisions of this section shall not apply to personal property of the class hereinabove enumerated received or acquired with proceeds of money or property received from any person or persons copartnership or unincorporated association or company nonresident in or not located within this Commonwealth or from any joint-stock company or association limited partnership bank or corporation formed erected or incorporated by under or in pursuance of any law of the United States or of any state or government other than this Commonwealth by any person or persons copartnership unincorporated association company joint-stock company or association limited partnership bank or corporation as active trustee agent attorney-in-fact or in any other capacity for the use benefit or advantage of any person or persons copartnership or unincorporated association or company nonresident in or not located within this Commonwealth or for the use benefit or advantage of any joint-stock company or association limited partnership bank or corporation formed erected or incorporated by under or in pursuance of any law of the United States or of any state or government other than this Commonwealth nor shall the provisions of this section apply to personal property held for the use benefit or advantage of any resident who shall have in each of the ten preceding calendar years given or contributed all of his net income to any corporation organized or operated exclusively for religious charitable scientific literary or educational purposes

The value of the equitable interest in any personal property made subject to tax by this section shall be measured by ascertaining the value of the personal property in which such resident has the sole equitable interest or in case of divided equitable interests in the same personal property then by ascertaining such part of the value of the whole of such personal property as represents the equitable interest of such resident therein

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	Farrell,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Mehauser,	Wagner,
Chapman,	Holland	Rosenfeld,	Walker,
Crider,	Homsher	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Lane,	Stevenson,	Wood, L. H.,
Doehla,	Leader,	Stiefel,	Wood, T. N.,
Donlan,	Letzler,	Tallman,	Woodring,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 448, as follows:

An Act to further amend section one of the act approved the twenty-fourth day of July one thousand nine hundred thirteen (P. L. 1013) entitled "An act regulating the issuance of licenses to marry prohibiting the issuance of such licenses to certain persons regulating the time during which licenses shall be valid and the time when returns shall be made of marriages solemnized to the clerk of the orphans' court and prescribing the duties of the clerk of the orphans' court" by permitting a master duly appointed by the orphans' court to authorize the issuance of marriage licenses in cases of emergency or extraordinary circumstances

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one of the act approved the twenty-fourth day of July one thousand nine hundred thirteen (P. L. 1013) entitled "An act regulating the issuance of licenses to marry prohibiting the issuance of such licenses to eurtain persons regulating the time during which licenses shall be valid and the time when returns shall be made of marriages solemnized to the clerk of the orphans' court and prescribing the duties of the clerk of the orphans' court" as amended by the act approved the seventh day of May one thousand nine hundred thirty-five (P. L. 152) is hereby further amended to read as follows

Section 1 Be it enacted &c That no license to marry shall be issued except after three days from the day of making application therefor and upon written and verified application to the clerk of the orphans' court Provided That in cases of emergency or extraordinary circumstances a judge of the orphans' court or a master duly appointed by said court may authorize the license to be issued at any time before the expiration of said three days Such application shall contain a statement of the full Christian name and surname color occupation birthplace residence and ages of the parties whether the marriage contemlated is the first second or other marriage and that neither of the contracting parties is afflicted with a transmissible disease together with the full Christian name and surname residence color occupation and birthplace of their parents including the maiden name of the mother together with such other facts as may be necessary to determine whether any legal impediment to the proposed marriage exists Such application shall be recorded by the clerk together with the license and certificate of marriage in a book provided for that purpose which book shall be a public record

Section 2 The provisions of this act shall become effective on the first day of the month succeeding the date of its final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	Farrell,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahauser,	Wagner,
Chapman,	Holland	Rosenfeld,	Walker,
Crider,	Homsher	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Lane,	Stevenson,	Wood, L. H.,
Doehla,	Leader,	Stiefel,	Wood, T. N.,
Donlan,	Letzler,	Tallman,	Woodring,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 453, as follows:

An Act to amend section fourteen of Article XIX of the act approved the twenty-fifth day of June one thousand nine hundred nineteen (P. L. 581) entitled "An act for the better government of cities of the first class of the Commonwealth" by extending the time for posting of eligible lists after examination held by the Civil Service Commission when more than one thousand applicants are examined

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section fourteen of Article nineteen of the Act approved the twenty-fifth day of June one thousand nine hundred nineteen (P. L. 581) entitled "An act for the better government of cities of the first class of the Commonwealth" is hereby amended to read as follows

Section 14 All examinations shall be free impartial and practical in their character and shall deal with the duties and requirements of the position to be filled They may include examinations of physical fitness and manual skill Examinations shall be in charge of the chief examiner except when a commissioner acts as examiner The commission may call on other persons either within or without the city service to draw up conduct or mark examinations and when such persons are connected with the city service it shall be deemed a part of their official duty to act as examiners without extra compensation In entrance and promotion examinations the oral part shall not receive a mark exceeding one-fourth of the whole mark attainable in such examination Honorably discharged soldiers sailors and marines who have served as such in the Army Navy or Marine Corps of the United States or in the National Guard of this State shall be given full credit for their experience gained in such service having due regard to the position for which the examination is held As many examinations shall be held as may be necessary to provide eligibles for each grade of the service and to meet all requisitions and to fill all positions held by temporary appointees From the return and report of the examiners or from the examinations made by the commission it shall prepare a list of eligibles for such grade Such persons shall take rank upon the list in the order of their relative fitness as determined by the examination without reference to priority of time of examination The markings of all examinations shall be completed and the resulting eligible list posted within sixty days from the date of the examination Provided That if the number of applicants taking the examinations shall exceed one thousand the time for completion of the markings and posting of the eligible list shall be extended by fifteen days and shall be further extended by fifteen days for each additional thousand applicants who actually competed in the examination The commission shall maintain a civil list of all persons in the classified service showing in connection with each name the position held the date and character of every appointment and of every subsequent change in status Each appointing officer shall promptly transmit to the commission all information required for the establishment and maintenance of said civil list. The commission shall keep minutes of its own proceedings All minutes examination papers eligible lists and other records of the commission except as hereinafter specifically provided as well as all recommendations and correspondence relating to applicants for office or employment received by the commission or by any officer having authority to make appointments shall be preserved and shall subject to reasonable regulations as to the time of examination be open to public inspection during ordinary business hours Provided however That statements of former employers of applicants for office or employment shall be considered strictly confidential and that these alone shal not be open to examination by any person not employed by the commission nor by such applicant even though employed by the commission

And said bill having been read at length te third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as fololws, viz:

YEAS—48

Barr,	Farrell,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahauser,	Wagner,
Chapman,	Holland	Rosenfeld,	Walker,
Crider,	Homsher	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Lane,	Stevenson,	Wood, L. H.,
Doehla,	Leader,	Stiefel,	Wood, T. N.,
Donlan,	Letzler,	Tallman,	Woodring,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 487, as follows:

An Act to amend the act approved the twenty-fifth day of May one thousand nine hundred forty-five (P. L. 1050) entitled "An act relating to the collection of taxes levied by counties county institution districts cities of the third class boroughs towns townships certain school districts and vocational school districts conferring powers and imposing duties on tax collectors courts and various officers of said political subdivisions and prescribing penalties" changing the method of furnishing notices of taxes

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section six of the act approved the twenty-fifth day of May one thousand nine hundred forty-five (P. L. 1050) entitled "An act relating to the collection of taxes levied by counties county institution districts cities of the third class boroughs towns townships certain school districts and vocational school districts conferring powers and imposing duties on tax collectors courts and various officers of said political subdivisions and prescribing penalties" is hereby amended to read as follows

Section 6 Notices of Taxes When any duplicate of taxes assessed is issued and delivered by any taxing district to the tax collector he shall within thirty days after receiving the tax duplicate notify every taxable whose name appears on such duplicate Such notice shall contain (1) the date of the tax notice (2) the rate or rates of taxation (3) the valuation and identification of the real property of such taxpayer (4) the occupation valuation of such taxpayer if any (5) the several amounts of real and personal property and personal taxes for which said taxpayer is liable for the current year (6) the total amount of said taxes (7) a statement that such taxes are due and payable and (8) a request for payment thereof A separate notice shall be issued for each parcel of real property of a taxable Personal property and personal taxes may be included on any one of such tax notices Such notices shall further designate a place and time where the taxes shall be paid and state the time during which an abatement of tax will be allowed when full amount of tax will be collected and when an additional percentage will be added as a penalty Such notice shall be mailed or delivered to the last known post office address of each of said taxables Any such notice may include information as to taxes levied by two or more taxing districts

The Department of Internal Affairs shall prepare a uniform form of tax notice and supply specimen copies thereof to the county commissioners of the several counties for distribution to tax collectors

And said bill having been read at length te third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as fololws, viz:

YEAS—48

Barr,	Farrell,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahauser,	Wagner,
Chapman,	Holland	Rosenfeld,	Walker,
Crider,	Homsher	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Lane,	Stevenson,	Wood, L. H.,
Doehla,	Leader.	Stiefel,	Wood, T. N.,
Donlan,	Letzler,	Tallman,	Woodring,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS POSTPONED

Mr. WAGNER. Mr. President. I move that House Bill No. 487, on third reading, entitled:

An Act to add subsection three point one to section eight of the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by further providing for certain Commonwealth contributions to the fund

be placed on the Postponed Calendar.

Mr. TALLMAN. Mr. President, I second the motion.

The motion was agreed to.

Mr. TALLMAN. Mr. President. I move that Senate Bill No. 505, on third reading, entitled:

An Act to further amend the act approved the fourth day of June one thousand nine hundred forty-three (P. L. 886) entitled "An act creating a Municipal Employes' Retirement System for the payment of retirement allowances to officers and employes of political subdivisions and institutions supported and maintained by them and providing for the administration of the same by a board composed of certain state officers and others appointed by the Governor imposing certain duties on the State Employes' Retirement Board and the actuary thereof providing the procedure whereby political subdivisions may join such system and imposing certain liabilities and obligations on such political subdivisions in connection therewith and as to certain existing retirement and pension systems and upon officers and employes of such

political subdivisions and institutions supported and maintained by them providing certain exemptions from taxation execution attachment levy and sale and making an appropriation" changing the provisions relating to prior service and defining prior salary changing the superannuation retirement age eliminating the requirement for joinder of system by twenty-five municipalities reducing the amount of contributions by members and changing provisions relating to retirement allowances

be placed on the Postponed Calendar.

Mr. WAGNER. Mr. President, I second the motion.

The motion was agreed to.

BILLS OVER IN ORDER

Mr. STEVENSON. Mr. President, I ask unanimous consent that Senate Bill No. 506, on third reading, entitled:

An Act to further amend the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth six seventh and eighth classes and revising amending and consolidating the laws relating thereto" providing for fixing the number and compensation of all appointed officers deputies assistants clerks and other persons whose compensation is paid out of the county treasury whether employed by the county the courts or by any judge thereof creating a salary board in each county defining its powers and duties providing for appeals and repealing inconsistent acts

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. STEVENSON. Mr. President, I ask unanimous consent that Senate Bill No. 507, on third reading, entitled:

An Act abolishing all existing county salary boards and providing for the transfer of their books records and property

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 514, as follows:

An Act to amend the act approved the thirteenth day of June one thousand eight hundred eighty-three (P. L. 122) entitled "A supplement to an act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved April twenty-ninth one thousand eight hundred and seventy-four providing for the improvement amendment and alteration of the charaters of corporations of the second class and authorizing the incorporation of traction motor companies" by changing the requirements for advertising notice of intention to improve amend or alter a charter incorporated under said supplement

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two of the act approved the thirteenth day of June one thousand eight hundred eighty-three (P. L. 122) entitled "A supplement to an act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved April twenty-ninth one thousand eight hundred and seventy-four providing for the improvement amendment and alteration of the charters of corporations of the second class and authorizing the incorporation of traction motor companies" is hereby amended to read as follows

Section 2 The corporation desiring such improvement amendment or alteration shall give notice of the intention to apply therefor [in two newspapers of general circulation printed in the county wherein the principal office or place of busines of said corporation is located once a week for three weeks setting] by advertising one time in two newspapers published in the English language one of which shall be a newspapers of general circulation and the other the legal newspaper if any designated by the rules of the court for the publication of legal notices otherwise in two newspapers of general circulation published in the county in which the registered office of the corporation is located Where there is but one newspaper of general circulation published in any county advertisement in such newspaper shall be sufficient Advertisements shall appear at least three days prior to the day on which the improvement amendment or alteration of the articles of incorporation are presented for filing with the Department of State and shall set forth briefly the character and objects of the desired improvements amendments or alterations and the intention to make application therefor

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	Farrell,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahauser,	Wagner,
Chapman,	Holland	Rosenfeld,	Walker,
Crider,	Homsher	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Lane,	Stevenson,	Wood, L. H.,
Doehla,	Leader,	Stiefel,	Wood, T. N.,
Donlan,	Letzler,	Tallman,	Woodring,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 517, as follows:

An Act to further amend sections eight hundred eight and one thousand one hundred one of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 364) entitled "An act relating to business corporations defining and providing for the organization merger consolidation reorganization winding up and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and shareholders prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the second class within the provisions of this act prescribing the terms and conditions upon which foreign business corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas and certain State departments commis-

sions and occers authorizing certain State departments boards commissions or officers to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" eliminating requirement that certificates of clearance be filed with articles of amendment or of dissolution

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section eight hundred eight of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 364) entitled "An act relating to business corporations defining and providing for the organization merger consolidation reorganization winding up and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and shareholders prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the second class within the provisions of this act prescribing the terms and conditions upon which foreign business corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas and certain State departments commissions and officers authorizing certain State departments boards commissions or officers to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations as amended by section five of the act approved the thirty-first day of July one thousand nine hundred forty-one (P. L. 636) is hereby further amended to read as follows

Section 808 Filing of Articles of Amendment The articles of amendment proof of the advertisement heretofore required in this article [and a certificate or certificates from the proper department or departments evidencing payment by the corporations of all bonus taxes and charges as required by law] shall be delivered by the corporation or its representatives to the Department of State If the Department of State finds that such articles conform to law [and that the certificate evidencing payment of bonus or taxes or charges delivered therewith is in proper form] it shall upon payment of the filing fee forthwith but not prior to the day specified in the advertisement required by the preceding section endorse its approval thereon and shall file the articles and issue to the corporation or its representatives a certificate of amendment to which shall be attached a copy of the approved articles

Section 2 Section one thousand one hundred one of said act as amended by the act approved the thirty-first day of July one thousand nine hundred forty-one (P. L. 636) is hereby further amended to read as follows

Section 1101 Voluntary Dissolution by Incorporators The incorporators of a business corporation which has not commenced business or which has not issued any shares may effect the dissolution of the corporation by filing articles of dissolution with the Department of State The articles of dissolution shall be executed under the seal of the corporation signed and verified by a majority of the incorporators and shall set forth

(1) The name of the corporation

(2) The address including street and number if any of its registered office

(3) The date of its incorporation

(4) That the corporation has not commenced business and that none of its shares has been issued

(5) That the amount if any actually paid in on subscription to its shares less any part thereof disbursed for necessary expenses has been returned to those entitled thereto

(6) That no dbts of the corporation remain unpaid

(7) That all the incorporators elect that the corporation be dissolved

The articles of dissolution shall be delivered to the Department of State [together with a certificate or certificates from the proper department or departments evidencing payment by the corporation of all bonus taxes and charges as required by law] If the Department of State finds that the articles conform to law [and that the certificate delivered therewith evidencing payment of bonus or taxes or charges is in proper form] it shall upon payment of the filing fee endorse its approval thereon and shall file the articles and issue a certificate of approval thereon and shall file the articles and issue a certificate of dissolution to the incorporators or their representatives to which shall be attached a copy of the approved articles Upon the issuance of the certificate of dissolution the existence of the corporation shall cease

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	Farrell,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahauser,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsher,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Lane,	Stevenson,	Wood, L. H.,
Doehla,	Leader,	Stiefel,	Wood, T. N.,
Donlan,	Letzler,	Tallman,	Woodring,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 525, as follows:

An Act to amend section eight hundred seven of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 364) entitled "An act relating to business corporations defining and providing for the organization merger consolidation reorganization winding up and dissolution of such corporations conferring certain rights power duties and immunities upon them and their officers and shareholders prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corportions of the second class within the provisions of this act prescribing the terms and conditions upon which foreign business corporations may be admitted or may continue to do busines within the Commonwealth conferring powers and imposing duties on the courts of common pleas and certain State departments and commissions and officers authorizing certain State departments boards commissions or officers to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" providing for advertisement of articles of amendment after adoption by shareholders

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section eight hundred seven of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 364) entitled "An act relating to business corporations refining and providing for the organization merger consolidation reorganization winding up and dissolution of such corporations conferring certain rights

powers duties and immunities upon them and their officers and shareholders prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the second class within the provisions of this act prescribing the terms and conditions upon which foreign business corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas and certain State departments commissions and officers authorizing certain State departments boards commissions or officers to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" is hereby amended to read as follows

Section 807 Advertisement [The] After an amendment has been adopted by the shareholders the corporation shall advertise its intention to file articles of amendment with the Department of State in a manner similar to that heretofore prescribed in this act in the case of the formation of a business corporation Advertisements shall appear at least three days prior to the day upon which the articles of amendment are presented to the Department of State and shall set forth briefly

(1) The name and location of the registered office of the corporation

(2) A statement that the articles of amendment are to be filed under the provisions of this act

(3) The nature and character of the proposed amendment

(4) The time when the articles of amendment will be filed with the Department of State

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	Farrell,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahauser,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsher,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Lane,	Stevenson,	Wood, L. H.,
Doehla,	Leader,	Stiefel,	Wood, T. N.,
Donlan,	Letzler,	Tallman,	Woodring,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 527, as follows:

An Act to further amend section nine hundred four of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 364) entitled "An act relating to business corporations defining and providing for the organization merger consolidation reorganization winding up and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and shareholders prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the second class within the provisions of this act prescribing the terms and conditions upon which foreign business corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas and certain State departments commissions and officers authorizing certain State departments boards commissions or officers to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" limiting requirement to advertise intention to file articles of merger or consolidation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section nine hundred four of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 364) entitled "An act relating to business corporations defining and providing for the organization merger consolidation reorganization winding up and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and shareholders prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the second class within the provisions of this act prescribing the terms and conditions upon which foreign business corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas and certain State departments commissions and officers authorizing certain State departments boards commissions or officers to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" as last amended by the act approved the twenty-third day of May one thousand nine hundred forty-five (P. L. 937) is hereby further amended to read as follows

Section 904 Advertisement Each constituent corporation subject to the provisions of this act shall advertise its intention to file articles of merger or articles of consolidation as the case may be with the Department of State in a manner similar to that heretofore prescribed in this act in the case of the formation of a business corporation Advertisements shall appear at least three days prior to the day on which the articles of merger or articles of consolidation are presented to the Department of State and shall set forth briefly

(1) The name and the location of the registered office of each of the corporations intending to merge or consolidate

(2) The name and the location of the proposed registered office of the surviving or new corporation

(3) A statement that the articles of merger or consolidation are to be filed under the provisions of this act

(4) The purpose or purposes of the surviving or new corporation

(5) The time when the articles of merger or consolidation will be delivered to the Department of State

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	Farrell,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahauser,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsher,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Lane,	Stevenson,	Wood, L. H.,

Doehla,	Leader,	Stiefel.	Wood, T. N.,
Donlan,	Letzler,	Tallman,	Woodring,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL POSTPONED

Mr. TALLMAN. Mr. President, I move that Senate Bill No. 528, on third reading, entitled:

An Act to add section four hundred fifty-one to the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" providing for training of volunteer fire companies by counties of the second class

be placed on the Postponed Calendar.

Mr. HEYBURN. Mr. President, I second the motion.

The motion was agreed to.

BILLS OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 532, on third reading, entitled:

An Act to amend section twenty of the act approved the twenty-fifth day of May one thousand nine hundred forty five (P. L. 1050) entitled "An act relating to the collection of taxes levied by counties county institution districts cities of the third class boroughs towns townships certain school districts and vocational school districts conferring powers and imposing duties on tax collectors courts and various officers of said political subdivisions and prescribing penalties" making a husband liable for his wife's per capita poll and occupation taxes and providing for the collection thereof

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 536, on third reading, entitled:

An Act regulating the discharge of police officers in townships of the second class and in boroughs and townships of the first class having police forces of less than three members

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 543, on third reading, entitled:

An Act ratifying confirming and validating certain sales of unused and unnecessary lands sold by any Board of School Directors

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 557, entitled:

An Act providing for and regulating the merger and consolidation of corporations organized for the transportation and storage of oil by means of pipe lines and tanks; defining the rights and powers of the surviving or new corporation; providing for the service of process on foreign corporations; and defining the rights of dissenting stockholders.

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. BECKER. Mr. President, I ask unanimous consent to introduce amendments to this bill.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend Sec. 7, page 10, line 11, by striking out the word "lines" and inserting in lieu thereof "line"; Amend Sec. 7, page 12, line 12, by striking out the word "lines" and inserting in lieu thereof "line"; Amend Sec. 8, page 13, line 15, by striking out the word "objections" and inserting in lieu thereof "objection"; Amend Sec. 8, page 14, line 5, by striking out the word "stockholders" and inserting in lieu thereof "stockholder"; Amend Sec. 8, page 15, line 14, by striking out the word "stockholders" and inserting in lieu thereof "stockholder"; Amend Sec. 8, page 15, line 19, by striking out the word "ward" and inserting in lieu thereof "award"; Amend Sec. 8, page 16, line 3, by striking out the word "dessenting" and inserting in lieu thereof "dissenting."

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

It was agreed to.

And said bill having been read at length the third time, and agreed to, as amended,

Ordered, That the bill as amended, lie over for printing on final passage.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 563, as follows:

An Act to amend clause (a) and the first paragraph of clause (b) of section three hundred twenty-four of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by further regulating the notice of meetings required to be given stockholders in certain cases

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause (a) and the first paragraph of clause (b) of section three hundred twenty-four of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating

to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" are hereby amended to read as follows

Section 324 Proceedings to Increase Capital Stock Any such insurance company desirous of increasing its capital stock shall by resolution of its board of directors adopted by a majority of the entire number thereof declare such purpose and thereupon by resolutions similarly adopted direct that the question of such proposed increase shall be submitted to the stockholders of such corporations for their consent either

(a) At any prescribed regular annual meeting or adjournment thereof the notice whereof stating inter alia that such subject would be considered thereat shall have been published once a week for sixty days prior to such meeting in at least one newspaper published in the county city or borough wherein the chief office or place of business of the cororation is situate or shall have been mailed to each stockholder at least [thirty (30)] sixty (60) days prior to such meeting At such meeting the question shall be submitted to the stockholders and it shall be the duty of the president and secretary of said meeting by such agencies or methods as to them may seem meet to ascertain whether the persons and bodies corporate holding the larger amount in value of the stock of said company shall have consented to such increase and upon being so satisfied to certify in duplicate the fact under oath duly administered Should a stock vote be duly demanded at said meeting it shall be the duty of the president and secretary in ascertainment of the fact of the consent to cause such vote to be taken at the same time and place by the same persons and in the same manner as the vote for directors of such company shall be taken or

(b) At a special meeting of the stockholders notice of the time place and object of which shall have been published once a week for sixty (60) days prior to said meeting in at least one newspaper published in the county city or borough wherein such office or place of business is situated or shall have been mailed to each stockholder at least [thirty (30)] sixty (60) days prior to such meeting At such meeting or any adjournment thereof an election of the stockholders shall be taken for or against such increase which shall be conducted by three judges stockholders of such company appointed by the board of directors to hold said election and if one or more of said judges are absent the judge or judges present shall appoint a judge or judges who shall act in the place of the judge or judges absent The judges shall respectively take and subscribe an oath or affirmation before an officer authorized by law to administer the same well and truly and according to law to conduct such election to the best of their ability The judges shall decide upon the qualifications of voters and when the election is closed count the number of shares voted for and against such increase and declare whether the persons and bodies corporate holding the larger amount of the stock of such corporation have consented to such an increase or refused to consent thereto and shall make out duplicate returns of said election stating the number of shares of stock that voted for such increase and the number that voted against such increase and subscribe and deliver the same to one of the chief officers of said company

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	Farrell,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahauser,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsher,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Lane,	Stevenson,	Wood, L. H.,
Doehla,	Leader,	Stiefel,	Wood, T. N.,
Donlan,	Letzler,	Tallman,	Woodring,

NAYS—0

A majority of all the Senators having voted "aye" th question was determined in the affirmative.

Ordered, That the Clerk present said bill to the Hous of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and con sideration of House Bill No. 646, as follows:

An Act to further amend clause two of section nine o the act approved the twenty-fifth day of May one thou sand nine hundred thirty-three (P. L. 1050) entitle "An act creating and establishing a fund for the car maintenance and relief of aged retired and disable employes of the bureau of fire in cities of the secon class creating a board for the management thereof pro viding the mode and manner of payment to beneficiarie and for the care an ddisposition of its funds and pro viding for the transfer and payment of all moneys an securities in existing funds in similar boards supersede by the fund and board herein created" by changing th method of distributing dues paid into the fund in case of deceased firemen

The General Assembly of the Commonwealth of Penn sylvania hereby enacts as follows

Section 1 Clause two of section nine of the act ap proved the twenty-fifth day of May one thousand nin hundred thirty-three (P. L. 1050) entitled "An act cre ating and establishing a fund for the care maintenanc and relief of aged retired and disabled employes of th bureau of fire in cities of the second class creating board for the management thereof providing the mod and manner of payment to beneficiaries and for the car and disposition of its funds and providing for the trans fer and payment of all moneys and securities in existin funds in similar boards superseded by the fund an board herein created" as last amended by the act ap proved the eighteenth day of May one thousand nin hundred forty-five (P. L. 691) is hereby further amende to read as follows

Section 9 Any individual eligible to membership i such fund as aforesaid shall be required

* * * * *

(2) To contribute to said fund five per centum of hi rated monthly salary or wages which shall be deducte from his salary or wages by the city controller from th payroll for the last half of each month and paid into th fund All beneficiaries of the fund shall in addition theret pay the sum of one dollar a month into the said fun and in the case of active members the city controlle shall deduct said contribution from the payroll of th last half of each month and the secretary of the fun shall deduct the sum of one dollar from the pension pai each pensioner The amount so collected shall be pai into the firemen's relief and pension fund and out of th funds of the firemen's relief and pension fund there sha be paid to the beneficiary of any deceased member o the fund the sum of one thousand two hundred dollars

When any member of the fund shall resign or be dis missed from service [or shall die while in active servic

here shall be paid to him or to his executor or administe if his service has been terminated by death from he fund all dues paid by him into the fund] there shall e paid to him from the fund a sum of money equal to ll dues paid by him into the fund without interest When ny member of the fund shall die in active service there hall be paid from the fund a sum of money equal to all lues paid by him into the fund without interest to his vidow if there be such widow or in the absence of such vidow to such person or persons as he shall have desigated on a form prepared and approved by the board for uch purpose or in the absence of such widow and such lesignation to his estate When any beneficiary shall die efore he has received pension payments equal in amount o his total contributions to the fund there shall be paid a sum of money equal to the difference between the mount of his said contributions and the amount he shall ave received as pension payments without interest to is widow if there be such widow or in the absence of uch widow to such person or persons as he shall have lesignated on a form prepared and approved by the board or such purpose or in the absence of such widow and such designation to his estate Substitute employes of he bureau of fire shall be credited for pension and pay on the basis of actual days served in the bureau of fire Regular and substitute employes shall serve at least fifteen days in each month and appear on both semimonthly payrolls of said bureau of fire in said month in order to be credited for one month's service for pension under this act

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	Farrell,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahauser,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsher,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Lane,	Stevenson,	Wood, L. H.,
Doehla,	Leader,	Stiefel,	Wood, T. N.,
Donlan,	Letzler,	Tallman,	Woodring,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILLS OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that House Bill No. 770, on third reading, entitled:

An Act to amend section two hundred seven of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 289) entitled "An act relating to non-profit corporations defining and providing for the organization merger consolidation and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and members prescribing the conditions on which such corporations may exericse their powers providing for the inclusion of certain existing corporations of the first class within the provisions of this act prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas prothonotaries of such courts recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" permitting applications for charters to be referred by court to masters only upon objections being filed thereto

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HOMSHER. Mr. President, I ask unanimous consent that (House Bill No. 772, on third reading, entitled:

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employs of certain departments boards and commissions shall be determined" by changing the name of the Thaddeus Stevens Industrial School

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL POSTPONED

Mr. TALLMAN. Mr. President, I move that House Bill No. 838, on third reading, entitled:

An Act to further amend the definition of "Extension education" in section one of the act approved the second day of May, one thousand nine hundred twenty-five (P. L. 492), entitled "An act to provide for the equalization of educational opportunity and the encouragement of the study of citizenship by recognition of extension education, for boys and girls who are employed and for adults, as a function of the public schools of this Commonwealth; and to facilitate the proper organization and administration of such extension education," including recreational or social service for youth and children within the meaning of the term "extension education."

be placed on the Postponed Calendar.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

HOUSE MESSAGE

HOUSE CONCURS IN AMENDMENTS TO HOUSE No. 617

The Clerk of the House of Representatives being introduced, presented communication from the House of Representatives informing the Senate that the House

has concurred in amendments made by the Senate to House Bill No. 617, entitled:

An Act to further amend section four hundred one of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-one (P. L. 1206), entitled "First Class Township Law," further regulating the abolition of wards.

BILLS SIGNED

The PRESIDENT (Lieutenant-Governor Daniel B. Strickler) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 617, entitled:

An Act to further amend section four hundred one of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-one (P. L. 1206), entitled "First Class Township Law," further regulating the abolition of wards.

House Bill No. 640, entitled:

An Act authorizing cities of the first and second classes to enact ordinances prohibiting smoking or the carrying of lighted cigarettes, cigars, pipes or matches or using matches or other fire producing devices in certain retail stores within such cities, and to provide penalties therefor.

Whereupon,

The PRESIDENT (Lieutenant-Governor Daniel B. Strickler) in the presence of the Senate signed the same.

BILLS ON SECOND READING CALENDAR

BILL ON SECOND READING AMENDED

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispend with,

The Senate proceeded to the second reading and consideration of House Bill No. 35, entitled:

An Act to further amend the act approved the twenty-fifth day of July one thousand nine hundred thirteen (P. L. 1024) entitled "An act to protect the public health and welfare by regulating the employment of females in certain establishments with respect to their hours of labor and the conditions of their employment by establishing certain sanitary regulations in the establishments in which they work by requiring certain abstracts and notices to be posted by providing for the enforcement of this act by the Commissioner of Labor and Industry and others by prescribing penalties for violations thereof by defining the procedure in prosecutions and by repealing all acts and parts of acts inconsistent with the provisions thereof" providing for payment of time and one-half for overtime changing hours of labor and restrictions relative to age in certain employments and extending provisions to include additional persons

The first section was read and agreed to.

The second section was read.

On the question,

Will the Senate agree to the section?

Mr. BERGER offered the following amendment:

Amend sec. 2 (Sec. 5), page 7, line 18, by inserting after the word "section]" the following: "Provided, That where the strict application of the night restrictions imposes an unnecessary hardship upon any establishment, the Department of Labor and Industry, with the approval of the Industrial Board may suspend the provisions of ths section as to females who are between the ages of seventeen and eighteen years and who are high school graduates employed in such establishments."

On the question,

Will the Senate agree to the amendment?

Mr. DENT. Mr. President, I may be wrong but it is my opinion that this bill originally was intended to reduce the age limit for women from twenty-one to eighteen, and now this amendement further reduces the age limit from twenty-one to seventeen. Am I right? I only caught that from the reading of the amendment.

Mr. BERGER. Mr. President, the amendment is intended to take care of females between the ages of seventeen end eighteen years, only when they have graduated from high school and are seeking or have obtained employment.

Mr. DENT. I am opposed to this bill, so anything I say now will be prejudiced.

However, I may say to you perhaps if you are seeking to help needy persons who have to work, in most instances the girls between seventeen and eighteen who want jobs cannot afford to go to high school. It is just a question of what you are trying to do with this legislation.

I believe this bill ought to be printed before we pass the amendment. I would like to see the bill kept on second reading, after the amendment has been included.

Mr. MAHANY. Mr. President, I desire to interrogate the gentleman from Potter.

The PRESIDENT. Will the gentleman from Potter permit himself to be interrogated.

Mr. BERGER. I will, Mr. President.

Mr. MAHANY. Senator Berger, what is the purpose of this amendment.

Mr. BERGER. I think the amendment is clear, Senator Mahany; it permits the department to suspend the regulations of the paragraph which it amends, by permitting females between the ages of seventeen and eighteen, who are high school graduates, to be employed under the provisions of the act.

Mr. MAHANY. I do not see any need for such an amendment as this. I think it certainly would be discriminatory. Why pick out high school graduates to be covered by this amendment? Whether it would be for moral reasons or just what it would be for, I do not know, but I can not see why we should discriminate in favor of high school graduates as against non-high school graduates.

I will ask members to vote down the amendments.

Mr. BERGER. Mr. President, I request that House Bill No. 35 go over in its order, for printing, so that the Senators may read the amendment and consider it.

The PRESIDENT. The amendment has not yet been acted on. Does the Senator from Potter desire that the Senate act upon the amendment?

Mr. BERGER. Yes, Mr. President.

And the question recurring,

Will the Senate agree to the amendment?

Mr. JASPAN. Mr. President, I ask for a roll call.

The yeas and nays were required by Mr. JASPAN and were as follows, viz:

YEAS—29

Becker,	Farrell,	Lord,	Wade,
Berger,	Geltz,	Mallery,	Walker,
Blass,	Hare,	Snowden,	Watson,
Chapman,	Heyburn,	Stevenson,	Wilson,
Crider,	Homsher,	Tallman,	Wolfe,
Crowe,	Kephart,	Taylor,	Wood, L. H.,
Doehla,	Letzler,	Tyler,	Wood, T. N.,
Donlan,			

NAYS—16

Barr,	Haluska,	Leader,	Stiefel,
Carr,	Holland,	Mahany,	Tarr,
Dent,	Jaspan,	Rosenfeld,	Wagner,
DiSilvestro,	Lane,	Ruth,	Woodring,

So the question was determined in the affirmative.

The section was agreed to as amended.

The third, fourth and fifth sections and title were read and agreed to.

And said bill having been read at length the second time, as amended.

On the question,

Will the Senate agree to the bill on second reading?

BILL OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent House Bill No. 35, on second reading, as amended, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 41, entitled:

An Act to further amend section eight of the act approved the nineteenth day of July one thousand nine hundred thirty-five (P. L. 1356) entitled "An act to regulate the sale and delivery of solid fuel as herein defined providing for appointment of licensed weighmasters prescribing their powers and duties authorizing substitute licensed weighmasters imposing certain duties on the Department of Internal Affairs and providing penalties" increasing the penalties for violations thereof

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 195, entitled:

An Act to further amend the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 364) entitled "An act relating to business corporations defining and providing for the organization merger consolidation reorganization winding up and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and shareholders prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the second class within the provisions of this act prescribing the terms and conditions upon which foreign business corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas and certain State departments commissions and officers authorizing certain State departments boards commissions or officers to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" changing the time of the inception of corporate existence or authority to do business and the requirements and effect of notices to shareholders in certain cases providing for cancellation of shares acquired by issuing corporation and limiting the rights of dissenting shareholders in certain cases

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 211, on second reading, entitled:

An Act to encourage and promote the apple industry of the Commonwealth; creating the Pennsylvania State Apple Board; defining its powers and duties; providing for campaigns of education, advertising, publicity, sales promotion and research to promote the sale and consumption of Pennsylvania apples; levying a tax on apples; appropriating the proceeds of such tax; conferring powers and imposing duties on the Department of Revenue; and prescribing penalties.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. KEPHART. Mr. President, I ask unanimous consent that Senate Bill No. 218, on second reading, entitled:

An Act to further amend the first paragraph of section nine hundred seventy-six of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by further providing procedure for rejection of nomination petitions papers or certificates

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 317, entitled:

An Act to reenact and amend the title and the act approved the second day of May one thousand nine hundred forty-five (P. L. 375) entitled "An act conferring upon the councils of cities of the first class the power and devolving upon them the duty of fixing and determining the salaries wages and other compensation pay-

able out of the treasury of such cities from and after the first day of January one thousand nine hundred and forty-six of all public officers clerks and other public employes except the salaries of elected officers whose salaries are fixed by law and except the salaries wages or other compensation of officers clerks and employes of the courts which are fixed by law or by the courts" by vesting in city council of cities of the first class the power to fix the salaries wages or other compensation of employes of the courts

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 333, entitled:

An Act to further amend clause (a) of subsection three of section fourteen of the act approved the eighteenth doy of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by providing for an increased employe's annuity

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 389, on second reading, entitled:

An Act to amend section two of the act approved the seventh day of June one thousand nine hundred eleven (P. L. 668 No. 261) entitled "An act to restrain and regulate the use of billiard-tables pool-tables and bagatelle-boards or tables kept and maintained for the use of the general public for hire or reward in cities of the first class in this Commonwealth providing for the granting of licenses and providing for punishments for the violations of the provisions of this act" by requiring applicant for license to have been a resident of the city in which he desires a license for a period of two years immediately preceding the filing of his petition for a license

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 492, entitled:

An Act to amend Section 2 of the act approved the third day of May one thousand nine hundred and thirty-three (P. L. 227) entitled "An act authorizing stock corporations with certain exceptions to make provision for and to issue shares of capital stock of any class or classes or to change shares of authorized or outstanding capital stock of any class into one or more classes with or without nominal or par value and with such designations terms relative rights powers privileges preferences limitations restrictions and qualifications as may be specified regulating such corporations and the liabilities of their directors making other provisions relating to the capital and capital stock of such corporations and repealing all acts or parts of acts inconsistent herewith" by empowering subject to certain conditions the boards of directors of corporations to issue out of the authorized but unissued shares of capital stock the kinds and classes of shares so authorized regulating the creation and issuance of preferred or special stock in series and designating the variations in the relative rights and preferences as between different series and empowering subject to certain conditions the boards of directors of corporations as respects the authorized but unissued shares of preferred or special stock of the corporation to divide the same into series and subject to certain conditions and limitations to fix and determine the relative rights and preferences of any series so established

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 527, on second reading, entitled:

An Act to add (i) to section two hundred one of the act approved the twenty-ninth day of November one thousand nine hundred thirty-three (P. L. 15, 1933-34) entitled as amended "An act to regulate and restrain the sale manufacture possession transportation importation traffic in and use of alcohol and alcoholic and malt or brewed beverages conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents the Department of Public Instruction other officers of the State government courts and district attorneys authorizing the establishment and operation of State tsores for the sale of such beverages not for consumption on the premises and the granting of licenses subject to local option to sell such beverages for consumption on and off the premises for bidding importation or bringing of such beverages into the State except as herein provided prohibiting certain sales or practices in connection with and transactions in such beverages by licensees and others providing for the forfeiture of certain property making disposition of the receipts from State stores and of fees and imposing penalties" empowering Liquor Control Board to warn licensees as to uncleanliness or unsanitary conditions existing on licensed premises and prescribing manner of regulation in such cases

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 552, entitled:

An Act further prescribing the bonds required of foreign corporations contracting for public buildings, public works or projects.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 575, entitled:

An Act concerning the ascertainment of principal and income and the apportionment of receipts and expenses among tenants and remaindermen.

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. WALKER. Mr. President, in offering amendments to Senate Bill 575, should the amendments be accepted by the Senate, I suggest that the bill as amended go over in its order, without having been read, so that the members may have the opportunity of seeing the amendments printed in the bill.

Mr. WALKER offered the following amendment:

Amend Sec. 1, page 1, line 2, by striking out the word "personality" and inserting in lieu thereof "personalty."

It was agreed to.

The section was agreed to as amended.

The second section was read and agreed to.

The third section was read.

On the question,

Will the Senate agree to the section?

Mr. WALKER offered the following amendment:

Amend sec. 3, page 3, line 10, by striking out the word "personality" and inserting in lieu thereof "personalty."

It was agreed to.

The section was agreed to as amended.

The fourth section was read.

On the question,

Will the Senate agree to the section?

Mr. WALKER offered the following amendments:

Amend sec. 4, page 5, line 3, by striking out the word "income" and inserting in lieu thereof "Income"; Amend sec. 4, page 6, line 3, by striking out the word "pyaments" and inserting in lieu thereof "payments."

They were agreed to.

The section was agreed to as amended.

The fifth section was read.

On the question,

Will the Senate agree to the section?

Mr. WALKER offered the following amendments:

Amend Section 5, (subsection 4) page 7, lines 19 and 20 by striking out all of said lines; Amend Section 5, (subsection 4) page 8, lines 1 to 20 inclusive by striking out all of said lines and inserting in lieu thereof the following:

(4) Where a corporation is a party to a merger, consolidation or reorganization or otherwise acquires the assets of another corporation, or where the capital structure of a corporation is changed, either with or without merger or consolidation, and the securities of the surviving, succeeding, reorganized or acquiring corporation, with or without cash or other properties, are issued to the shareholders of the original corporation in like proportion to, or in substitution for their shares in the original corporation, and, prior to the effective date of such merger, consolidation or reorganization, there were arrearages of cumulative preferred or guaranteed dividends, and such arrearages are eliminated in the merger, consolidation or reorganization, so much of the securities and cash and other properties received as is designated by the corporation as a payment in settlement of such arrearages shall be allocated to such arrearages; and the balance of the securities and cash and other properties received shall be deemed principal. In case the corporation does not so designate, the securities received in like proportion to or in substitution for shares upon which there were such arrearages of cumulative preferred or guaranteed dividends at their value as of the effective date of such merger, and the cash and other properties received shall be allocated, first, to principal, in the amount of the inventory value of the said shares of the original corporation, or in default thereof, of their market value at the time the principal was established, or of their cost where purchased later; second, to the arrearages of cumulative preferred or guaranteed dividends, or in satisfaction thereof if less than such amount; and, third, the balance, if any, to principal.

Amend Section 5 (subsection 5) page 9, lines 1 to 12 inclusive by striking out all of said lines and inserting in lieu thereof the following:

(5) Except as otherwise provided in subsection (4) of this section, where a corporation is a party to a merger, consolidation or reorganization, or otherwise acquires the assets of another corporation, and shares of stock, of whatsoever character or whatsoever class or classes, of the surviving, succeeding, reorganized or acquiring corporation, with or without cash or other securities or properties, are issued to the shareholders of a corporation which is a party to such merger, consolidation, reorganization or acquisition of assets, in like proportion to, or in substitution for, their shares in such corporation, all shares of stock so issued and also all cash and other securities and properties which may be so issued, shall be principal.

They were agreed to.

The section was agreed to as amended.

The sixth section was read.

On the question,

Will the Senate agree to the section?

Mr. WALKER offered the following amendment:

Amend sec. 6, page 9, line 18, by striking out the word "discount" and inserting in lieu thereof "Discount."

It was agreed to.

The section was agreed to as amended.

The eigth section was read and agreed to.

The ninth section was read.

On the question,

Will the Senate agree to the section?

Mr. WALKER offered the following amendment:

Amend sec. 9, page 12, line 19, by striking out the word "rsident" and inserting in lieu thereof "resident."

It was agreed to.

The section was agreed to as amended.

The tenth section was read and agreed to.

The eleventh section was read.

On the question,

Will the Senate agree to the section?

Mr. WALKER offered the following amendments:

Amend sec. 11, page 15, line 14, by striking out the words "federal, state" and inserting in lieu thereof "Fed-

eral, State"; Amend sec. 11, page 15, line 19, by striking out the words "federal, state" and inserting in lieu thereof "Federal, State."

They were agreed to.

The section was agreed to as amended.

The twelfth section was read.

On the question,

Will the Senate agree to the section?

Mr. WALKER offered the following amendment:

Amend sec. 12, page 16, line 16, by striking out the word "remainderman" and inserting in lieu thereof "remaindermen."

It was agreed to.

The section was agreed to as amended.

The thirteenth section was read and agreed to.

The fourteenth section was read.

On the question,

Will the Senate agree to the section?

Mr. WALKER offered the following amendments:

Amend sec. 14, page 19, line 1, by striking out the words "and suits against fiduciaries" and inserting in lieu thereof "the survival of causes of action in suits thereupon by or against fiduciaries"; Amend sec. 14, page 19, line 11, by inserting after the word "and" the following: "their amendments and."

They were agreed to.

The section was agreed to as amended.

The fifteenth section was read.

On the question,

Will the Senate agree to the section?

Mr. WALKER offered the following amendment:

Amend sec. 15, page 19, line 16, by striking out the word "remainderman" and inserting in lieu thereof "remaindermen."

It was agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time, as amended,

On the question,

Wil the Senate agree to the bill on second reading?

BILLS OVER IN ORDER

Mr. WALKER. Mr. Presiednt, I ask unanimous consent that Senate Bill No. 575, on second reading, as amended,go over in its order.

The PRESIDENT. Is there objetcion? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 785, on second reading, entitled:

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and al lother assistants and employes of certain departments boards and commissions shall be determined" by creating the Public Service Institute Board in the Department of Public Instruction and defining its powers and duties

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 1016, on second reading, entitled:

An Act to amend section four hundred thirty-nine of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" increasing the membership of the Sanitary Water Board and providing compensation for certain members of such board

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

REPORT FROM COMMITTEE

Mr. STEVENSON. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. STEVENSON, from the Committee on Local Government, reported as committed, House Bill No. 742, entitled:

An Act to amend section one hundred eighty-one of the act approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," permitting sheriffs to succeed themselves.

BILL INTRODUCED AND REFERRED

Mr. LETZLER. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. LETZLER read in place and presented to the Chair Senate Bill No. 623, entitled:

An Act making an appropriation to the trustees of The Pennsylvania State College for the construction of buildings, the furnishing of housing and other facilities and services, the purchase of equipment and supplies, and for other necessary expenses.

Which was committed to the Committee on Appropriations.

REPORT FROM COMMITTEE

Mr. BARR. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BARR, from the Committee on Local Government, reported as committed, House Bill No. 531, entitled:

A Supplement to the act approved the 7th day of March, one thousand nine hundred and one (P. L. 20), entitled "An act for the government of cities of the second class," establishing a department of parks and recreation in said cities; providing for its officers and employes; and defining the powers, duties and jurisdiction of said department.

BILLS ON FIRST READING

Mr. TALLMAN. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. TYLER. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 531, entitled:

A Supplement to the Act approved the 7th day of March one thousand nine hundred and one (P. L. 20) entitled "An act for the government of cities of the second class" establishing a department of parks and recreation in said cities providing for its officers and employees and defining the powers duties and jurisdiction of said department.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 742, entitled:

An Act to amend section one hundred eighty-one of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" permitting sheriffs to succeed themselves

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

ANNOUNCEMENTS BY THE CHAIR

The PRESIDENT. The Chair would like to call to the attention of the Senators at this time that when a motion to adjourn is made, seconded and acted upon, that the Senate is not finally adjourned until announcement is made of the result of the vote by the Chair, and in order to give some aspect of order the Chair requests that the Senators keep their seats until that announcement is made.

POINT OF INFORMATION

Mr. DENT. Mr. President, I rise on a point of information.

The PRESIDENT. The gentleman from Westmoreland will state his point of information.

Mr. DENT. Mr. President, did I understand the Secretary to announce that there will be a meeting of the committee on Mines and Mining on Wednesday, April 23, 1947 at 10:30 a. m.?

The PRESIDENT. That is correct.

Mr. DENT. Mr. President, in view of the hot issue as to smoke in Pittsburgh, and the misunderstanding that seems to prevail on this issue, it is going to be rather embarrassing to certain members of the committee if they can not attend that committee meeting, if they happen to be at the meeting of the Committee on Labor and Industry.

It is rather a peculiar situation that today we can not seem to act as we should act and are entitled to act, but our actions are already predicted for us in the daily newspapers.

I myself intend to vote to bring this bill out but I will not be there, so if the committee chairman will accept my proxy I will give it to him now.

The PRESIDENT. That would not be in order.

Mr. DENT. But, Mr. President, it does pose a problem that I believe ought to be taken into consideration Certain men on this side are vitally interested in this legislation, one way or another, and it places us in an embarrassing situation, inasmuch as no secrets in committee are kept any more.

The PRESIDENT. Unless the gentleman from Westmoreland desires to make a further statement, can not the matter be taken up after the session adjourns?

Mr. DENT. That is perfectly satisfactory, Mr. President.

ADJOURNMENT

Mr TALLMAN. Mr. President, I move that the Senate do now adjourn until Tuesday, April 22, 1947, at 2:00 o'clock, p m., Eastern Standard Time.

Mr. WOLFE. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 5:51 o'clock, p. m., Eastern Standard Time until Tuesday, April 22, 1947, at 2:00 o'clock, p. m., Eastern Standard Time.

HOUSE OF REPRESENTATIVES

MONDAY, April 21, 1947.

The House met at 4:30 p. m.

The SPEAKER (Franklin H. Lichtenwalter) in the Chair.

PRAYER

The Chaplain, Rev. Lester C. Updegrove offered the following prayer:

Blessed heavenly Father, we would turn our hearts to Thee. We are comforted that Thy love springs from Thy compassion rather than from our merits. Be Thou the power within ourselves, that we may contribute to the abiding realities of a great state and nation. In every way enable us to be strong, unselfish, patriotic and fearless in the defense of that which is right and in the condemnation of that which is wrong. We ask it in our dear Redeemer's name. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of Thursday, April 17, 1947.

The Clerk proceeded to read the Journal of Thursday, April 17, 1947, when, on motion of Mr. DEMICH unanimously agreed to, the further reading was dispensed with and the Journal approved.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF RESOLUTION RECALLING HOUSE BILL NO. 509

April 17,1947.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Concurrent Resolution recalling from the Governor House Bill No. 509, Printer's No. 132, for the purpose of further consideration.

Accordingly, the original bill is herewith returned.

JAMES H. DUFF.

COMMUNICATION AND BILL LAID ON TABLE

Mr. TURNER. Mr. Speaker, I move that the bill, together with the communication from the Governor, be laid on the table.

The motion was agreed to.

SENATE MESSAGE

HOUSE BILL CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 640.

An Act authorizing cities to enact ordinances prohibiting smoking or the carrying of lighted cigarettes cigars pipes or matches or using matches or other fire producing devices in certain retail stores within such cities and to provide penalties therefor

With the information that the Senate has passed the same without amendment.

BILL SIGNED BY SPEAKER

Bill numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the title was publicly read as follows:

HOUSE BILL No. 640.

An Act authorizing cities to enact ordinances prohibiting smoking or the carrying of lighted cigarettes cigars pipes or matches or using matches or other fire producing devices in certain retail stores within such cities and to provide penalties therefor

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

SENATE MESSAGES

The Clerk of the Senate being introduced, presented extracts from the Journal of the Senate:

Senate Bills for concurrence 255 and 341.

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 617.

An Act to further amend section four hundred one of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" further regulating the abolition of wards.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend bill, page 3, by inserting after line 9, the following: "Section 2. The provisions of this act shall become effective immediately upon final enactment."

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Frost,	McCosker,	Sax,
Andrews,	Gallagher,	McCullough,	Scanlon,
Bane,	Getchey,	McDonald,	Schuster,
Barrett,	Gibson,	McKinney,	Scott,
Baumunk,	Goff,	McMillen,	Serrill,
Beech,	Goodling,	Mihm,	Shoemaker,
Bender,	Gorman,	Mikula,	Simons,
Bentzel,	Graybill,	Miller,	Smith, C. C.,
Bloom,	Greenwood,	Mills,	Smith, C. M.,
Boies,	Greer,	Mintess,	Snider,
Bonawitz,	Griffiths,	Mohr,	Sollenberger,
Boorse,	Guthrie,	Mooney,	Sorg,
Bower,	Gyger,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenshield,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Bucchin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,
Clevenger,	Jennings,	O'Dare,	Tompkins,
Cochran,	Johnson,	O'Donnell,	Toomey,
Cole,	Johnston,	O'Neill,	Turner,
Cook,	Jones,	Orban,	Upshur,
Cooper,	Jump,	Patten,	Vaughan,
Cordier,	Kean,	Petrosky,	Verona,
Costa,	Kelley,	Pichney,	Wachhaus,
Crowley,	Kemp,	Pickens,	Wagner,
Dague,	Kent,	Polaski,	Waldron,
Dalrymple,	Kirley,	Powers,	Wallin,
Davison,	Kline,	Price,	Walton,
De Long,	Kohl,	Propert,	Waterhouse,
Demech,	Kratz,	Ragot,	Watkins,
Dennison,	Krise,	Readinger,	Watson,
Depuy,	Kurtz,	Reagan,	Weidner,
Dix,	Laughner,	Reese, D. P.,	Weiss,
Dye,	Layer,	Reese, R. E.,	Wescott,
Efenberg,	Lee,	Reilly, J. M.,	West,
Elder,	Leisey,	Reilly, W. J.,	Wheeler,

Erb,	Livingston,	Richter,	Wolf,
Evans,	Livingstone,	Riley,	Wood,
Ewing,	Loftus,	Robbins,	Worley,
Feola,	Lovett,	Robertson,	Yeakel,
Fish,	Lyons,	Root,	Yester,
Fiss,	Madden,	Rose,	Yetzer,
Flack,	Madigan,	Rowen,	Young,
Fleming,	Mazza,	Royer,	Lichtenwalter,
Foor,	McCormack,	Sarraf,	Speaker.

NAYS—0

NOT VOTING—2

Hall, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

BILL SIGNED BY SPEAKER

Bill numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the title was publicly read as follows:

HOUSE BILL No. 617.

An Act to further amend section four hundred one of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" further regulating the abolition of wards

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

CLASS OF MECHANICSBURG HIGH SCHOOL WELCOMED

The SPEAKER. The Chair is pleased to welcome to the session this afternoon the ninth grade class in Pennsylvania History and Government of the Mechanicsburg High School, who are here under the supervision of their teacher, Miss Josephine Fish and their Principal, Prof. James Haggerty.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1165, entitled:

An Act to further amend section five hundred forty-five of the act, approved the first day of May, one thousand nine hundred thirty-three (P. L. 103), entitled "An act concerning townships of the second class; and amending, revising, consolidating and changing the law relating thereto," increasing the pay of auditors.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 293, entitled:

An Act to further amend sections one thousand three one thousand one hundred three one thousand one hundred seven and one thousand eight hundred two of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206), entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto," further regulating the powers and duties of township auditors and controllers and the letting of contracts.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 313, entitled:

An Act to reenact amend and revise the act approved the first day of May one thousand nine hundred and thirty-three (P. L. 103), as amended entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 96, entitled:

An Act relating to contracts of employment between labor unions and public utility companies requiring the submisssion of labor disputes to arbitration and the acceptance of the award of the arbitrators and providing for forfeiture of bargaining rights and of certificates of public convenience in cases of violations

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. ANDREWS. Mr. Speaker, I move that this bill be recommitted to the Committee on Labor Relations for the purpose of a public hearing and possible amendment.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 137, entitled:

An Act to amend section five and to further amend clause (c) of subsection (1) of section six of the act approved the first day of June one thousand nine hundred thirty-seven (P. L. 1168) entitled "An act to protect the right of employes to organize and bargain collectively creating the Pennsylvania Labor Relations Board conferring powers and imposing duties upon the Pennsylvania Labor Relations Board officers of the State government and courts providing for the right of employes to organize and bargain collectively declaring certain labor practices by employers to be unfair further providing that representatives of a majority of the employes be the exclusive representatives of all the employes authorizing the board to conduct hearings and elections and certify as to representatives of employes for purposes of collective bargaining empowering the board to prevent any person from engaging in any unfair labor practice and providing a procedure for such cases including the issuance of a complaint the conducting of a hearing and the making of an order empowering the board to petition a court of common pleas for the enforcement of its order and providing a procedure for such cases providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order and establishing a procedure for such case providing for an appeal from the common pleas court to the Supreme Court providing the board with investigatory powers including the power to issue subpoenas and the compelling of obedience to them through application to the proper court providing for service of papers and process of the board prescribing certain penalties" making unlawful

any agreement or contract requiring a court of common pleas for the enforcement of its order and providing a procedure for such cases providing for the review of an order of the

The first section was read.
On the question,
Will the House agree to the section?

BILL RECOMMITTED

Mr. SORG. Mr. Speaker, I move that this bill be recommitted to the Committee on Labor Relations for the purpose of a public hearing and possible amendment.

The motion was agreed to.

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 195, entitled:

An Act prohibiiting discrimination in rate of pay because of sex conferring powers and imposing duties on the Department of Labor and Industry and prescribing penalties.

The first section was read.
On the question,
Will the House agree to the Section?

BILL RECOMMITTED

Mr. SORG. Mr. Speaker, I move that this bill be recommitted to the Committee on Labor Relations for the purpose of a public hearing and possible amendment.

The motion was agreed to.

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 364, entitled:

An Act to further amend subsection (a) of section two hundred ten of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" increasing the salary of the Commissioner of Fisheries

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 586, entitled:

An Act relating to the public practice of certified public accountants providing for the certification of persons desiring to practice and the listing of persons engaged in practicing as certified public accountants and for the suspension and revocation of such certificates subject to appeal and for their reinstatement prescribing the powers and duties of the State Board of Examiners of Public Accountants and the Department of Public Instruction providing for ownership of working papers defining unlawful acts and acts not unlawful providing penalties and repealing existing laws

The first section was read.
On the question,
Will the House agree to the section?

MOTION TO RECOMMIT

Mr. TURNER. Mr. Speaker, I move that this bill be recommitted to the Committee on Professional Licensure for the purpose of further study and a possible hearing.

On the question,
Will the House agree to the motion?

Mr. O'DONNELL. Mr. Speaker, I am one of the cosponsors on House Bill No. 586, and I might say, if Mr. Turner has any suggestions with respect to the bill I would be glad to hear them on the floor. I think we can discuss this bill very well on the floor of the House here, because we have given every opportunity possible, and we have given every courtesy possible to everybody interested in the bill to give their views.

I did not attend all of the subcommittee meetings, but I am reliably informed that they lasted for many hours. I believe that we considered every phase and every suggestion with regard to accountants, public accountants and certified public accountants and the various Departments of the State that might be interested in the bill.

I, therefore, rise to oppose the motion made by Mr. Turner to recommit this bill.

Mr. TURNER. Mr. Speaker, I realize that what the gentleman from Philadelphia, Mr. O'Donnell, has said about this bill's having been considered for some time by the Committee is correct, because I just had an opportunity to talk to Mr. Krise, the Chairman of the Committee, and one of the sponsors of this bill.

For a long time in this House we have had measures which have affected this question of the registration of certified public accountants and public accountants, the question of the amount of training that is necessary and the question as to whether certain public accounting firms list themselves as certified public accountants. I might say that I have been deluged over the weekend by many certified public accountants and public accountants who live in my district. Some of them were opposed to the bill as it orginally stood and they are still opposed to it. Some of them were in favor of it as it originally stood and were opposed to the bill as amended. I am frank to say, as I said earlier this afternoon to a group interested in another bill, that it leaves us in a dilemma as to just what is the proper course to pursue.

When any professional group is unable among themselves to arrive at a proper determination of legislation, when any professional group is unable to find, at least in the majority of that group what is best for that group, it seems to me ultimately unfair to expect us Members of the House to determine by legislation what rules should govern that particular professional group.

I am given to understand that there are something like nine thousand public accountants in Pennsylvania;

I am given to understand that there are between 1700 and 1800 certified public accountants in Pennsylvania, and the argument used by public accountants is that the tail is wagging the dog; that the minority at times will impose upon the majority some legislation. The minority says that this is for the protection of their profession and for the protection of the public. As a professional man I am naturally very much interested in the protection of not only my own profession but as well in the protection of the public. So, I have seen this question come before this House from time to time and have seen battles seeking to get them out of committee to have them passed. My own thought has been that the things which ought to be done is to see if they can't work out in their profession something that they can agree upon, so that when it comes before the House we can ascertain just what that profession thinks about it. I think it is highly unfair for us to pass this House bill and ask us to vote upon it when we cannot know all of the angles and all of the problems involved.

I would like to say, Mr. Speaker, and I trust the gentleman will not rise to a point of order, that there is another bill, House Bill 703, and it seems to me if this bill is referred to Committee that that bill also should go back to Committee to give us a chance to understand it.

We have had a lot of ticklish problems before the Legislature from time to time, that are referred to the Joint State Government Commission. The Joint State Government Commisssion has gradually, it seems to me, emerged as an agency and has endeavored to study problems that we now have before us such as consumers' credit, to bring about a piece of legislation that has the stamp of approval of the industry.

It would seem to me that this is the kind of Legislation that should be referred to the Joint State Government Commission to study, but nevertheless that is something for the future. I, therefore, ask you to vote to recommit this bill to the Committee on Professional Licensure.

Mr. KRISE. Mr. Speaker, I hope that my voice is going to permit me to reply to the gentleman from Delaware, Mr. Turner, but I am opposed to recommit this bill back to the Committee on Professional Licensure because we have had it now for some six weeks in our hands. We have considered it from every possible angle, and when Mr. Turner says it is unfair for the House to vote upon these measures on this short notice, I might tell him that we have been studying this in Committee for many weeks, and that the bill as it now comes before the House is the nearest thing to a compromise between the certified public acountants and the public accountants that we could arrive at.

Let it be said right from the beginning, that irrespective of what bill would now come up before you, it would be opposed by the public accountants because the first statement made to me as Chairman of the Committee and as a co-sponsor of the bill, by the public accounting profession was that they wanted nothing, that their tactics were to completely kill the bill, for they did not want any licensing arrangement.

Let me just digress a moment here to state that this is not a licensing bill; it is only a certification bill and does not change the status quo one iota from the present operation. We are presently licensing certified public accountants under the Law of 1899. That continued up until the Justice Department in 1942 gave us a ruling that the Board had no authority to accept a prerequisite requirement to the examination. That has thrown some confusion into the Board. All that House Bill No. 586 does today is to set up a requirement, an experience requirement, the only change from the present status quo. An individual today takes his examination without either educational or experience requirement and after he has taken that examination he has two years experience either with a certified public accountant or a public acountant, or in business for himself as a public accountant, and then his certification becomes operative. Whether he has a certificate or whether he has no certificate does not stop him from practicing as a public accountant. The only recognition that we give to an accountant today is that we say to one group "You have now qualified by education and experience and by having passed an examination to go out and say to the world, 'you are capable of conducting an audit, you are capable of operating as a public accountant.' "

If the public wants to hire an individual who is not certified they have that opportunity. If so, we are not stopping any individual today. I can understand why this nine thousand group which my friend from Delaware refers to would not want anything of this kind. I can understand why some twenty thousand just ordinary bookkeepers wouldn't want this certificate. They are all on a parity. Yet I think you all realize that there is a difference in accounting. We start to study accounting and there is no limit to where we can go. All this bill does is that we say that one group has completed a certain amount of study and education. They are setting themselves apart as being capable of doing the work.

If this bill is sent back to Committee you would have the same confusion that you have had for years. Nothing can be gained by sending it back. Let us keep it on the floor and vote on it either as a good or bad bill.

Mr. ANDREWS. Mr. Speaker it is my understanding, that the people who want the bill to go back want it to go back for a hearing, and it would seem to me that in view of what the Chairman of the committee has said, and what has already been said upon this floor that there are certain matters which should be ironed out at a hearing rather than an extended debate upon the floor. I would think that the House could save a great deal of time by sending this bill back for a hearing.

Mr. SORG. Mr. Speaker, I desire to interrogate the gentleman from Clearfield, Mr. Krise.

The SPEAKER. Will the gentleman from Clearfield permit himself to be interrogated?

Mr. KRISE. I shall, Mr. Speaker.

Mr. SORG. Mr. Speaker, has the gentleman had any requests for a public hearing before this time.

Mr. KRISE. Yes, we have, Mr. Speaker. We have had several requests for a hearing, and in consultation with the representative of the C. P. A. We have talked it over with them and asked if there was anyting additional that they could submit in a hearing which they had not already submitted. We asked them to submit briefs representing the various branches of the accounting profession. That has all been given study, so I can

see nothing that would come up at a public hearing in which two or three thousand accountants would get together and tell exactly the same story we have now.

Mr. TURNER. Mr. Speaker, of course, I may not have the background of what has passed before in committee between the Chairman and the representatives. I only know that the representatives of the public accountants who contacted me over the week-end told me what they wanted was a public hearing; that they have asked for a hearing but have never secured it. I don't know anything about the controversy between them, and I am only stating that in fairness to the men who have spoken to me.

Mr. ANDREWS. Mr. Speaker, I would like to call the attention of the House to the fact that the Cairman of the Committee on Professional Licensure has in his file a letter from a well known firm which begins:

> "We represent the Pennsylvania Society of Public Accountants. Our client is of the opinion that the filing of a brief with your Committee with respect to House Bill No. 586 will serve no useful purpose. Hundreds of our members believe that there should be a hearing."

On the question recurring,

Will the House agree to the motion?

The SPEAKER declared the nays appear to have it.

Whereupon, a division was called for, fifty Members voting in the affirmative, and seventy-eight in the negative, the question was determined in the negative, and the motion was not agreed to.

On the question recurring,

Will the House agree to the section?

It was agreed to.

The second section was read and agreed to.

The third section was read.

On the question,

Will the House agree to the section?

Mr. CHUDOFF offered the following amendment:

Amend sec. 3, page 5, lines 8 to 10, by striking out all of said lines.

On the question,

Will the House agree to the amendment?

Mr. O'DONNELL. Mr. Speaker, may I ask the sponsors of the last two amendments to supply the sponsors for the bill with a copy of the amendments. Mr. Charles Smith of Philadelphia has submitted an amendment to which we have agreed. And may me have the benefit of the amendments submitted by the other two gentlemen from Philadelphia?

The SPEAKER. Will the gentlemen from Philadelphia, Messrs. Scanlon and Chudoff supply the sponsors of the bill with a copy of the amendments which they have offered?

Mr. SCANLON. Mr. Speaker, I think that the gentleman from Philadelphia is familiar with the amendments that I have offered. When they are read he will know what they are. I submitted them in Committee.

Mr. O'DONNELL. Mr. Speaker, section 8, which Mr. Chudoff from Philadelphia would like to see amended, reads as follows:

"Authorizing the board, giving certain powers and limiting powers also of the board." Then the subdivision reads: "To become a member of the Association of Certified Public Accountant Examiners or a similar organization"—

The SPEAKER. The Chair might remind the gentleman, that he referred to section 8. We are now amending section 3.

Mr. O'DONNELL. Mr. Speaker, I mean subdivision eight:

> "To become a member of the Association of Certified Public Accountant Examiners or a similar organization and to pay such dues as said association shall establish and to send delegates to the annual meeting of the association and to defray their expenses."

I might say in regard to that subsection,—excuse me, I am talking on another phase, it is subdivision 9 that the gentleman from Philadelphia, Mr. Chudoff, seeks to amend, and that is, "to adopt, promulgate and enforce such administrative rules and regulations not inconsistent with this act or other acts as are necessary and proper to carry into effect the provisions of this act." That is the limitation and also certain powers given to the board who will conduct these examinations, grade papers and do everything to carry out the purpose of this act. If we strike out subdivision 9, I think that we are really killing the bill. I, therefore, rise to oppose the amendment to subdivision 9 of section 3 as has been presented.

Mr. CHUDOFF. Mr. Speaker, I had hoped that we might have a public hearing on this bill so that I might have appeared before the Committee on Professional Licensure and explained to them the purpose of my amendment. This amendment will take away from the board the right to promulgate and enforce such administrative rules and regulations not inconsistent with the act.

The present Board made so many rules that the Justice Department, or the Attorney General's Office, ordered them to stop making these rules. I am afraid, that we are going to have the same thing over again. I don't know whether the Members of the House know, but the board has not even given the results of the last CPA examination to those who took it, although they promised that they would give the results by the first of April. These rules and regulations today that they are setting up are wiping out and probably will wipe out the purpose of this act.

Therefore, I think this section should be stricken from the act to make it properly workable.

On the question recurring,

Will the House agree to the amendment?

It was not agreed to.

On the question recurring,

Will the House agree to the section?

It was agreed to.

The fourth section was read.

On the question,

Will the House agree to the section?

Mr. CHARLES C. SMITH offered the following amendments:

Amend Sec. 4, page 5, line 11, by striking out the letter "A" and inserting in lieu thereof: Except as hereinafter provided a

Amend Sec. 4, page 7, by inserting between lines 13 and 14 the following:

The board may in its discretion issue a certificate to any honorably discharged veteran who shall have served in the armed forces of the United States during any period of World War II prior to the termination of hostilities as declared by the President of the United States with-

out regards to his compliance with either of the experience requirements prescribed herein.

On the question,

Will the House agree to the amendment?

Mr. KRISE. Mr. Speaker, I am heartily in sympathy with the amendment because it takes care of certain soldier boys and we ask for support of the amendment.

The amendments were agreed to.

On the question,

Will the House agree to the sections as amended?

Mr. SCANLON offered the following amendments:

Amend Sec. 4, page 5, lines 11 to 19, both inclusive, by striking out the words "A certificate" in line 11, and all of lines 12, 13, 14, 15, 16, 17, 18 and 19.

Amend Sec. 4, page 6, lines 1 to 20, both inclusive by striking out all of said lines.

Amend Sec. 4, page 7, lines 1 to 11, both inclusive, by striking out all of said lines, and inserting in lieu thereof:

(a) Any person shall be eligible to take the examination as in this act provided who is a citizen of the United States, a resident of the State of Pennsylvania, or who maintains an office in the State for the practice of public accounting, and who is over the age of twenty-one years of good moral character, who has had at least one year of practical accounting experience

(b) That in lieu of the requirements as to education and examination by the board for the examination of public accountants, the board shall accept in the case of applicants who have reached the age of forty years, evidence of ten years practical public experience in the application of accountancy, principles and auditing procedures satisfactory to the State Board for Examination of Public Accountants, subject to review by the Superintendent of Public Instruction, and shall grant to those qualified a certificate of Certified Public Accountant.

On the question,

Will the House agree to the amendments?

Mr. O'DONNELL. Mr. Speaker, I might say that I have had some difficulty in following the amendments, but after realizing that it was an amendment submitted prior to this time in subcommittee and also in the general committee, and realizing the effect of that amendment to this bill, I must say that I as co-sponsor oppose this amendment because it will have the effect of nullifying this bill if enacted into law.

The amendment was not agreed to.

On the question recurring,

Will the House agree to the section as amended?

Mr. ANDREWS. Mr. Speaker, I would like to ask the sponsor whether amendments have been offered to correct line 14 on page 5 of this bill.

The SPEAKER. The gentleman from Cambria desires to interrogate the gentleman from Philadelphia, Mr. O'Donnell. Will the gentleman from Philadelphia permit himself to be interrogated?

Mr. O'DONNELL. I shall, Mr. Speaker.

Mr. ANDREWS. Mr. Speaker, I would like to ask the gentleman from Philadelphia whether an amendment has been offered as yet to correct line 14 on page 5.

Mr. O'DONNELL. Mr. Speaker, just a few minutes ago I discovered that there was a typographical error appearing on page 5. I have an amendment which I will present which I think will cure that typographical error.

Mr. ANDREWS. Mr. Speaker, I would like to ask the gentleman if he is going to amend section four, when he is going to amend it.

Mr. O'DONNELL. Mr. Speaker, I would like to offer the following amendment to section 4 on page 5, line 14.

Amend Sec. 4, page 5, line 14 by striking out the words "BY SERVING"

Amend Sec. 4, page 5, line 14, by inserting after the word "requirements" "by serving"

They were agreed to.

The section was agreed to as amended.

The fifth to seventeenth sections inclusive and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 652, entitled:

An Act to amend sub-section (g) of section nine hundred forty-two and clause (f) of section nine hundred forty-three of Article IX of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by regulating the use of posters comparable to those used by the Game Commission and providing penalties

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 678, entitled:

An Act to amend or further amend Sections five hundred six seven hundred one seven hundred sixteen and clauses (q) of Section seven hundred thirty-one of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1125) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by reducing the penalty for the unlawful possession of live fawn deer requiring the payment of a fee for raccoon possession permits and making it unlawful to aid or assist in the purchase or sale of wild gome

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 703, entitled:

An Act for the protection of the public and the prevention of fraud by prohibiting any person individually or in association or partnership with another person or persons to practice as an accountant auditor certified public accountant or public accountant under a false assumed fictitious or trade name prohibiting any corporation organized or registered after the effective date of this act from engaging in the practice as such and fixing the time when such practice by existing corporations shall entirely cease in this Commonwealth and providing penalties

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 758, entitled:

An Act to further amend the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by further defining "State employe" and "original member" to include Members of the General Assembly at their option and permitting such members to retire under certain circumstances

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 825, entitled:

An Act to further amend the act approved the twenty-fourth day of July one thousand nine hundred thirteen (P. L. 965) entitled "An act defining commodities regulating the sale thereof and providing penalties for violation hereof" by further providing penalties for violations thereof

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 826, entitled:

An Act relating to strikes by public employes providing that such employes by striking terminate their employment providing for reinstatement under certain conditions and prohibiting strikes by public employes

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. SORG. Mr. Speaker, I move that this bill be recommitted to the Committee on Labor Relations for the purpose of a public hearing.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 839, entitled:

An Act to amend the title and to further amend the act approved the thirteenth day of May one thousand nine hundred twenty-seven (P. L. 988) entitled "An act providing for and regulating the State registration of nurses and licensed attendants the annual recording of registration certificates and regulating the profession of nursing and repealing certain existing laws" providing for the registration and licensing of practical nurses and the biennial recording of certificates

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 850, entitled:

An Act to further amend paragraph six of section one of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employes definind the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing and duties upon the heads of departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by further defining State employe to include certain employes of the Department of Highways

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 851, entitled:

An Act to further amend section two hundred twenty-two of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant-Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by providing for leaves of absence with pay for certain employes who receive an hourly or per diem wage

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 914, entitled:

An Act to amend clauses (a) and (d) of section one thousand two hundred sixteen of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by further regulating sabbatical leaves for certain school employes

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 951, entitled:

An Act to add article Seven-A to the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" for the protection of the public health providing for the appointment powers and duties of boards of health and health officers

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 952, entitled:

An Act to further amend section four hundred two of the act approved the fifth day of December one thousand nine hundred thirty-six (P. L. 1937 page 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personal (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" by further defining employes ineligible to compensation

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. SORG. Mr. Speaker, I move that this bill be recommitted to the Committee on Workmen's Compensation for the purpose of a public hearing.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 954, entitled:

An Act to amend section six hundred four of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 289) entitled "An act relating to nonprofit corporations defining and providing for the organization merger consolidation and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and members prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the first class within the provisions of this act prescribing the terms and conditions upon which foreign nonprafit corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas prothonotaries of such courts recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" allowing cemetery companies to give notice of meetings by advertising in newspapers and posting of notices

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1001, entitled:

An Act to provide that Labor Unions shall file certain statements and reports annually with the Department of Labor and Industry imposing powers and duties on the department relative thereto and providing penalties

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. SORG. Mr. Speaker, I move that this bill be recommitted to the Committee on Labor Relations for the purpose of a public hearing.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1020, entitled:

An Act to further amend section seven hundred and six and clause (h) of section nine hundred and three of the act approved the first day of May one thousand nine hundred and twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by increasing annual registration fees of certain trailers and semi-trailers and fixing the maximum gross weight of truck tractors in combination with semi-trailers having two axles

The first section was read.

On the question,

Will the House agree to the section?

Mr. ERB. Mr. Speaker, I desire to have House Bill 1020, Printer's No. 359, passed over today for further study as there are some points I would like to have clarified before this bill comes up for second reading tomorrow.

The SPEAKER. The Chair might say that the gentleman from Somerset has already called up the bill.

Mr. ERB. Well, Mr. Speaker, I was on the floor.

The SPEAKER. The proper action for the gentleman to take, if he does not wish to comply with the request of the sponsor, would be to move to place it on the second reading postponed calendar.

Mr. WAGNER. No, Mr. Speaker, I am opposed to such a motion.

Mr. ERB. Mr. Speaker, that is what I would like to do.

The SPEAKER. The Chair understands that the gentleman from Blair, Mr. Erb, desires to move that House Bill No. 1020 be placed on the second reading postponed calendar, is that correct?

Mr. ERB. That is right, Mr. Speaker.

MOTION TO POSTPONE

Mr. ERB. Mr. Speaker, I move that this bill be placed on the postponed calendar?

On the question.

Will the House agreed to the motion?

Mr. WAGNER. Mr. Speaker, I object to the motion made by the gentleman from Blair, Mr. Erb, for the reason that if there is any additional information on this bill be certainly will be able to get the information he desires before the bill comes up on the third reading and final passage calendar. I have no objection to cooperating with the gentleman after this bill goes over on second reading but I do object to any motion delaying our action on this bill today.

Mr. SORG. Mr. Speaker, I desire to interrogate the gentleman from Somerset, Mr. Wagner.

The SPEAKER. Will the gentleman from Somerset permit himself to be interrogated?

Mr. WAGNER. I shall, Mr. Speaker.

Mr. SORG. Mr. Speaker, do I understand correctly that before this bill will be called up for a vote on final passage, that the gentleman will extend the courtesy of a day or so to the gentleman from Blair, Mr. Erb?

Mr. WAGNER. I will do that, Mr. Speaker.

Mr. SORG. I thank the gentleman, Mr. Speaker.

MOTION TO POSTPONE WITHDRAWN

Mr. ERB. Mr. Speaker, I then withdraw my motion.

The SPEAKER. The gentleman from Blair Mr. Erb withdraws his motion.

On the question recurring,

Will the House agree to the section?

It was agreed to.

The second and third sections and the title were separately read and agreed to.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1021, entitled:

An Act to further amend section two hundred eleven of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 789) entitled as amended "An act relating to insurance establishing an insurance department and amending revising and consolidating the law relating to the licensing qualification regulation examination suspension and dissolution of insurance companies Lloyds associations reciprocal and inter-insurance exchanges and certain societies and orders the examination and regulation of fire insurance rating bureau and the licensing and regulation of insurance agents and brokers the service of legal process upon foreign insurance companies associations or exchanges providing penalties and repealing existing laws" increasing fees for agents' licenses and imposing a fee for written examinations to applicants for certain licenses

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1039, entitled:

An Act authorizing and directing the Delaware River Joint Commission to formulate a specific action program for the promotion of the navigable section of the Delaware River and Bay extending from Trenton New Jersey and Morrisville Pennsylvania to the Atlantic Ocean as a highway of commerce and to make a study for the purpose of formulating a specific plan and report relative to the need for and advisability of constructing additional tunnels or bridges across that section of the Delaware River extending from Trenton New Jersey and Morrisville Pennsylvania to the Delaware Bay and making an appropriation

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. TURNER. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1050, entitled:

An Act to protect consumers in the purchase for fuel purposes of the hard coal known as anthracite providing for and regulating the sale offering for sale resale delivery and shipment of anthracite according to a standard provided for in this act requiring producers and dealers and persons engaged in the sale and resale of anthracite from storage yards or otherwise to consumers to keep certain records conferring powers on the Anthracite Committee and its agents and providing penalties

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1067, entitled:

An Act to amend section one thousand two hundred six of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by further providing for leaves of absence of professional employes because of illness of physical disability

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1071, entitled:

An Act to further amend subsection (1) of section six of the act approved the first day of June one thousand nine hundred thirty-seven (P. L. 1168) entitled "An act to protect the right of employes to organize and bargain collectively creating the Pennsylvania Labor Relations Board conferring powers and imposing duties upon the Pennsylvania Labor Relations Board officers of the State government and courts providing for the right of employes to organize and bargain collectively declaring certain labor practices by employers to be unfair further providing that representatives of a majority of the employes be the exclusive representatives of all the employes authorizing the board to conduct hearings and elections and certify as to representatives of employes for purposes of collective bargaining empowering the board to prevent any person from engaging in any unfair labor practice and providing a procedure for such cases including the issuance of a complaint the conducting of a hearing and the making of an order empowering the board to petition a court of common pleas for the enforcement of its order and providing a procedure for such cases providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order and establishing a procedure for such cases providing for an appeal from the common pleas court to the Supreme Court providing the board with investigatory powers including the powers to issue subpoenas and the compelling of obedience to them through application to the proper court providing for service of papers and process of the board prescribing certain penalties" declaring certain additional labor practices by employers to be unfair

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. SORG. Mr. Speaker, I move that this bill be recommitted to the Committee on Labor Relations for the purpose of a public hearing.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1076, entitled:

An Act to amend subsection two of section six of the act approved the first day of June one thousand nine hundred thirty-seven (P. L. 1168) entitled "An act to protect the right of employes to organize and bargain collectively creating the Pennsylvania Labor Relations Board conferring powers and imposing duties upon the Pennsylvania Labor Relations Board officers of the State government and courts providing for the right of employes to organize and bargain collectively declaring certain labor practices by employers to be unfair further providing that representatives of a majority of the employes be the exclusive representatives of all the employes authorizing the board to conduct hearings and elections and certify as to representatives of employes for purposes of collective bargaining empowering the board to prevent any person from engaging in any unfair labor practice and providing a procedure for such cases including the issuance of a complaint the conducting of a hearing and the making of an order empowering the board to petition a court of common pleas for the enforcement of its order and providing a procedure for such cases providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order and establishing a procedure for such cases providing for an appeal from the common pleas court to the Supreme Court providing the board with investigatory powers including the power to issue subpoenas and the compelling of obedience to them through application to the proper court providing for service of papers and process of the board prescribing certain penalties" declaring certain additional labor practices by employes to be unfair

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. SORG. Mr. Speaker, I move that this bill be recommitted to the Committee on Labor Relations for the purpose of a public hearing.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1086, entitled:

An Act to amend rule fifteen of Article XII of the act approved the second day of June one thousand eight hundred ninety-one (P. L. 176) entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith" further regulating operations approaching inaccessible workings

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. HEWITT. Mr. Speaker, I move that this bill be recommitted to the Committee on Mines and Mining for the purpose of a public hearing and possible amendment.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1087, entitled:

An Act to amend rule four of Article XII of the act approved the second day of June one thousand eight hundred ninety-one (P. L. 176) entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith" requiring weekly examinations of all accessible parts of an abandoned portion of a mine in which mine explosive gases have at any time been found

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. HEWITT. Mr. Speaker, I move that this bill be recommitted to the Committee on Mines and Mining for the purpose of a public hearing and possible amendment.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 78, entitled:

An Act to further amend clauses (k), (s) and (y) of section four and to re-enact and further amend section three hundred one of the act, approved the fifth day of December, one thousand nine hundred thirty-six (1937 P. L. 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis; requiring employers to keep records and make reports, and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons; providing procedure and administrative details for the determination, payment and collection of such contributions and the payment of such compensation; providing for cooperation with the Federal Government and its agencies; creating certain special funds in the custody of the State Treasurer; and prescribing penalties," providing for modification of the manner in which employer contribution rates are determined, and for a lag between the period on which contribution rates are based and the rate period; and placing experience rating on a permanent basis.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. SORG. Mr. Speaker, I move that this bill be recommitted to the Committee on Workmen's Compensation for the purpose of a public hearing.

The motion was agreed to.

BILL PASSED OVER

There being no objection

Senate Bill No. 11, Printer's No. 21

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 360, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor, to convey to the Borough of Bristol certain real property located in said Borough.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The bill having been called up from the postponed calendar, by Mr. SORG.

The House resumed the consideration on second reading of House Bill No. 595, as follows:

An Act to further amend section two of the act approved the twenty-eight day of June one thousand eight hundred ninety-five (P. L. 08) entitled "A supplement to the twenty-fourth section of an act entitled 'An act to provide revenue by taxation approved the seventh day of June one thousand eight hundred and seventy-nine' approved the first day of June one thousand eight hundred and eighty-nine amending the twenty-fourth section by providing for the payment by the State Treasurer of one-half of the two per centum tax on premiums paid by foreign fire insurance companies to the treasurers of the several cities and boroughs within this Commonwealth" by providing a method for the allocation of the tax on premiums of foreign fire insurance companies to cities boroughs towns and townships for firemen's relief fund association uses

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. SORG. Mr. Speaker, I move that this bill be recommitted to the Committee on Municipal Corporations for the purpose of further study.

The motion was agreed to.

BILL ON FINAL PASSAGE

BILL PASSED OVER

There being no objection

House Bill No. 61, Printer's No. 376,

was passed over at the request of Mr. SORG.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 84, as follows:

An Act to amend section one thousand one of the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" by providing for compensation of councilmen for attendance at meeting

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one thousand one of the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" is hereby amended to read as follows

Section 1001 Organization of Council [No] Compensation Eligibility The borough council shall organize at eight o'clock post emridian on the first Monday after the first day of January of each even-numbered year by electing a president treasurer and secretary which shall constitute the organization of council The council may at the organization meeting elect such other officers as may be provided for by law or ordinance The president shall preside over the meetings of council and when absent his place shall be filled by a president pro tempore [The councilmen shall not receive any compensation for their services as councilmen]

The councilmen may receive compensation to be fixed by ordinance at any time and from time to time as follows

In boroughs whose population is seven hundred fifty (750) or less a maximum of five dollars ($5) a month in boroughs whose population is more than seven hundred fifty (750) and not more than fifteen hundred (1500) a maximum of ten dollars ($10) a month in boroughs whose population is more than fiftenn hundred (1500) and not more than twenty-five hundred (2500) a maximum of fifteen dollars ($15) a month in boroughs whose population is more than twenty-five hundred (2500) and not more than five thousand (5000) a maximum of twenty-dollars ($20) a month in boroughs whose population is more than five thousand (5000) a maximum of twenty-five dollars ($25) a month

The population shall be determined by the latest United State decennial census or by two and one-half (2½) times the number of registered voters in the borough no compensation shall be paid in any month to a coun-

cilman who has failed to attend at least one regular meeting of council during the month A school director shall not be eligible to the office of member of council

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—199

Aaronson,	Frost,	McCosker,	Sax,
Andrews,	Gallagher,	McCullough,	Scanlon,
Bane,	Getchey,	McDonald,	Schuster,
Barrett,	Gibson,	McKinney,	Scott,
Baumunk,	Goff,	McMillen,	Serrill,
Beech,	Goodling,	Mihm,	Shoemaker,
Bender,	Gorman,	Mikula,	Simons,
Bentzel,	Graybill,	Miller,	Smith, C. C.,
Bloom,	Greenwood,	Mills,	Smith, C. M.,
Boles,	Greer,	Mintess,	Snider,
Boorse,	Griffiths,	Mohr,	Sollenberger,
Bower,	Guthrie,	Mooney,	Sorg,
Breisch,	Gyger,	Moore, C. E.,	Sproul,
Brice,	Haller,	Moore, H. A.,	Stank,
Brown,	Haudenshield,	Morrison,	Stimmel,
Brunner,	Helm,	Murray,	Stockham,
Bucchin,	Henry,	Myers,	Stonier,
Cadwalader,	Hewitt,	Najaka,	Stuart,
Capano,	Hoffman,	Naumann,	Swope,
Cassidy,	Hoopes,	Needham,	Tahl,
Chervenak,	Horan,	Neff,	Thomassy,
Chudoff,	Imbt,	Nelson,	Thompson,
Clevenger,	Jennings,	O'Connor,	Tompkins,
Cochran,	Johnson,	O'Dare,	Toomey,
Cole,	Johnston,	O'Donnell,	Turner,
Cook,	Jones,	O'Neill,	Upshur,
Cooper,	Jump,	Orban,	Vaughan,
Cordier,	Kean,	Patten,	Verona,
Costa,	Kelley,	Petrosky,	Wachhaus,
Crowley,	Kemp,	Pichney,	Wagner,
Dague,	Kent,	Pickens,	Waldron,
Dalrymple,	Kirley,	Polaski,	Wallin,
Davison,	Kline,	Powers,	Walton,
De Long,	Kohl,	Price,	Waterhouse,
Demech,	Kratz,	Propert,	Watkins,
Dennison,	Krise,	Ragot,	Watson,
Depuy,	Kurtz,	Readinger,	Weidner,
Dix,	Laughner,	Reagan,	Weiss,
Dye,	Layer,	Reese, R. E.,	Wescott,
Efenberg,	Lee,	Reilly, J. M.,	West,
Elder,	Leisey,	Reilly, W. J.,	Wheeler,
Erb,	Livingston,	Richter,	Wolf,
Evans,	Livingstone,	Riley,	Wood,
Ewing,	Loftus,	Robbins,	Worley,
Feola,	Lovett,	Robertson,	Yeakel,
Fish,	Lyons,	Root,	Yester,
Fiss,	Madden,	Rose,	Yetzer,
Flack,	Madigan,	Rowen,	Young,
Fleming,	Mazza,	Royer,	Lichtenwalter,
Foor,	McCormack,	Sarraf,	Speaker.

NAYS—4

Bonawitz,	Hocker,	Reese, D. P.,	Tittle,

NOT VOTING—2

Hall,	Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 94, as follows:

An Act abolishing the office of high constable in boroughs and repealing certain sections of the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" and other inconsistent acts or parts of acts

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The office of high constable in boroughs is hereby abolished

Section 2 Sections eight hundred twenty-five one thousand thirty-one one thousand thirty-two one thousand thirty-three and one thousand thirty-four of the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" are hereby specifically repealed and any other sections of said act inconsistent with the provisions of this act are hereby repealed

Section 3 All other acts and parts of acts inconsistent with the provisions of this act are hereby repealed

Section 4 The provisions of this act shall become effective upon the expiration of the term of office of the present high constable of the several boroughs

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201

Aaronson,	Gallagher,	McDonald,	Scanlon,
Andrews,	Getchey,	McKinney,	Schuster,
Bane,	Gibson,	McMillen,	Scott,
Barrett,	Goff,	Mihm,	Serrill,
Baumunk,	Goodling,	Mikula,	Shoemaker,
Beech,	Gorman,	Miller,	Simons,
Bender,	Graybill,	Mills,	Smith, C. C.,
Bentzel,	Greenwood,	Mintess,	Smith, C. M.,
Bloom,	Greer,	Mohr,	Snider,
Boles,	Griffiths,	Mooney,	Sollenberger,
Bonawitz,	Guthrie,	Moore, C. E.,	Sorg,
Boorse,	Gyger,	Moore, H. A.,	Sproul,
Bower,	Haller,	Morrison,	Stank,
Breisch,	Haudenshield,	Murray,	Stimmel,
Brice,	Helm,	Myers,	Stockham,
Brown,	Henry,	Najaka,	Stonier,
Brunner,	Hewitt,	Naumann,	Stuart,
Bucchin,	Hocker,	Needham,	Swope,
Cadwalader,	Hoffman,	Neff,	Tahl,
Cassidy,	Hoopes,	Nelson,	Thomassy,
Chervenak,	Horan,	O'Connor,	Thompson,
Chudoff,	Imbt,	O'Dare,	Tittle,
Clevenger,	Jennings,	O'Donnell,	Tompkins,
Cochran,	Johnson,	O'Neill,	Toomey,
Cole,	Johnston,	Orban,	Turner,
Cook,	Jones,	Patten,	Upshur,
Cooper,	Jump,	Petrosky,	Vaughan,
Cordier,	Kean,	Pichney,	Verona,
Costa,	Kelley,	Pickens,	Wachhaus,
Crowley,	Kemp,	Polaski,	Wagner,
Dague,	Kent,	Powers,	Waldron,
Dalrymple,	Kirley,	Price,	Wallin,
Davison,	Kline,	Propert,	Walton,
De Long,	Kohl,	Ragot,	Waterhouse,
Demech,	Kratz,	Readinger,	Watkins,
Dennison,	Krise,	Reagan,	Watson,
Depuy,	Kurtz,	Reese, D. P.,	Weidner,
Dix,	Laughner,	Reese, R. E.,	Weiss,
Dye,	Layer,	Reilly, J. M.,	Wescott,
Efenberg,	Lee,	Reilly, W. J.,	West,
Elder,	Leisey,	Richter,	Wheeler,
Erb,	Livingston,	Riley,	Wolf,
Evans,	Livingstone,	Robbins,	Wood,
Ewing,	Loftus,	Robertson,	Worley,
Feola,	Lyons,	Root,	Yeakel,
Fish,	Madden,	Rose,	Yester,
Fiss,	Madigan,	Rowen,	Yetzer,
Flack,	Mazza,	Royer,	Young,

Fleming,	McCormack,	Sarraf,	Lichtenwalter,
Foor,	McCosker,	Sax,	Speaker.
Frost,	McCullough,		

NAYS—2

Capano,	Lovett,

NOT VOTING—2

Hall,	Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection

House Bill No. 314, Printer's No. 330,

was passed over temporarily at the request of Mr. SORG.

Agreeably to order,

The House proceeded to the third reading and con- of House Bill No. 339, entitled:

An Act to further amend section eleven of the act, approved the nineteenth day of June, one thousand nine hundred thirty-one, (P. L. 589), entitled, as amended "An act to promote the public health and safety, by providing for the examination and licensure of those who desire to engage in the occupation of barbering; regulating barber shops and barber schools, and apprentices and students therein; regulating compensation for service rendered; conferring certain powers and duties on the Department of Public Instruction; and providing penalties," providing for the keeping and distribution of a registry roster by the department.

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED

Mr. FLEMING. Mr. Speaker, with the consent of the sponsor, I move that this bill be recommitted to the Committee on Professional Licensure for the purpose of further study.

The motion was agreed to.

BILL PASSED OVER

There being no objection,

House Bill No. 388, Printer's No. 331,

was passed over at the request of Mr. SORG.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 450 as follows:

An Act to add section one thousand eight point two to the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" permitting borough councils to follow a certain procedure in publishing certain ordinances

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Article ten of the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" is hereby amended by adding thereto immediately after section one thousand eight point one a new section to read as follows

Section 1008.2 Publication of Ordinances Adopting Maps Plans and Drawings Whenever any borough shall have caused to be adopted as part of an ordinance any maps or drawings of any kind the borough council may instead of publishing the same as part of the ordinance refer in publishing the ordinance to the place where such maps plans or drawings are on file and may be examined

And said bill having been at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Frost,	McCosker,	Sax,
Andrews,	Gallagher,	McCullough,	Scanlon,
Bane,	Getchey,	McDonald,	Schuster,
Barrett,	Gibson,	McKinney,	Scott,
Baumunk,	Goff,	McMillen,	Serrill,
Beech,	Goodling,	Mihm,	Shoemaker,
Bender,	Gorman,	Mikula,	Simons,
Bentzel,	Graybill,	Miller,	Smith, C. C.,
Bloom,	Greenwood,	Mills,	Smith, C. M.,
Boles,	Greer,	Mintess,	Snider,
Bonawitz,	Griffiths,	Mohr,	Sollenberger,
Boorse,	Guthrie,	Mooney,	Sorg,
Bower,	Gyger,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenshield,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Bucchin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,
Clevenger,	Jennings,	O'Dare,	Tompkins,
Cochran,	Johnson,	O'Donnell,	Toomey,
Cole,	Johnston,	O'Neill,	Turner,
Cook,	Jones,	Orban,	Upshur,
Cooper,	Jump,	Patten,	Vaughan,
Cordier,	Kean,	Petrosky,	Verona,
Costa,	Kelley,	Pichney,	Wachhaus,
Crowley,	Kemp,	Pickens,	Wagner,
Dague,	Kent,	Polaski,	Waldron,
Dalrymple,	Kirley,	Powers,	Wallin,
Davison,	Kline,	Price,	Walton,
De Long,	Kohl,	Propert,	Waterhouse,
Demech,	Kratz,	Ragot,	Watkins,
Dennison,	Krise,	Readinger,	Watson,
Depuy,	Kurtz,	Reagan,	Weidner,
Dix,	Laughner,	Reese, D. P.,	Weiss,
Dye,	Layer,	Reese, R. E.,	Wescott,
Efenberg,	Lee,	Reilly, J. M.,	West,
Elder,	Leisey,	Reilly, W. J.,	Wheeler,
Erb,	Livingston,	Richter,	Wolf,
Evans,	Livingstone,	Riley,	Wood,
Ewing,	Loftus,	Robbins,	Worley,
Feola,	Lovett,	Robertson,	Yeakel,
Fish,	Lyons,	Root,	Yester,
Fiss,	Madden,	Rose,	Yetzer,
Flack,	Madigan,	Rowen,	Young,
Fleming,	Mazza,	Royer,	Lichtenwalter,
Foor,	McCormack,	Sarraf,	Speaker.

NAYS—0

NOT VOTING—2

Hall,	Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 460 as follows:

An Act to further amend section one thousand three hundred eleven of the act approved the twenty-eight day of May one thousand nine hundred thirty-seven (P. L. 1053) entitled "An act relating to the regulation of public utilities defining as public utilities certain corporations companies associations and persons providing for the regulation of public utilities including to a limited extent municipalties engaging in public utility business by prescribing defining and limiting their duties powers and liabilities and regulating the exercise surrender or abandonment of their powers privileges and franchises defining and regulating contract carriers by motor vehicle and brokers in orded to regulate effectively common carriers by motor vehicle conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons associations companies and corporations including to a limited extent municipal corporations subject to this act and administering the provisions of this act authorizing the commission to fix temporary rates placing the burden of proof on public utilities to sustain their rates and certain other matters authorizing a permissive or mandatory sliding scale method of regulating rates providing for the supervision of financial and contractural relations between public utilities and affiliated interests and supervision and regulation of accounts and securities or obligations issued assumed or kept by persons associations companies corporations or municipal corporations subject to this act confer ring upon the commission power to vary reform or revise certain contracts conferring upon the commission the exclusive power to regulate or order the construction alteration relocation protection or abolition of crossings of facilities of public utilities and of such facilities by or over public highways to appropriate property for the construction or improvement of such crossings and to award or apportion resultant costs and damages authorizing owners of such property to sue the Commonwealth for such damages providing for ejectment proceedings in connection with the appropriation of property for crossings conferring upon the commission power to control and regulate budgets of public utiuities imposing upon persons associations companies and corporations (except municipal corporations) snbject to regulation the cost of administering this act prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings prescribing penalties fines and imprisonment for violations of the provisions of this act and regulations and orders of the commission and the procedure for enforcing such fines and penalties and repealing legislation supplied and superseded by or inconsistent with this act" by authorizing the court to impose prison sentences in certain cases

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one thousand three hundred eleven of the act approved the twenty-eight day of May one thousand nine hundred thirty-seven (P. L. 1053) entitled "An act relating to the regulation of public utilities defining as public utilities certain corporations companies associations and persons providing for the regulation of public utilities including to a limited extent municipalties engaging in public utility business by prescribing defining and limiting their duties powers and liabilities and regulating the exercise surrender or abandonment of their powers privileges and franchises defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons associations companies and corporations including to a limited extent municipal corporations subject to this act and administering the provisions of this act authorizing the commission to fix temporary rates placing the burden of proof on public utilities to sustain their rates and certain other matters authorizing a permissive or mandatory sliding scale method of regulating rates providing for the supervision of financial and contractural relations between public utilities and affiliated interests and supervision and regulation of accounts and securities or obligations issued or kept by persons associations companies corporations or municipal corporations subject to this act conferring upon the commission power to vary reform or revise certain contracts conferring upon the commission the exclusive power to regulate or order the construction alteration relocation protection or abolition or crossings of facilities of public utilities and of such facilities by or over public highways to appropriate property for the construction or improvement of such crossings and to award or apportion resultant costs and damages authorizing owners of such property to sue the Commonwealth for such damages providing for ejectment proceedings in connection with the appropriation of property for crossings conferring upon the commission power to control and regulate budgets of public utilities imposing upon persons associations companies and corporations (except municipal corporations) subject to regulation the cost of administering this act prescribing and regulating practice and procedure before the commissions and procedure for review by the courts of commission action giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings prescribing penalties fines and imprisonment for violation of the provisions of this act and regulations and orders of the commission and the procedure for enforcing such fines and penalties and repealing legislation supplied and superseded by or inconsistent with this act" as last amended by the act approved the third day of July one thousand nine hundred forty-one (P. L. 267) is hereby further amended to read as follows

Section 1311 Violations by Motor Carriers Common Carriers by Airplane or Brokers

Any person or corporation operating as a motor carrier or as a common carrier by airplane and any operator or employe of such carrier and any person or corporation operating as a broker without a certificate of public convenience permit or license authorizing the service performed as required by this act shall upon conviction of a first or second offense is a summary proceeding before any person having the power of a commutting magistrate be sentenced to pay the costs of prosecution and a fine of not less than twenty-five dollars nor more than three hundred dollars and in default of the payment thereof shall be imprisoned for a period not exceeding thirty (30) days and any subsequent offense by such person or corporation shall constitute a misdemeanor and upon conviction thereof such person or corporation shall be sentenced to pay the costs of prosecution and a fine of not less than one hundred dollars nor more than five hundred dollars or undergo imprisonment not exceeding six months or both in the discretion of the court Whenever imprisonment is imposed under this section the term "person" or "coporation" as applied to associations shall mean the partners or members thereof and as applied to corporations the officers thereof

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. CHODUFF. Mr. Speaker, I just want to call to the attention of the Members of the House that if this bill becomes law, it will enable the Commonwealth to put every member of the G. I. Taxicab Association in Philadelphia in jail for thirty days.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—51

Aaronson,	Costa,	Guthrie,	Propert,
Baumunk,	Dague,	Gyger,	Riley,
Beech,	Dennison,	Helm,	Royer,
Bonawitz,	Dix,	Imbt,	Serrill,
Boorse,	Dye,	Kent,	Sollenberger,
Bower,	Ewing,	Kline,	Sproul,
Breisch,	Fiss,	Kratz,	Stimmel,
Brunner,	Fleming,	Krise,	Stockham,
Cadwalader,	Foor,	Kurtz,	Wolf,
Cassidy,	Getchey,	Layer,	Wood,
Clevenger,	Gibson,	Madigan,	Yeakel,
Cook,	Goodling,	Murray,	Lichtenwalter,
Cooper,	Greer,	Nelson,	Speaker.

NAYS—126

Andrews,	Graybill,	Mooney,	Scott,
Bane,	Greenwood,	Moore, C. E.,	Shoemaker,
Barrett,	Haller,	Moore, H. A.,	Simons,
Bender,	Henry,	Myers,	Smith, C. C.,
Bentzel,	Hewitt,	Najaka,	Smith, C. M.,
Bloom,	Hocker,	Needham,	Snider,
Boies,	Hoffman,	Neff,	Stank,
Brice,	Johnson,	O'Connor,	Tahl,
Brown,	Johnston,	O'Dare,	Thomassy,
Bucchin,	Jones,	O'Donnell,	Thompson,
Capano,	Jump,	O'Neill,	Tittle,
Chervenak,	Kean,	Orban,	Tompkins,
Chudoff,	Kelley,	Patten,	Toomey,
Cochran,	Kirley,	Petrosky,	Upshur,
Cole,	Kohl,	Pichney,	Vaughan,
Cordier,	Livingston,	Pickens,	Verona,
Crowley,	Livingstone,	Polaski,	Wachhaus,
Dalrymple,	Loftus,	Powers,	Wagner,
Davison,	Lovett,	Price,	Waldron,
De Long,	Lyons,	Ragot,	Walton,
Demech,	Madden,	Reilly, J. M.,	Waterhouse,
Depuy,	Mazza,	Richter,	Watkins,
Efenberg,	McCormack,	Robbins,	Watson,
Elder,	McCosker,	Robertson,	Weidner,
Erb,	McDonald,	Root,	Weiss,
Evans,	McMillen,	Rose,	Wescott,
Feola,	Mihm,	Rowen,	West,
Fish,	Mikula,	Sarraf,	Wheeler,
Flack,	Miller,	Sax,	Yester,
Frost,	Mills,	Scanlon,	Yetzer,
Gallagher,	Mintess,	Schuster,	Young,
Goff,	Mohr,		

NOT VOTING—28

Gorman,	Kemp,	Naumann,	Stonier,
Griffiths,	Laughner,	Readinger,	Stuart,
Hall,	Lee,	Reagan,	Swope,
Haudenshield,	Leisey,	Reese, D. P.,	Trout,
Hoopes,	McCullough,	Reese, R. E.,	Turner,
Horan,	McKinney,	Reilly, W. J.,	Wallin,
Jennings,	Morrison,	Sorg,	Worley,

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

PERMISSION TO ADDRESS HOUSE

Mr. SORG asked and obtained unanimous consent to address the House.

Mr. Speaker, just for the sake of the record, I desire to say on behalf of the Members who have voted for this measure and who have probably read very carefully the provisions of the bill, that as the record stands it would perhaps look as if this were a measure directed at the G. I. Taxicab drivers of Philadelphia. As I read it, it does not so state. As a matter of fact, it is simply an amendment to that provision which imposes a penalty for violation of the Public Utility Company law, where there are already in existence provisions calling for the payment of a fine. This particular measure merely calls for the subjection to a fine of a violator in any category, whether it be by airplane or motor carrier or any other means under the existing law, and if there is a default in the payment of the fine, the violator shall be subjected to commitment to jail.

BILL PASSED OVER

There being no objection

House Bill No. 537, Printer's No. 334,

was passed over at the request of Mr. FLEMING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 582, as follows:

An Act to further amend section eight hundred three of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" increasing per diem compensation and mileage of school directors for attendance at conventions

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section eight hundred three of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as amended by the act approved the thirty-first day of March one thousand nine hundred twenty-one (P. L. 71) is hereby further amended to read as follows

Section 803 It shall be the duty of school directors in each county of this Commonwealth to attend such annual convention of school directors called by the county superintendent and each school director attending such convention shall receive for his necessary expenses the sum of [four dollars ($4.00)] six dollars ($6) per day for each day's attendance and mileage at the rate of [four] six cents per mile for the distance necessary to be traveled in going to and from such convention once each year Said amount shall be paid by an order drawn on the treasurer of the school district in which he acts as school director Provided however That no school director shall be paid for more than two days at any annual convention

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Frost,	McCosker,	Sax,
Andrews,	Gallagher,	McCullough,	Scanlon,
Bane,	Getchey,	McDonald,	Schuster

Barrett,	Gibson,	McKinney,	Scott,
Baumunk,	Goff,	McMillen,	Serrill,
Beech,	Goodling,	Mihm,	Shoemaker,
Bender,	Gorman,	Mikula,	Simons,
Bentzel,	Graybill,	Miller,	Smith, C. C.,
Bloom,	Greenwood,	Mills,	Smith, C. M.,
Boies,	Greer,	Mintess,	Snider,
Bonawitz,	Griffiths,	Mohr,	Sollenberger,
Boorse,	Guthrie,	Mooney,	Sorg,
Bower,	Gyger,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenshield,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Bucchin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,
Clevenger,	Jennings,	O'Dare,	Tompkins,
Cochran,	Johnson,	O'Donnell,	Toomey,
Cole,	Johnston,	O'Neill,	Turner,
Cook,	Jones,	Orban,	Upshur,
Cooper,	Jump,	Patten,	Vaughan,
Cordier,	Kean,	Petrosky,	Verona,
Costa,	Kelley,	Pichney,	Wachhaus,
Crowley,	Kemp,	Pickens,	Wagner,
Dague,	Kent,	Polaski,	Waldron,
Dalrymple,	Kirley,	Powers,	Wallin,
Davison,	Kline,	Price,	Walton,
De Long,	Kohl,	Propert,	Waterhouse,
Demech,	Kratz,	Ragot,	Watkins,
Dennison,	Krise,	Readinger,	Watson,
Depuy,	Kurtz,	Reagan,	Weidner,
Dix,	Laughner,	Reese, D. P.,	Weiss,
Dye,	Layer,	Reese, R. E.,	Wescott,
Ehenberg,	Lee,	Reilly, J. M.,	West,
Elder,	Leisey,	Reilly, W. J.,	Wheeler,
Erb,	Livingston,	Richter,	Wolf,
Evans,	Livingstone,	Riley,	Wood,
Ewing,	Loftus,	Robbins,	Worley,
Feola,	Lovett,	Robertson,	Yeakel,
Fish,	Lyons,	Root,	Yester,
Fiss,	Madden,	Rose,	Yetzer,
Flack,	Madigan,	Rowen,	Young,
Fleming,	Mazza,	Royer,	Lichtenwalter,
Foor,	McCormack,	Sarraf,	Speaker.

NAYS—0

NOT VOTING—2

Hall,	Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 610, as follows:

An Act to amend the act approved the first day of May one thousand nine hundred twenty-nine (P.L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissable as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" providing a penalty for counterfeiting theft removal or transfer of certificate of inspection and providing for prosecutions

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED

Mr. DENNISON. Mr. Speaker, I move that this bill be recommitted to the Committee on Judiciary for the purpose of possible study.

The motion was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 642, as follows:

An Act to further amend section five hundred sixty-three of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribed penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by providing for the revision of the budget of school districts of the second third and fourth classes during the fiscal year

The General Assembly of the Commonwealth of Pennsylvania enacts as follows

Section 1 Section five hundred sixty-three of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as last amended by section three of the act approved the thirteenth day of May one thousand nine hundred thirty-seven (P. L. 605) is hereby further amended to read as follows

Section 563 The board of school directors of each school district of the second third or fourth class shall annually at least thirty days prior to the adoption of the annual budget prepare a proposed budget of the amount of fund that will be required by the school district in its several departments for the following fiscal year Such proposed budget shall be prepared on a uniform form prepared and furnished as hereinafter provided and shall be appointed to the several classes of expenditures of the district as the board of school directors thereof may determine Final action shall not be taken on any proposed budget in which the estimated expenditures exceed two thousand dollars ($2000) until after ten days' public notice Provided however That nothing in this act shall be construed to prevent any school district whose total estimated expenditures do not exceed two thousand dollars ($2000) from holding a public hearing The proposed budget shall be printed or otherwise made available for public inspection to all persons who may interest themselves at least twenty days prior to the date set for the adoption of the budget The board of school directors after making such revisions and changes therein as appear advisable shall adopt the budget and the necessary appropriation measure required to put

it into effect Within fifteen days after the adoption of the budget the board of school directors shall file a copy of the same in the office of the Department of Public Instruction In all school districts under the direction of a county superintendent the county board of school directors shall inspect the annual budget and shall render such advice and assistance regarding the same as may seem proper before the said budget shall be signed and forwarded to the department by the county superintendent

The board of school directors may during any fiscal year make additional appropriations or increase existing appropriations to meet emergencies such as epidemics floods fire or other catastrophies the funds therefor to be provided from unexpended balances in existing appropriations from unappropriated revenues if any or from temporary loans Such temporary loans when made shall be approved by a two-thirds vote of the board of school directors

The board of school directors shall have power to authorize the transfer [within the same fund] of any unencumbered balance or any portion thereof from one [spending agency] class of expenditure or item to another but such action shall be taken only during the last nine months of the fiscal year [and except as hereinbefore otherwise provided no moneys apportioned to any class of expenditures shall be used for purposes other than designated for said class in said budget] The total amount of such budget shall not exceed the amount of funds including the proposed annual tax levy and State appropriation available for school purposes in that distrist

The uniform budget forms required by this act shall be prepared by the Department of Public Instruction which shall issue said forms and distribute them annually as needed to the school districts

Section 2 The provisions of this act shall become effective the first day of July one thousand nine hundred forty-seven

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Frost,	McCosker,	Sax,
Andrews,	Gallagher,	McCullough,	Scanlon,
Bane,	Getchey,	McDonald,	Schuster,
Barrett,	Gibson,	McKinney,	Scott,
Baumunk,	Goff,	McMillen,	Serrill,
Beech,	Goodling,	Mihm,	Shoemaker,
Bender,	Gorman,	Mikula,	Simons,
Bentzel,	Graybill,	Miller,	Smith, C. C.,
Bloom,	Greenwood,	Mills,	Smith, C. M.,
Boies,	Greer,	Mintess,	Snider,
Bonawitz,	Griffiths,	Mohr,	Sollenberger,
Boorse,	Guthrie,	Mooney,	Sorg,
Bower,	Gyger,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenshield,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Bucchin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Irabt,	O'Connor,	Tittle,
Clevenger,	Jennings,	O'Dare,	Tompkins,
Cochran,	Johnson,	O'Donnell,	Toomey,
Cole,	Johnston,	O'Neill,	Turner,
Cook,	Jones,	Orban,	Upshur,
Cooper,	Jump,	Patten,	Vaughan,
Cordier,	Kean,	Petrosky,	Verona,
Costa,	Kelley,	Pichney,	Wachhaus,
Crowley,	Kemp,	Pickens,	Wagner,
Dague,	Kent,	Polaski,	Waldron,
Dalrymple,	Kirley,	Powers,	Wallin,
Davison,	Kline,	Price,	Walton,
De Long,	Kohl,	Propert,	Waterhouse,
Demech,	Kratz,	Ragot,	Watkins,
Dennison,	Krise,	Readinger,	Watson,
Depuy,	Kurtz,	Reagan,	Weidner,
Dix,	Laughner,	Reese, D. P.,	Weiss,
Dye,	Layer,	Reese, R. E.,	Wescott,
Efenberg,	Lee,	Reilly, J. M.,	West,
Elder,	Leisey,	Reilly, W. J.,	Wheeler,
Erb,	Livingston,	Richter,	Wolf,
Evans,	Livingstone,	Riley,	Wood,
Ewing,	Loftus,	Robbins,	Worley,
Feola,	Lovett,	Robertson,	Yeakel,
Fish,	Lyons,	Root,	Yester,
Fiss,	Madden,	Rose,	Yetzer,
Flack,	Madigan,	Rowen,	Young,
Fleming,	Mazza,	Royer,	Lichtenwalter,
Foor,	McCormack,	Sarraf,	Speaker.

NAYS—0

NOT VOTING—2

Hall, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 645, as follows:

An Act to further amend section five of the act approved the thirteenth day of May one thousand nine hundred fifteen (P. L. 286) entitled "An act to provide for the health safety and welfare of minors By forbidding their employment or work in certain establishments and occupations and under certain specified ages by restricting their hours of labor and regulating certain conditions of their employment by requiring employment certificates for certain minors and prescribing the kinds thereof and the rules for the issuance reissuance filing return and recording of the same by providing that the Industrial Board shall under certain conditions determine and declare whether certain occupations are within the prohibitions of this act requiring that certain minors shall during the period of their employment attend certain schools to be established as therein provided and to be approved by the State Superintendent of Public Instruction and regulating he conditions of such attendance authorizing the State Board of Education in certain cases to appoint attendance officers to aid in enforcing the provisions of this act and creating the salary and expenses of such officers a charge against the school district wherein they are employed requiring certain abstracts and notices to be posted providing for the enforcement of this act by the Commissioner of Labor and Industry the atendance officers of school districts and police officers and defining the procedure in prosecutions thereunder and establishing certain presumptions in relation thereto providing penalties for the violation thereto providing penalties for the violation of the provisions thereof and repeailng all acts or parts of acts inconsistent therewith" permitting employment of male minors sixteen years of age or over in public bowling-alleys

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section five of the act approved the thirteenth day of May one thousand nine hundred fifteen (P. L. 286) entitled "An act to provide for the health safety and welfare of minors By forbidding their employment or work in certain establishments and occupations and under certain specified ages by restricting their hours of labor and regulating certain conditions of their employment by requiring employment certificates for certain minors and prescribing the kinds thereof and the rules for the issuance reissuance filing return and recording of the same by pro-

viding that the Industrial Board shall under certain conditions determine and declare whether certain occupations are within the prohibitions of this act requiring that certain minors shall during the period of their employment attend certain schools to be established as therein provided and to be approved by the State Superintendent of Public Instruction and regulating the conditions of such attendance authorizing the State Board of Education in certain cases to appoint attendance officers to aid in enforcing the provisions of this act and creating the salary and expenses of such officers a charge against the school district wherein they are employed requiring certain abstracts and notices to be posted providing for the enforcment of this act by the Commissioner of Labor and Industry the attendance officers of school districts and police officers and defining the procedure in prosecutions thereunder and establishing certain presumptions in relation thereto providing penalties for the violation of the provisions thereof and repealing all acts or parts of acts inconsistent therewith" as amended by the act approved the nineteenth day of July one thousand nine hundred thirtyfive (P. L. 1335) is hereby further amended to read as follows

Section 5 No minor under sixteen years of age shall be employed or permitted to work in about or in connection with any manufacturing or mechanical occupation or process nor on scaffolding nor in heavy work in the building trades nor in stripping or assorting tobacco nor in any tunnel nor in a public bowling alley nor upon any roalroad steam electric or otherwise nor upon any boat engaged in the transportation of passengers or merchandise nor in operating motor-vehicles of any description nor in any anthracite or bituminous coal-mine or in any other mine

No minor under eighteen years of age shall be employed or permitted to work in the operation or management of hoisting machines in oiling or cleaning machinery in motion in the operation or use of any polishing- or buffing-wheel at switch-tending at gate-tending at track-repairing as a brakeman fireman engineer or motorman or conductor upon a railroad or railway as a pilot fireman or engineer upon any boat or vessel in the manufacture of paints colors or white lead in any capacity in preparing compositions in which dangerous lead or acids are used in the manufacture or use of dangerous or poisonous dyes in any dangerous occupation in or about any mine nor in or about any establishment wherein gunpowder nitroglycerine dynamite or other high or dangerous explosive is manufactured or compounded

No minor under eighteen years of age shall be employed or permitted to work in about or in connection with any establishment where alcoholic liquors are distilled rectified compounded brewed manufactured bottled sold or dispensed [nor in a public bowling alley] nor in a pool or billiard room

No minor shall be employed or permitted to serve or handle alcoholic liquor in any establishment where alcoholic liquors are sold or dispensed nor be employed or permitted to work in violation of the laws relating to the operation of motor vehicles by minors

In addition to the foregoing it shall be unlawful for any minor under eighteen years of age to be employed or permitted to work in any occupation dangerous to the life or limb or injurious to the health or morals of the said minor as such occupations shall from time to time after public hearing thereon be determined and declared by the Industrial Board of the Department of Labor and Industry Provided That if it should be hereafter held by the courts of this Commonwealth that the power herein sought to be granted to the said board is for any reason invalid such holding shall not be taken in any case to affect or impair the remaining provisions of this section

Section 2 The provisions of this act shall become effective immediately upon final enactment

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question

Shall the bill pass finally?

Mr. FLEMING. Mr. Speaker, I desire to interrogate one of the sponsors of the bill.

The SPEAKER. Will the gentleman from Delaware, Mr. Layer, permit himself to be interrogated?

Mr. LAYER. I shall, Mr. Speaker.

Mr. FLEMING. I would like to inquire if this bill lowers or raises the age of pin boys in bowling alleys.

Mr. LAYER. Mr. Speaker, this bill increases the age from fourteen years old to sixteen years old.

Mr. FLEMING. I thank the gentleman, Mr. Speaker.

Mr. ANDREWS. Mr. Speaker, is the gentleman a lawyer?

The SPEAKER. Is the gentleman addressing his question to the Chair?

Mr. ANDREW. To either one, Mr. Speaker. I would like a legal opinion from some reputable lawyer as to the effect of this bill because various people have raised the same question as to what the effect of it was.

Mr. SORG. Will the gentleman withdraw his statement about reputable lawyers. I am sure there are quite a few of them.

Mr. Speaker, I desire to inform the gentleman that at present there is a law permitting the employment of pin boys fourteen years old and upwards. I understand, however, that the temporary provisions will soon expire or be repealed by this particular legislation. In the event that such action should take place this bill will be necessary to permit reemployment of pin boys from sixteen years of age and upwards.

Mr. ANDREWS. Mr. Speaker, I understand the gentleman to say if the boy was under sixteen, working part time on Saturday, he could not be a pin boy under this bill.

Mr. SORG. If he were under sixteen years of age under this bill he could not.

Mr. ANDRWES. Either part time or full time, Mr. Speaker?

Mr. SORG. Either way, Mr. Speaker.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—137

Baumunk,	Graybill,	McCullough,	Sax,
Bender,	Greenwood,	McDonald,	Serrill,
Bloom,	Greer,	McMillen,	Shoemaker,
Bonawitz,	Griffiths,	Mikula,	Smith, C. C.,
Boorse,	Guthrie,	Miller,	Smith, C. M.,
Bower,	Gyger,	Mintess,	Sollenberger,
Breisch,	Haudenshield,	Mohr,	Sorg,
Brice,	Helm,	Mooney,	Sproul,
Brunner,	Henry,	Moore, H. A.,	Stimmel,
Cadwalader,	Hocker,	Morrison,	Stockham,
Cassidy,	Hoopes,	Myers,	Tahl,
Clevenger,	Imbt,	Najaka,	Thomassy,
Cook,	Jennings,	Naumann,	Thompson,
Cooper,	Johnson,	Neff,	Tittle,
Costa,	Jones,	Nelson,	Tompkins,
Crowley,	Jump,	O'Dare,	Toomey,
Dague,	Kean,	O'Donnell,	Turner,
Dalrymple,	Kelley,	Patten,	Upshur,
De Long,	Kemp,	Pichney,	Wachhaus,
Demech,	Kent,	Pickens,	Wagner,
Dennison,	Kline,	Polaski,	Walton,
Dix,	Kohl,	Price,	Waterhouse,
Dye,	Kratz,	Propert,	Watkins,
Efenberg,	Krise,	Ragot,	Watson,
Erb,	Kurtz,	Reagan,	Weidner,
Ewing,	Layer,	Reese, D. P.,	Wescott,
Feola,	Lee,	Reilly, J. M.,	West,

Fish,	Leisey,	Reilly, W. J.,	Wolf,
Fiss,	Livingston,	Robbins,	Wood,
Flack,	Livingstone,	Robertson,	Worley,
Foor,	Loftus,	Root,	Yeakel,
Gallagher,	Lyons,	Rose,	Young,
Gibson,	Madigan,	Rowen,	Lichtenwalter,
Goodling,	McCormack,	Royer,	Speaker.
Gorman,	McCosker,		

NAYS—62

Andrews,	Elder,	McKinney,	Schuster,
Bane,	Evans,	Mihm,	Scott,
Barrett,	Fleming,	Mills,	Snider,
Beech,	Frost,	Moore, C. E.,	Stank,
Bentzel,	Getchey,	Murray,	Stonier,
Boles,	Goff,	Needham,	Stuart,
Brown,	Haller,	O'Connor,	Swope,
Bucchin,	Hewitt,	O'Neill,	Vaughan,
Capano,	Hoffman,	Orban,	Verona,
Chervenak,	Horan,	Petrosky,	Waldron,
Chudoff,	Johnston,	Powers,	Wallin,
Cochran,	Kirley,	Richter,	Weiss,
Cole,	Laughner,	Riley,	Wheeler,
Cordier,	Lovett,	Sarraf,	Yester,
Davison,	Madden,	Scanlon,	Yetzer,
Depuy,	Mazza,		

NOT VOTING—6

Aaronson,	Readinger,	Simons,	Trout,
Hall,	Reese, R. E.,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS PASSED OVER

There being no objection

House Bill No. 670, Printer's No. 341,

was passed over at the request of Mr. SPROUL.

There being no objection

House Bill No. 692, Printer's No. 342,

was passed over at the request of Mr. LOVETT.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 745, as follows:

An Act to amend sections one thousand one hundred twenty-one and one thousand one hundred thirty of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by providing for the budgeting of the traveling expenses of county and assistant county superintendents and the allocation of same

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one thousand one hundred twenty-one of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as last amended by the act approved the twenty-seventh day of May one thousand nine hundred nineteen (P. L. 300) is hereby further amended to read as follows

Section 1121 The annual salary of each county superintendent elected or appointed under the provisions of this act shall be paid by the State from appropriations made for this purpose or from the appropriations for the public schools [and shall be fifteen dollars ($15] [for each of the first one hundred schools within his jurisdiction at the time of his election and ten dollars ($10) for each such additional school Provided That the salary of a county superintendent shall not be less than two thousand dollars ($2000) per annum nor more than two thousand five hundred dollars ($2500) per annum] but a convention of school directors assembled for the purpose of electing a county superintendent may vote him a salary greater than the amount he would receive by this act such increase to be paid in all cases out of the school fund apportioned to the school districts over which such county superintendent has supervision before the same is distributed The salaries of county superintendents shall be paid monthly

In addition to the said salary each county superintendent shall be entitled to receive annually [a sum not to exceed five hundred dollars for] the payment of the actual and necessary expenses incurred in visiting schools within his district in attending educational meetings and in the performance of such other official duties as may be required by him by law In providing the budget an average of seven hundred dollars ($700) shall be used in estimating the travel cost of county superintendents provided that the Department of Public Instruction shall allocate the travel funds to the several counties in accordance with regulations to be determined by the Superintendent of Public Instruction Payments shall be made monthly on account of such expenses to any such county superintendent by requisition of the Superintendent of Public Instruction upon the Auditor General upon the production to him if itemized vouchers in the usual manner

Section 2 Section one thousand one hundred thirty of said act as last amended by the act approved the first day of July one thousand nine hundred thirty-seven (P. L. 2592) is hereby further amended to read as follows

Section 1130 The minimum salary of each assistant county superintendent or supervisor of special education as hereinafter in this act provided shall be paid out of the State appropriation for public schools in such payments and manner as the county superintendents are paid Any additional salary granted by the school directors of any county at their convention for electing county superintendent to any assistant county superintendent or supervisor of special education shall be paid from the school appropriation apportioned among the several school districts under the supervision of the county superintendent before the same is distributed The salaries of assistant county superintendents and supervisors of special education shall be paid monthly

In addition to the said salary each assistant county superintendent and each supervisor of special education shall be entitled to receive annually [a sum not to exceed five hundred dollars for] the payment of actual and necessary expenses incurred in visiting schools within his district in attending educational meetings and in the performance of such other official duties as may be required by him by law In providing the budget an average of seven hundred dollars ($700) shall be used in estimating the travel cost of assistant county superintendents and supervisors of special education provided that the Department of Public Instruction shall allocate the travel funds to the several counties in accordance with regulations to be determined by the Superintendent of Public Instruction Payments shall be made monthly on account of such expenses to any such assistant county superintendent or supervisor of special education by requisition of the Superintendent of Public Instruction upon the

Auditor General upon the production to him of itemized vouchers in the usual manner

Section 3 The provisions of this act shall become effective on the first day of July one thousand nine hundredforty-seven

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Frost,	McCosker,	Sax,
Andrews,	Gallagher,	McCullough,	Scanlon,
Bane,	Getchey,	McDonald,	Schuster,
Barrett,	Gibson,	McKinney,	Scott,
Baumunk,	Goff,	McMillen,	Serrill,
Beech,	Goodling,	Mihm,	Shoemaker,
Bender,	Gorman,	Mikula,	Simons,
Bentzel,	Graybill,	Miller,	Smith, C. C.,
Bloom,	Greenwood,	Mills,	Smith, C. M.,
Boies,	Greer,	Mintess,	Snider,
Bonawitz,	Griffiths,	Mohr,	Sollenberger,
Boorse,	Guthrie,	Mooney,	Sorg,
Bower,	Gyger,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenshield,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Bucchin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,
Clevenger,	Jennings,	O'Dare,	Tompkins,
Cochran,	Johnson,	O'Donnell,	Toomey,
Cole,	Johnston,	O'Neill,	Turner,
Cook,	Jones,	Orban,	Upshur,
Cooper,	Jump,	Patten,	Vaughan,
Cordier,	Kean,	Petrosky,	Verona,
Costa,	Kelley,	Pichney,	Wachhaus,
Crowley,	Kemp,	Pickens,	Wagner,
Dague,	Kent,	Polaski,	Waldron,
Dalrymple,	Kirley,	Powers,	Wallin,
Davison,	Kline,	Price,	Walton,
De Long,	Kohl,	Propert,	Waterhouse,
Demech,	Kratz,	Ragot,	Watkins,
Dennison,	Krise,	Readinger,	Watson,
Depuy,	Kurtz,	Reagan,	Weidner,
Dix,	Laughner,	Reese, D. P.,	Weiss,
Dye,	Layer,	Reese, R. E.,	Wescott,
Efenberg,	Lee,	Reilly, J. M.,	West,
Elder,	Leisey,	Reilly, W. J.,	Wheeler,
Erb,	Livingston,	Richter,	Wolf,
Evans,	Livingstone,	Riley,	Wood,
Ewing,	Loftus,	Robbins,	Worley,
Feola,	Lovett,	Robertson,	Yeakel,
Fish,	Lyons,	Root,	Yester,
Fiss,	Madden,	Rose,	Yetzer,
Flack,	Madigan,	Rowen,	Young,
Fleming,	Mazza,	Royer,	Lichtenwalter,
Foor,	McCormack,	Sarraf,	Speaker.

NAYS—0

NOT VOTING—2

Hall,	Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 746, as follows:

An Act to further amend sections two and four of the act approved the thirtieth day of April one thousand nine hundred forty-three (P. L. 145) entitled as amended An act providing for and regulating the accumulation investment and expenditure by counties boroughs incorporated towns townships and school districts of funds for post war projects" permitting contributions to fund after post war period and the purchase or replacement of school buses

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections two and four of the act approved the thirtieth day of April one thousand nine hundred forty-three (P. L. 145) entitled as amended "An act providing for and regulating the accumulation investment and expenditure by counties cities boroughs incorporated towns townships and school districts of funds for post war projects" as amended by the act approved the first day of May one thousand nine hundred forty-five (P. L. 362) are hereby further amended to read as follows

Section 2 Creation of Capital Reserve Fund Any municipality shall have power to create a special fund and to accumulate therein moneys for expenditure in accordance with the provisions of this act during the post war period Such special fund may consist (a) of moneys transferred during any fiscal year from appropriations made for any particular purpose which may not be needed (b) of surplus moneys in the general fund of the treasury of the municipality at the end of any fiscal year [No such moneys shall be paid into the fund after the commencement of the post war period]

The municipality shall annually show in its budget the amount of moneys in the special fund

Section 4 Expenditure of Fund The moneys in any such special fund may be expended by the municipality singly or jointly with the Commonwealth or any department or agency thereof or with one or more capital improvements and for replacement of and additions to public works and improvements and for deferred maintenance thereof, and for the purchase or the replacement of school buses and for no other purpose

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Frost,	McCosker,	Sax,
Andrews,	Gallagher,	McCullough,	Scanlon,
Bane,	Getchey,	McDonald,	Schuster,
Barrett,	Gibson,	McKinney,	Scott,
Baumunk,	Goff,	McMillen,	Serrill,
Beech,	Goodling,	Mihm,	Shoemaker,
Bender,	Gorman,	Mikula,	Simons,
Bentzel,	Graybill,	Miller,	Smith, C. C.,
Bloom,	Greenwood,	Mills,	Smith, C. M.,
Boies,	Greer,	Mintess,	Snider,
Bonawitz,	Griffiths,	Mohr,	Sollenberger,
Boorse,	Guthrie,	Mooney,	Sorg,
Bower,	Gyger,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenshield,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Bucchin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,
Clevenger,	Jennings,	O'Dare,	Tompkins,
Cochran,	Johnson,	O'Donnell,	Toomey,
Cole,	Johnston,	O'Neill,	Turner,

Cook,	Jones,	Orban,	Upshur,
Cooper,	Jump,	Patten,	Vaughan,
Cordier,	Kean,	Petrosky,	Verona,
Costa,	Kelley,	Pichney,	Wachhaus,
Crowley,	Kemp,	Pickens,	Wagner,
Dague,	Kent,	Polaski,	Waldron,
Dalrymple,	Kirley,	Powers,	Wallin,
Davison,	Kline,	Price,	Walton,
De Long,	Kohl,	Propert,	Waterhouse,
Demech,	Kratz,	Ragot,	Watkins,
Dennison,	Krise,	Readinger,	Watson,
Depuy,	Kurtz,	Reagan,	Weidner,
Dix,	Laughner,	Reese, D. P.,	Weiss,
Dye,	Layer,	Reese, R. E.,	Wescott,
Efenberg,	Lee,	Reilly, J. M.,	West,
Elder,	Leisey,	Reilly, W. J.,	Wheeler,
Erb,	Livingston,	Richter,	Wolf,
Evans,	Livingstone,	Riley,	Wood,
Ewing,	Loftus,	Robbins,	Worley,
Feola,	Lovett,	Robertson,	Yeakel,
Fish,	Lyons,	Root,	Yester,
Fiss,	Madden,	Rose,	Yetzer,
Flack,	Madigan,	Rowen,	Young,
Fleming,	Mazza,	Royer,	Lichtenwalter,
Foor,	McCormack,	Sarraf,	Speaker.

NAYS—0

NOT VOTING—2

Hall, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 752, entitled:

An Act to authorize the revival of judgments entered in favor of the Commonwealth of Pennsylvania by filing a suggestion of nonpayment

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. CHUDOFF. Mr. Speaker, I should like to interrogate the sponsor of this bill.

The SPEAKER. Will the gentleman from Erie, Mr. Waterhouse, permit himself to be interrogated?

Mr. WATERHOUSE. I shall, Mr. Speaker.

Mr. CHUDOFF. Mr. Speaker, I should like to know from the gentleman from Erie the purpose of this bill.

Mr. WATERHOUSE. This bill will save the Commonwealth approximately one hundred thousand dollars per year. It merely changes the method of renewing or reviving the judgments which are taken when the recipients of public assistance are on the roll. As you know, any person who applies for public assistance and has property automatically has to give a lien against that property. This lien is taken for two thousand dollars for each; in other words, a couple would be four thousand dollars, and at the end of five years this judgment if it remains unpaid must be revived. Now, it has to be done through an attorney and so forth and so on. This way it can only be done by sci. fa. of suggestion of nonpayment.

Mr. CHUDOFF. I would like to know from the gentleman whether this would wipe out the affidavit of defense by the defendant that could be filed by the defendant to a sci. fa. to revive a judgment.

Mr. WATERHOUSE. I understand it would not, Mr. Speaker.

Mr. CHUDOFF. I should like to know from the gentleman whether this would affect any other judgment taken by the Commonwealth, for instance the Department of Revenue or any other department?

Mr. WATERHOUSE. This judgment would not be changed in any way.

Mr. CHUDOFF. I thank the gentleman.

Mr. Speaker, this might be considered a lawyer's bill. It has always been the law in the Commonwealth of Pennsylvania that in order to bind real estate by judgment within five years of the date of the original judgment the plaintiff would have to file a sci. fa. to revive the judgment, which writ is issued by the Prothonotaries of the several courts of the Commonwealth and served by the Sheriff. The defendant can then file an affidavit of defense to having the sci. fa. revived, and if payment of the judgment has been made that is set up in the affidavit of defense.

If this bill is passed it would take away from the defendent in a Public Assistance judgment the right to file an affidavit of defense; it simply would give a judgment to the plaintiff for five more years against the real estate of the defendant without any defense thereto.

Mr. SORG. I desire, Mr. Speaker, to interrogate the gentleman from Philadelphia, Mr. Chudoff.

The SPEAKER. Will the gentleman from Philadelphia permit himself to be interrogated?

Mr. CHUDOFF. I will, Mr. Speaker.

Mr. SORG. Does the gentleman mean to infer, Mr. Speaker, that providing the general procedure is followed the defendant will have no remedy to remove the judgment from the record in the event of payment?

Mr. CHUDOFF. I did not say that, Mr. Speaker. It would preclude it in the event that the Department of Public Assistance files an affidavit of defense to a sci. fa., which right it now has.

Mr. SORG. The gentleman does admit then, Mr. Speaker, that a defendant would have the right to have the judgment removed in the event of payment.

Mr. CHUDOFF. The defendant might have a right to take a rule to strike off the judgment, but that is an equitable right and the court might resist that right for laches.

Mr. SORG. Will the gentleman state the cost of a proceeding to revive a judgment in Philadelphia?

Mr. CHUDOFF. Well, the writ I believe is two dollars and twenty-five cents and the Sheriff's costs depend upon the Sheriff's mileage fees. The average cost of reviving a judgment in Philadelphia by sci. fa. is about seven dollars at the present time.

Mr. SORG. And who is liable, Mr. Speaker, for those costs?

Mr. CHUDOFF. That passes on with the defendent's judgment, Mr. Speaker.

Mr. SORG. Therefore to revive the judgment producing a lien by recipitents of assistance under the present law it is absolutely necessary to impose additional costs to at least the extent of seven dollars on the defendent?

Mr. CHUDOFF. That is right, Mr. Speaker.

Mr. SORG. I recommend this bill as a savings not only to the Commonwealth but to the recipitents as well.

Mr. O'CONNOR. Mr. Speaker, I desire to interrogate the gentleman from Elk, Mr. Sorg.

The SPEAKER. Will the gentleman from Elk permit himself to be interrogated?

Mr. SORG. I will, Mr. Speaker.

Mr. O'CONNOR. Mr. Speaker, I should like to state to the gentleman that I admit this is a good bill in so far as the original defendant is concerned, but does not the present bill apply to the terre tenants?

Mr. SORG. Yes, Mr. Speaker, it does.

Mr. O'CONNOR. Does the gentleman not think that the bill should be amended to eliminate the terre tenant?

Mr. SORG. Mr. Speaker, I had given that no previous thought. I do feel, however, that the same logic that would apply to the original defendant would apply also to the terre tenant. As a matter of fact, Mr. Speaker, the effect would be to save costs either to the original defendant or to the terre tenants themselves.

Mr. O'CONNOR. Is it not true, Mr. Speaker, that the terre tenant has judgment entered against him under this bill without notice as required by the law today?

Mr. SORG. I will accept the gentleman's word for that Mr. Speaker, because I haven't the knowledge to answer his question.

Mr. O'CONNOR. The bill provides that the judgment can be revived against the original defendant and the terre tenant merely by suggestion on the record, by revival of the municipal lien. I believe that part is unfair; I think the first part is all right. Would the gentleman object to holding it over?

Mr. SORG. I would not. Mr. Speaker, I ask that this bill be passed over temporarily.

The SPEAKER. If there is no objection, the Chair will rescind its decision that this bill was agreed to on third reading. The Chair hears none.

BILL PASSED OVER

There being no objection

House Bill No. 752, Printer's No. 345,

was passed over at the request of the SPEAKER.

PARLIAMENTARY INQUIRY

Mr. BROWN. Mr. Speaker, I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. BROWN. Did the Chair put the motion to pass the the bill over?

The SPEAKER. It was done by unanimous consent. Does the gentleman object?

Mr. BROWN. Mr. Speaker, I don't object to passing the bill over, but I would like to interrogate the gentleman from Elk, Mr. Sorg.

The SPEAKER. Will the gentleman from Elk, Mr. Sorg, permit himself to be interrogated?

Mr. SORG. I shall, Mr. Speaker.

Mr. BROWN. Mr. Speaker, I understood the gentleman to say that this applied only to judgments entered by the Department of Assistance?

Mr. SORG. Any claims by the Commonwealth, Mr. Speaker.

Mr. BROWN. All claims by the Commonwealth?

Mr. SORG. That is correct, Mr. Speaker.

Mr. BROWN. Well, Mr. Speaker, since the bill has been pased over, would the gentleman object if this bill be given to the Attorney General or some competent lawyer for study?

Mr. SORG. Does the gentleman ask me for a job, Mr. Speaker?

I am perfectly agreeable to having the bill passed over temporarily. I do resent the idea that it should be referred to a competent lawyer, with the accent on "competent", but I would like to observe to the gentleman that it has already been referred to the Attorney General and approved by that Department.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 779, as follows:

An Act to amend section forty of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1237) entitled "An act affecting marital relations prescribing grounds and regulating proceedings for divorce and the annulment of bigamous marriages and amending revising and consolidating the law relating thereto" providing for a rule upon respondent to furnish a bill of particulars in certain cases

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section forty of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1237) entitled "An act affecting marital relations prescribing grounds and regulating proceedings for divorce and the annulment of bigamous marriages and amending revising and consolidating the law relating thereto" is hereby amended to read as follows

Section 40 Bill of Particulars In any suit or action in divorce it shall be lawful for the respondent at any time after the return of the subpoena to enter a rule upon the libellant to furnish a bill of particulars of the cause of action as set forth in the libellant's petition filed and if the same be not furnished by the libellant within thirty days after service of notice of the rule entered unless the court shall upon cause shown extend the time the court shall enter judgment of non pros

In any suit or action in divorce in which the respondent's answer alleges that libellant has committed adultery desertion cruel and barbarous treatment or indignities to the person of the respondent the court may on petition by the libellant grant a rule upon the respondent to furnish a bill af particulars relating to such allegations as set forth in the respondent's answer and if the same be not furnished by the respondent within thirty days after entry of the rule or such other time as the court shall fix the respondent shall not be permitted to introduce evidence in proof of such allegations

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitutionthe yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Frost,	McCosker,	Sax,
Andrews,	Gallagher,	McCullough,	Scanlon,
Bane,	Getchey,	McDonald,	Schuster,
Barrett,	Gibson,	McKinney,	Scott,
Baumunk,	Goff,	McMillen,	Serrill,
Beech,	Goodling,	Mihm,	Shoemaker,
Bender,	Gorman,	Mikula,	Simons,
Bentzel,	Graybill,	Miller,	Smith, C. C.,
Bloom,	Greenwood,	Mills,	Smith, C. M.,
Boies,	Greer,	Mintess,	Snider,
Bonawitz,	Griffiths,	Mohr,	Sollenberger,
Boorse,	Guthrie,	Mooney,	Sorg,
Bower,	Gyger,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenshield,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,

Bucchin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,
Clevenger,	Jennings,	O'Dare,	Tompkins,
Cochran,	Johnson,	O'Donnell,	Toomey,
Cole,	Johnston,	O'Neill,	Turner,
Cook,	Jones,	Orban,	Upshur,
Cooper,	Jump,	Patten,	Vaughan,
Cordier,	Kean,	Petrosky,	Verona,
Costa,	Kelley,	Pichney,	Wachhaus,
Crowley,	Kemp,	Pickens,	Wagner,
Dague,	Kent,	Polaski,	Waldron,
Dalrymple,	Kirley,	Powers,	Wallin,
Davison,	Kline,	Price,	Walton,
De Long,	Kohl,	Propert,	Waterhouse,
Demech,	Kratz,	Ragot,	Watkins,
Dennison,	Krise,	Readinger,	Watson,
Depuy,	Kurtz,	Reagan,	Weidner,
Dix,	Laughner,	Reese, D. P.,	Weiss,
Dye,	Layer,	Reese, R. E.,	Wescott,
Efenberg,	Lee,	Reilly, J. M.,	West,
Elder,	Leisey,	Reilly, W. J.,	Wheeler,
Erb,	Livingston,	Richter,	Wolf,
Evans,	Livingstone,	Riley,	Wood,
Ewing,	Loftus,	Robbins,	Worley,
Feola,	Lovett,	Robertson,	Yeakel,
Fish,	Lyons,	Root,	Yester,
Fiss,	Madden,	Rose,	Yetzer,
Flack,	Madigan,	Rowen,	Young,
Fleming,	Mazza,	Royer,	Lichtenwalter,
Foor,	McCormack,	Sarraf,	Speaker.

NAYS—0

NOT VOTING—2

Hall,	Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 793, as follows:

An Act to amend section one thousand one hundred fifty-six of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" providing for the regulation of encroachments on townships highways and the issuing of permits therefor by the townships supervisors instead of by the Department of Highways of the Commonwealth and for the payment of permit fees into the township treasury

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one thousand one hundred fifty-six of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" is hereby amended to read as follows

Section 1156 Highway Permits No railroad or street railway shall hereafter be constructed upon any township highway nor shall any railroad or street railway crossings nor any gas pipe water pipe electric conduits or other piping be laid upon or in nor shall any telephone telegraph or electric light or power poles or any coal tipples or any other obstructions be erected upon or in any portion of a township highway except under such conditions restrictions and regulations and subject to the payment of such fees for permits as may be prescribed and required by the [State Highway Department] township supervisors not exceeding the reasonable cost of issuing the permit and expense of inspecting the work authorized by such permit upon completion thereof All fees so collected for permits shall be paid into the [State Treasury and shall be credited to the special fund in the State Treasury into which motor vehicle registration and license fees are now paid and all such permit fees in said fund from time to time are hereby specifically appropriated to the State Highway Department for expenditure for the same purpose and in like manner as that for which the moneys now in said fund may be expended] township treasury All Permits heretofore issued by the Department of Highways of the Commonwealth shall remain in full force and effect until altered or revoked by the township supervisors

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitutionthe yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Frost,	McCosker,	Sax,
Andrews,	Gallagher,	McCullough,	Scanlon,
Bane,	Getchey,	McDonald,	Schuster,
Barrett,	Gibson,	McKinney,	Scott,
Baumunk,	Goff,	McMillen,	Serrill,
Beech,	Goodling,	Mihm,	Shoemaker,
Bender,	Gorman,	Mikula,	Simons,
Bentzel,	Graybill,	Miller,	Smith, C. C.,
Bloom,	Greenwood,	Mills,	Smith, C. M.,
Boies,	Greer,	Mintess,	Snider,
Bonawitz,	Griffiths,	Mohr,	Sollenberger,
Boorse,	Guthrie,	Mooney,	Sorg,
Bower,	Gyger,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenshield,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Bucchin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,
Clevenger,	Jennings,	O'Dare,	Tompkins,
Cochran,	Johnson,	O'Donnell,	Toomey,
Cole,	Johnston,	O'Neill,	Turner,
Cook,	Jones,	Orban,	Upshur,
Cooper,	Jump,	Patten,	Vaughan,
Cordier,	Kean,	Petrosky,	Verona,
Costa,	Kelley,	Pichney,	Wachhaus,
Crowley,	Kemp,	Pickens,	Wagner,
Dague,	Kent,	Polaski,	Waldron,
Dalrymple,	Kirley,	Powers,	Wallin,
Davison,	Kline,	Price,	Walton,
De Long,	Kohl,	Propert,	Waterhouse,
Demech,	Kratz,	Ragot,	Watkins,
Dennison,	Krise,	Readinger,	Watson,
Depuy,	Kurtz,	Reagan,	Weidner,
Dix,	Laughner,	Reese, D. P.,	Weiss,
Dye,	Layer,	Reese, R. E.,	Wescott,
Efenberg,	Lee,	Reilly, J. M.,	West,
Elder,	Leisey,	Reilly, W. J.,	Wheeler,
Erb,	Livingston,	Richter,	Wolf,
Evans,	Livingstone,	Riley,	Wood,
Ewing,	Loftus,	Robbins,	Worley,
Feola,	Lovett,	Robertson,	Yeakel,
Fish,	Lyons,	Root,	Yester,
Fiss,	Madden,	Rose,	Yetzer,
Flack,	Madigan,	Rowen,	Young,
Fleming,	Mazza,	Royer,	Lichtenwalter,
Foor,	McCormack,	Sarraf,	Speaker.

NAYS—0

NOT VOTING—2

Hall,	Trout,

The majority required by the Constitution having voted

in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 813, as follows:

An Act to further amend subsections A and B of section seven hundred seven of the act approved the fifth day of May one thousand nine hundred and thirty-three (P. L. 457) entitled "An act relating to the business of building and loan associations providing for the organization and voluntary dissolution of such associations defining the rights powers duties liabilities and immunities of such associations and of their officers directors shareholders solicitors and other employes prohibiting the transaction of business in this Commonwealth by foreign building and loan associations conferring powers and imposing duties upon the courts recorders of deeds and certain State departments commissions and officers establishing limitations of actions imposing penalties and repealing certain acts and parts of acts" eliminating requirement that certificates of clearance be filed with articles of amendment

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsections A and B of section seven hundred seven of the act approved the fifth day of May one thousand nine hundred and thirty-three (P. L. 457) entitled "An act relating to the business of building and loan associations providing for the organization and voluntary dissolution of such associations defining the rights powers duties liabilities and immunities of such associations and of their officers directors shareholders solicitors and other employes prohibiting the transaction of business in this Commonwealth by foreign building and loan associations conferring powers and imposing duties upon the courts recorders of deeds and certain State departments commissions and officers establishing limitations of actions imposing penalties and repealing certain acts and parts of acts" as amended by the act approved the twenty-fourth day of July one thousand nine hundred and forty-one (P. L. 467) is hereby further amended to read as follows

Section 707 Filing of Articles of Amendments Payment of Fees Approval by Department of State A The articles of amendment [,] and the proof of publication of the advertisement required by this act [and a certificate or certificates from the proper department or departments as required by law] shall be delivered to the Department of State

B The Department of State shall examine such articles of amendment [,] and such proof of publication [and such certificate or certificates herein required to be delivered therewith] to determine whether they contain all the information and are in the form required by this act [After all the fees taxes and other charges have been paid as required by law except for the costs of any examinations made by the Department of Banking pursuant to the provisions of this act to determine whether to approve the amendment or any other charges made by the Department of Banking the] The Department of State shall if the articles of amendment and the proof of publication contain the information and are in the form required by this act forthwith but not prior to the day specified in the advertisement of the intention of the association to file the articles endorse its approval thereon and shall forthwith transmit them to the Department of Banking

C * * * * * *

Section 2 Effective Date The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and naws were taken and were as follows:

YEAS—203

Aaronson,	Frost,	McCosker,	Sax,
Andrews,	Gallagher,	McCullough,	Scanlon,
Bane,	Getchey,	McDonald,	Schuster,
Barrett,	Gibson,	McKinney,	Scott,
Baumunk,	Goff,	McMillen,	Serrill,
Beech,	Goodling,	Mihm,	Shoemaker,
Bender,	Gorman,	Mikula,	Simons,
Bentzel,	Graybill,	Miller,	Smith, C. C.,
Bloom,	Greenwood,	Mills,	Smith, C. M.,
Boies,	Greer,	Mintess,	Snider,
Bonawitz,	Griffiths,	Mohr,	Sollenberger,
Boorse,	Guthrie,	Mooney,	Sorg,
Bower,	Gyger,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenshield,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Bucchin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,
Clevenger,	Jennings,	O'Dare,	Tompkins,
Cochran,	Johnson,	O'Donnell,	Toomey,
Cole,	Johnston,	O'Neill,	Turner,
Cook,	Jones,	Orban,	Upshur,
Cooper,	Jump,	Patten,	Vaughan,
Cordier,	Kean,	Petrosky,	Verona,
Costa,	Kelley,	Pichney,	Wachhaus,
Crowley,	Kemp,	Pickens,	Wagner,
Dague,	Kent,	Polaski,	Waldron,
Dalrymple,	Kirley,	Powers,	Wallin,
Davison,	Kline,	Price,	Walton,
De Long,	Kohl,	Propert,	Waterhouse,
Demech,	Kratz,	Ragot,	Watkins,
Dennison,	Krise,	Readinger,	Watson,
Depuy,	Kurtz,	Reagan,	Weidner,
Dix,	Laughner,	Reese, D. P.,	Weiss,
Dye,	Layer,	Reese, R. E.,	Wescott,
Efenberg,	Lee,	Reilly, J. M.,	West,
Elder,	Leisey,	Reilly, W. J.,	Wheeler,
Erb,	Livingston,	Richter,	Wolf,
Evans,	Livingstone,	Riley,	Wood,
Ewing,	Loftus,	Robbins,	Worley,
Feola,	Lovett,	Robertson,	Yeakel,
Fish,	Lyons,	Root,	Yester,
Fiss,	Madden,	Rose,	Yetzer,
Flack,	Madigan,	Rowen,	Young,
Fleming,	Mazza,	Royer,	Lichtenwalter,
Foor,	McCormack,	Sarraf,	Speaker.

NAYS—0

NOT VOTING—2

Hall, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 814, as follows:

An Act to further amend subsections A and B of section eight hundred seven of the act approved the fifteenth day of May one thousand nine hundred and thirty-three (P. L. 624) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers defining the rights powers du-

ties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employes of all such corporations of private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" eliminating requirement that certificates of clearance be filed with articles of amendment

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsections A and B of section eight hundred seven of the act approved the fifteenth day of May one thousand nine hundred and thirty-three (P. L. 624) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employes of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" as amended by the act approved the twenty-fourth day of July one thousand nine hundred and forty-one (P. L. 469) is hereby further amended to read as follows

Section 807 Filing of Articles of Amendment Payment of Fees Approval by Department of State A The articles of amendment [,] and the proof of publication of the advertisement required by this act [, and a certificate or certificates from the proper department or departments evidencing payment by the corporation of all taxes bonus and charges as required by law except fees for examinations by the Department of Banking herein provided,] shall be delivered to the Department of State

B The Department of State shall examine such articles of amendment [,] and such proof of ublication [, and such certificate or certificates] to determine whether they contain all the information and are in the form required by this act [After all the bonus fees taxes and other charges have been paid as required by law except for the costs of any examination made by the Department of Banking pursuant to the provisions or any other charges made by the Department of Banking the] The Department of State shall if the articles of amendment [,] and the proof of publication [and the certificate or certificates as herein required evidencing payment of all taxes bonus and charges] the articles of amendment required by this act endorse its approval contain the information and are in the form required by this act forthwith but not prior to the day specified in the advertisement of thereon and shall forthwith transmit them to the Department of Banking

C * * * * *

Section 2 Effective Date The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and naws were taken and were as follows:

YEAS—203

Aaronson,	Frost,	McCosker,	Sax,
Andrews,	Gallagher,	McCullough,	Scanlon,
Bane,	Getchey,	McDonald,	Schuster,
Barrett,	Gibson,	McKinney,	Scott,
Baumunk,	Goff,	McMillen,	Serrill,
Beech,	Goodling,	Mihm,	Shoemaker,
Bender,	Gorman,	Mikula,	Simons,
Bentzel,	Graybill,	Miller,	Smith, C. C.,
Bloom,	Greenwood,	Mills,	Smith, C. M.,
Boies,	Greer,	Mintess,	Snider,
Bonawitz,	Griffiths,	Mohr,	Sollenberger,
Boorse,	Guthrie,	Mooney,	Sorg,
Bower,	Gyger,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenshield,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Bucchin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,
Clevenger,	Jennings,	O'Dare,	Tompkins,
Cochran,	Johnson,	O'Donnell,	Toomey,
Cole,	Johnston,	O'Neill,	Turner,
Cook,	Jones,	Orban,	Upshur,
Cooper,	Jump,	Patten,	Vaughan,
Cordier,	Kean,	Petrosky,	Verona,
Costa,	Kelley,	Pichney,	Wachhaus,
Crowley,	Kemp,	Pickens,	Wagner,
Dague,	Kent,	Polaski,	Waldron,
Dalrymple,	Kirley,	Powers,	Wallin,
Davison,	Kline,	Price,	Walton,
De Long,	Kohl,	Propert,	Waterhouse,
Demech,	Kratz,	Ragot,	Watkins,
Dennison,	Krise,	Readinger,	Watson,
Depuy,	Kurtz,	Reagan,	Weidner,
Dix,	Laughner,	Reese, D. P.,	Weiss,
Dye,	Layer,	Reese, R. E.,	Wescott,
Efenberg,	Lee,	Reilly, J. M.,	West,
Elder,	Leisey,	Reilly, W. J.,	Wheeler,
Erb,	Livingston,	Richter,	Wolf,
Evans,	Livingstone,	Riley,	Wood,
Ewing,	Loftus,	Robbins,	Worley,
Feola,	Lovett,	Robertson,	Yeakel,
Fish,	Lyons,	Root,	Yester,
Fiss,	Madden,	Rose,	Yetzer,
Flack,	Madigan,	Rowen,	Young,
Fleming,	Mazza,	Royer,	Lichtenwalter,
Foor,	McCormack,	Sarraf,	Speaker.

NAYS—0

NOT VOTING—2

Hall, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 875, as follows:

An Act to further amend section one of the act approved the seventh day of June one thousand nine hundred eleven (P. L. 680) entitled "An act providing for the examination licensure and registration of persons firms or corporations engaged or engaging in the business or work of plumbing or house drainage and prescribing certain rules regulations and requirements for the construction of plumbing house drainage and cesspools in cities of the first class and imposing fines penalties and forfeitures for violation thereof" by exempting therefrom the construction of sewers and water lines

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one of the act approved the seventh day of June one thousand nine hundred eleven (P. L. 680) entitled "An act providing for the examination licensure and registration of persons firms or corporations engaged or engaging in the business or work of plumbing or house drainage and prescribing certain rules regulations and requirements for the construction of plumbing house drainage and cesspools in cities of the first class and imposing fines penalties and forfeitures for violation thereof" as last amended by section one of the act approved the second day of June one thousand nine hundred thirty-five (P. L. 561) is hereby further amended to read as follows

Section 1 Be it enacted &c That on and after the first day of January one thousand nine hundred and thirty-six it shall be unlawful for any persons to carry on the business or work at the trade of plumbing defined as drainage water piping or the construction alteration and repairing any drainage cesspools trap waste vent or water piping and fixtures attached thereto directly or indirectly connected to the city service water supply or any connection or connections in relation thereto except gas or electric water heaters in cities of the first class having a system of sewerage and water supply of this Commonwealth until a master plumber's license and certificate of registration to engage in or work at said business shall have been granted said persons by the Department of Health of such cities Provided That nothing in this act shall be construed to prevent the employment of apprentices except as hereinafter provided journeymen and licensed plumbers under the direction of duly certified and licensed master plumbers or under the direction of registered journeymen plumbers And provided further That master plumbers duly certified and licensed and having a bona fide place of business in said cities of the passage of this act and registered journeymen plumbers shall not be required to undergo an examination and they shall be entitled to apply for registration annually thereafter Provided That the term plumbing shall not be construed to include the laying of sewers and water pipes (including the laterals) by said cities either directly or by its duly authorized contractors or agents or constructed under the supervision of said cities or under the supervision of a registered professional engineer

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Frost,	McCosker,	Sax,
Andrews,	Gallagher,	McCullough,	Scanlon,
Bane,	Getchey,	McDonald,	Schuster,
Barrett,	Gibson,	McKinney,	Scott,
Baumunk,	Goff,	McMillen,	Serrill,
Beech,	Goodling,	Mihm,	Shoemaker,
Bender,	Gorman,	Mikula,	Simons,
Bentzel,	Graybill,	Miller,	Smith, C. C.,
Bloom,	Greenwood,	Mills,	Smith, C. M.,
Boles,	Greer,	Mintess,	Snider,
Bonawitz,	Griffiths,	Mohr,	Sollenberger,
Boorse,	Guthrie,	Mooney,	Sorg,
Bower,	Gyger,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenshield,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Bucchin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,
Clevenger,	Jennings,	O'Dare,	Tompkins,
Cochran,	Johnson,	O'Donnell,	Toomey,
Cole,	Johnston,	O'Neill,	Turner,
Cook,	Jones,	Orban,	Upshur,
Cooper,	Jump,	Patten,	Vaughan,
Cordier,	Kean,	Petrosky,	Verona,
Costa,	Kelley,	Pichney,	Wachhaus,
Crowley,	Kemp,	Pickens,	Wagner,
Dague,	Kent,	Polaski,	Waldron,
Dalrymple,	Kirley,	Powers,	Wallin,
Davison,	Kline,	Price,	Walton,
De Long,	Kohl,	Propert,	Waterhouse,
Demech,	Kratz,	Ragot,	Watkins,
Dennison,	Krise,	Readinger,	Watson,
Depuy,	Kurtz,	Reagan,	Weidner,
Dix,	Laughner,	Reese, D. P.,	Weiss,
Dye,	Layer,	Reese, R. E.,	Wescott,
Efenberg,	Lee,	Reilly, J. M.,	West,
Elder,	Leisey,	Reilly, W. J.,	Wheeler,
Erb,	Livingston,	Richter,	Wolf,
Evans,	Livingstone,	Riley,	Wood,
Ewing,	Loftus,	Robbins,	Worley,
Feola,	Lovett,	Robertson,	Yeakel,
Fish,	Lyons,	Root,	Yester,
Fiss,	Madden,	Rose,	Yetzer,
Flack,	Madigan,	Rowen,	Young,
Fleming,	Mazza,	Royer,	Lichtenwalter,
Foor,	McCormack,	Sarraf,	Speaker.

NAYS—0

NOT VOTING—2

Hall, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 886, as follows:

An Act to add section seven point one to the act approved the twenty-ninth day of June one thousand nine hundred twenty-three (P. L. 957) entitled "An act authorizing boroughs and townships of the first class to adopt and enforce zoning ordinances regulating the location construction and use of buildings the size of courts and open spaces the density of population and the use of land" providing an alternative plan for the adoption of zoning ordinances by boroughs

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the twenty-ninth day of June one thousand nine hundred twenty-three (P. L. 957) entitled "An act authorizing boroughs and townships of the first class to adopt and enforce zoning ordinances regulating the location construction and use of buildings the size of courts and open spaces the density of population and the use of land" is hereby amended by adding immediately after section seven a new section to read as follows

Section 7.1 Alternative Procedure The town council instead of appointing a zoning commission and board of adjustment as provided in sections six and seven may appoint a zoning committee of not more than five (5) persons who may be either borough officials or citizens of the borough Such committee shall have all the powers duties and functions of the zoning commission and the board of adjustment as hereinbefore provided The town council shall have the option of proceeding under this section or as otherwise hereinbefore provided

At least ten (10) days and not more than three (3) weeks prior to the presentation of any proposed ordinance to the town council under this section an informative notice of intention to consider such proposed ordinance and a brief summary setting forth the intent and principal provisions of the proposed ordinance in such reasonable

detail as will give adequate notice of its contents shall be published in the manner provided by law for the publication of ordinances

The provisions of any ordinance passed under the provisions of this section need not be advertised or recorded as in other cases but a copy thereof shall be filed with or attached to the borough ordinance book

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Frost,	McCosker,	Sax,
Andrews,	Gallagher,	McCullough,	Scanlon,
Bane,	Getchey,	McDonald,	Schuster,
Barrett,	Gibson,	McKinney,	Scott,
Baumunk,	Goff,	McMillen,	Serrill,
Beech,	Goodling,	Mihm,	Shoemaker,
Bender,	Gorman,	Mikula,	Simons,
Bentzel,	Graybill,	Miller,	Smith, C. C.,
Bloom,	Greenwood,	Mills,	Smith, C. M.,
Boies,	Greer,	Mintess,	Snider,
Bonawitz,	Griffiths,	Mohr,	Sollenberger,
Boorse,	Guthrie,	Mooney,	Sorg,
Bower,	Gyger,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenshield,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Bucchin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,
Clevenger,	Jennings,	O'Dare,	Tompkins,
Cochran,	Johnson,	O'Donnell,	Toomey,
Cole,	Johnston,	O'Neill,	Turner,
Cook,	Jones,	Orban,	Upshur,
Cooper,	Jump,	Patten,	Vaughan,
Cordier,	Kean,	Petrosky,	Verona,
Costa,	Kelley,	Pichney,	Wachhaus,
Crowley,	Kemp,	Pickens,	Wagner,
Dague,	Kent,	Polaski,	Waldron,
Dalrymple,	Kirley,	Powers,	Wallin,
Davison,	Kline,	Price,	Walton,
De Long,	Kohl,	Propert,	Waterhouse,
Demech,	Kratz,	Ragot,	Watkins,
Dennison,	Krise,	Readinger,	Watson,
Depuy,	Kurtz,	Reagan,	Weidner,
Dix,	Laughner,	Reese, D. P.,	Weiss,
Dye,	Layer,	Reese, R. E.,	Wescott,
Efenberg,	Lee,	Reilly, J. M.,	West,
Elder,	Leisey,	Reilly, W. J.,	Wheeler,
Erb,	Livingston,	Richter,	Wolf,
Evans,	Livingstone,	Riley,	Wood,
Ewing,	Loftus,	Robbins,	Worley,
Feola,	Lovett,	Robertson,	Yeakel,
Fish,	Lyons,	Root,	Yester,
Fiss,	Madden,	Rose,	Yetzer,
Flack,	Madigan,	Rowen,	Young,
Fleming,	Mazza,	Royer,	Lichtenwalter,
Foor,	McCormack,	Sarraf,	Speaker.

NAYS—0

NOT VOTING—2

Hall, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS PASSED OVER

There being no objection

House Bill No. 949, Printer's No. 354,

House Bill No. 955, Printer's No. 356 and

House Bill No. 964, Printer's No. 357,

were passed over at the request of Mr. SORG.

There being no objection

House Bill No. 1022, Printer's No. 360,

was passed over at the request of Mr. BRUSCH.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1084, as follows:

An Act to abolish the Pennsylvania Post-War Planning Commission and to repeal the act by which it was created

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Pennsylvania Post-War Planning Commission is hereby abolished and the terms of all present members thereof terminatetd as of the effective date of this act

Section 2 The act approved the twenty-eight day of April one thousand nine hundred forty-three (P. L. 90) entitled "An act relating to post-war planning creating a Post-War Planning Commission and defining its powers and duties conferring powers and duties upon State administrative departments boards and commissions political subdivisions and other agencies and making an appropriation" is hereby repealed

Section 3 The provisions of this act shall become effective on the thirty-first day of May one thousand nine hundred forty seven

On the question,

Will the House agree to this bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. ANDREWS. Mr. Speaker, I regret that the gentleman from Philadelphia, Mr. Cohen, is not here to lay a wreath upon a once noble and defended institution. The gentleman from Philadelphia, Mr. Cohen, struggled with the present Speaker and the present Majority Leader to convince them that the Post-war Planning Commission needed killing. In the course of a celebrated debate on the floor of the House in May, along the first part, the gentleman from Philadelphia said,

> "Now, Mr. Speaker, if there is a Post-War Planning Commission, I think it is high time that we know where it is, what it does, and when does it expect to tell us what they plan for Pennsylvania".

And then a gentleman on the other side of the House arose and told us about a billion dollar program that the Post-War Planning Commission had framed for Pennsylvania, and His Excellency the Governor in his message told what a noble institution the Post-War Planning Commission was.

The gentleman from Philadelphia in the debate,—I have forgotten whether the Speaker was the present Majority Leader, but the gentleman from Philadelphia said,

> "You see, Mr. Speaker, we have turned over to the Post-War Planning Commission plans for the program in Pennsylvania which we are told in the next ten years indicates a possible expenditure of over one billion dollars."

How they stressed that subject. Then the gentleman from Philadelphia concluded, I am afraid, Mr. Speaker, that there is no such thing as a Post-War Planning Commission" and there are several gentlemen on the other side of the House that rose to tell us there was such a thing as a Post-War Planning Commission and it never, never, never should be changed.

Now, Mr. Speaker, we find them slaying their own institution with simply a tear on the doorstep, and that's why we weep. We are glad it is going, but it is we who are shedding the tears.

Mr. DAGUE. Mr. Speaker, I am happy to hear that at long last the minority can vote in accord with us in regard to something touching on the Post-War Planning Commission. However, in abolishing this Commission the majority is evidencing its aim not to allow temporary governmental agencies the right to exist once their services become unnecessary.

The Post-War Planning Commission was created as an advisory agency to the Governor for the purpose of considering postwar needs of the Commonwealth. During its term the Commission has carried out its functions commendably. Naturally, no mere Commission can cure all the economic conditions which might beset a State; however, this Commission has done much to offset the postwar economic dislocations and the result of their efforts will be experienced for many years to come. The remaining work of the Commission is largely of routine nature and can easily be handled by the Planning Board.

As to the General $200,000 appropriation of the 1943 session of the General Assembly to the Commission and as to the $250,000 appropriation of the 1945 session, the Commission has spent a mere $188,000. This expenditure has, to name a few items, yielded surveys and recommendations on the unemployment compensation system; the State fiscal policy and taxation; agriculture; penal, mental, medical-surgical institutions; local government and finance; also conservation in Pennsylvania.

Out of the million dollar appropriation of the 1945 session to the Commission for work projects, 76.6 per cent of the total appropriation has been allocated to 56 counties on 261 grants. Every dollar of these grants will produce $138.82 in construction, and the total will mean an estimated man years of employment of 29,578.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Frost,	McCosker,	Sax,
Andrews,	Gallagher,	McCullough,	Scanlon,
Bane,	Getchey,	McDonald,	Schuster,
Barrett,	Gibson,	McKinney,	Scott,
Baumunk,	Goff,	McMillen,	Serrill,
Beech,	Goodling,	Mihm,	Shoemaker,
Bender,	Gorman,	Mikula,	Simons,
Bentzel,	Graybill,	Miller,	Smith, C. C.,
Bloom,	Greenwood,	Mills,	Smith, C. M.,
Boies,	Greer,	Mintess,	Snider,
Bonawitz,	Griffiths,	Mohr,	Sollenberger,
Boorse,	Guthrie,	Mooney,	Sorg,
Bower,	Gyger,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenshield,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Buechin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,
Clevenger,	Jennings,	O'Dare,	Tompkins,
Cochran,	Johnson,	O'Donnell,	Toomey,
Cole,	Johnston,	O'Neill,	Turner,
Cook,	Jones,	Orban,	Upshur,
Cooper,	Jump,	Patten,	Vaughan,
Cordier,	Kean,	Petrosky,	Verona,
Costa,	Kelley,	Pichney,	Wachhaus,
Crowley,	Kemp,	Pickens,	Wagner,
Dague,	Kent,	Polaski,	Waldron,
Dalrymple,	Kirley,	Powers,	Wallin,
Davison,	Kline,	Price,	Walton,
De Long,	Kohl,	Propert,	Waterhouse,
Demech,	Kratz,	Ragot,	Watkins,
Dennison,	Krise,	Readinger,	Watson,
Depuy,	Kurtz,	Reagan,	Weidner,
Dix,	Laughner,	Reese, D. P.,	Weiss,
Dye,	Layer,	Reese, R. E.,	Wescott,
Efenberg,	Lee,	Reilly, J. M.,	West,
Elder,	Leisey,	Reilly, W. J.,	Wheeler,
Erb,	Livingston,	Richter,	Wolf,
Evans,	Livingstone,	Riley,	Wood,
Ewing,	Loftus,	Robbins,	Worley,
Feola,	Lovett,	Robertson,	Yeakel,
Fish,	Lyons,	Root,	Yester,
Fiss,	Madden,	Rose,	Yetzer,
Flack,	Madigan,	Rowen,	Young,
Fleming,	Mazza,	Royer,	Lichtenwalter,
Foor,	McCormack,	Sarraf,	Speaker.

NAYS—0

NOT VOTING—2

Hall, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1085, as follows:

A Supplement to the act approved the fourth day of June one thousand nine hundred forty-five (P. L. 1191) entitled "An act to authorize the Pennsylvania Post-War Planning Commission under certain conditions to enter into agreements with political subdivisions of this Commonwealth for the financing of plans and specifications for public works and making an appropriation" providing for the winding up of the functions of the Pennsylvania Post-War Planning Commission by the State Planning Board and reappropriating the unexpended balance of the appropriation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 All the powers conferred and all the duties imposed on the Pennsylvania Post-War Planning Commission by the act to which this is a supplement are hereby transferred to and conferred or imposed on the State Planning Board for the purpose only of carrying into effect obligations covered by agreements made under the provisions of the act to which this is a supplement and which were approved by the Governor on or before the effective date of this act

Section 2 The unexpended balance of the appropriation made to the Pennsylvania Post-War Planning Commission by the act to which this is a supplement is hereby reappropriated to the State Planning Board for the purpose of carrying out the provisions of this act

Section 3 The provisions of this act shall become effective the thirty-first day of May one thousand nine hundred forty-seven

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Frost,	McCosker,	Sax,
Andrews,	Gallagher,	McCullough,	Scanlon,
Bane,	Getchey,	McDonald,	Schuster,
Barrett,	Gibson,	McKinney,	Scott,
Baumunk,	Goff,	McMillen,	Serrill,
Beech,	Goodling,	Mihm,	Shoemaker,
Bender,	Gorman,	Mikula,	Simons,
Bentzel,	Graybill,	Miller,	Smith, C. C.,
Bloom,	Greenwood,	Mills,	Smith, C. M.,
Boles,	Greer,	Mintess,	Snider,
Bonawitz,	Griffiths,	Mohr,	Sollenberger,
Boorse,	Guthrie,	Mooney,	Sorg,
Bower,	Gyger,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenshield,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Bucchin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,
Clevenger,	Jennings,	O'Dare,	Tompkins,
Cochran,	Johnson,	O'Donnell,	Toomey,
Cole,	Johnston,	O'Neill,	Turner,
Cook,	Jones,	Orban,	Upshur,
Cooper,	Jump,	Patten,	Vaughan,
Cordier,	Kean,	Petrosky,	Verona,
Costa,	Kelley,	Pichney,	Wachhaus,
Crowley,	Kemp,	Pickens,	Wagner,
Dague,	Kent,	Polaski,	Waldron,
Dalrymple,	Kirley,	Powers,	Wallin,
Davison,	Kline,	Price,	Walton,
De Long,	Kohl,	Propert,	Waterhouse,
Demech,	Kratz,	Ragot,	Watkins,
Dennison,	Krise,	Readinger,	Watson,
Depuy,	Kurtz,	Reagan,	Weidner,
Dix,	Laughner,	Reese, D. P.,	Weiss,
Dye,	Layer,	Reese, R. E.,	Wescott,
Efenberg,	Lee,	Reilly, J. M.,	West,
Elder,	Leisey,	Reilly, W. J.,	Wheeler,
Erb,	Livingston,	Richter,	Wolf,
Evans,	Livingstone,	Riley,	Wood,
Ewing,	Loftus,	Robbins,	Worley,
Feola,	Lovett,	Robertson,	Yeakel,
Fish,	Lyons,	Root,	Yester,
Fiss,	Madden,	Rose,	Yetzer,
Flack,	Madigan,	Rowen,	Young,
Fleming,	Mazza,	Royer,	Lichtenwalter,
Foor,	McCormack,	Sarraf,	Speaker.

NAYS—0

NOT VOTING—2

Hall, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection

House Bill No. 1090, Printer's No. 407,

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1103, as follows:

An Act to amend sections two hundred seven and eight hundred nine of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 364) entitled "An act relating to business corporations defining and providing for the organization merger consolidation reorganization winding up and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and shareholders prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the second class within the provisions of this act prescribing the terms and conditions upon which foreign business corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas and certain State departments commissions and officers authorizing certain State departments boards commissions or officers to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" requiring the recording of corporation charters and amendments thereto

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections two hundred seven and eight hundred nine of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 364) entitled "An act relating to business corporations defining and providing for the organization merger consolidation reorganization winding up and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and shareholders prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the second class within the provisions of this act prescribing the terms and conditions upon which foreign business corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas and certain State departments commissions and officers authorizing certain State depastments boards commissions or officers to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" are hereby amended to reads as follows

Section 207 Effect of Issuance of Certificate of Incorporation and Recording of Charter Upon the issuance of the certificate of incorporation by the Department of State and the recording of the charter of the corporation in the office for the recording of deeds in and for the county in which the registered office of the corporation is located the corporate existence shall begin and those persons who subscribed for shares prior to the issuance of the certificate of incorporation or their assignees shall be shareholders in the corporation The certificate of incorporation shall be conclusive evidence of the fact that the corporation has been incorporated but proceedings may be instituted by the Commonwealth to dissoluve wind op and terminate a corporation which should not have been formed under this act or which has been formed without a substantial compliance with the conditions prescribed by this act as precedent to incorporation

Section 809 Effective date of amendment upon the issuance of the certificate of amendment by the Department of State and the recording of the certificate and the attached copy of approved articles in the office for the recording of deeds in and for the county in which the registered office of the corporation is located the amendments shall become effective and the articles of incorporation shall be deemed to be amended accordingly the certificate of amendment shall be conclusive evidence of the performance of all conditions required in this act in proceedings to amend the articles of incorporation except as against the Commonwealth no amendment shall affect any existing cause of action in favor of or against the corporation or any pending suit in which the corporation shall be a party or the existing rights of persons other

than shareholders and in the event the corporate name shall be changed by the amendment no suit brought by or against the corporation under its former name shall be abated for that reason

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Frost,	McCosker,	Sax,
Andrews,	Gallagher,	McCullough,	Scanlon,
Bane,	Getchey,	McDonald,	Schuster,
Barrett,	Gibson,	McKinney,	Scott,
Baumunk,	Goff,	McMillen,	Serrill,
Beech,	Goodling,	Mihm,	Shoemaker,
Bender,	Gorman,	Mikula,	Simons,
Bentzel,	Graybill,	Miller,	Smith, C. C.,
Bloom,	Greenwood,	Mills,	Smith, C. M.,
Boies,	Greer,	Mintess,	Snider,
Bonawitz,	Griffiths,	Mohr,	Sollenberger,
Boorse,	Guthrie,	Mooney,	Sorg,
Bower,	Gyger,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenshield,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Bucchin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,
Clevenger,	Jennings,	O'Dare,	Tompkins,
Cochran,	Johnson,	O'Donnell,	Toomey,
Cole,	Johnston,	O'Neill,	Turner,
Cook,	Jones,	Orban,	Upshur,
Cooper,	Jump,	Patten,	Vaughan,
Cordier,	Kean,	Petrosky,	Verona,
Costa,	Kelley,	Pichney,	Wachhaus,
Crowley,	Kemp,	Pickens,	Wagner,
Dague,	Kent,	Polaski,	Waldron,
Dalrymple,	Kirley,	Powers,	Wallin,
Davison,	Kline,	Price,	Walton,
De Long,	Kohl,	Propert,	Waterhouse,
Demech,	Kratz,	Ragot,	Watkins,
Dennison,	Krise,	Readinger,	Watson,
Depuy,	Kurtz,	Reagan,	Weidner,
Dix,	Laughner,	Reese, D. P.,	Weiss,
Dye,	Layer,	Reese, R. E.,	Wescott,
Efenberg,	Lee,	Reilly, J. M.,	West,
Elder,	Leisey,	Reilly, W. J.,	Wheeler,
Erb,	Livingston,	Richter,	Wolf,
Evans,	Livingstone,	Riley,	Wood,
Ewing,	Loftus,	Robbins,	Worley,
Feola,	Lovett,	Robertson,	Yeakel,
Fish,	Lyons,	Root,	Yester,
Fiss,	Madden,	Rose,	Yetzer,
Flack,	Madigan,	Rowen,	Young,
Fleming,	Mazza,	Royer,	Lichtenwalter,
Foor,	McCormack,	Sarraf,	Speaker.

NAYS—0

NOT VOTING—2

Hall, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1106, as follows:

An Act to amend the act approved the second day of May one thousand nine hundred forty-five (P. L. 401) entitled "An act defining and providing for the licensing and regulation of private trade schools and classes conferring powers and imposing duties on the State Board for Vocational Education and prescribing penalties" changing the definition of private trade school and providing for the licensure of agents of such trade schools

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections one three four seven eight and nine of the act approved the second day of May one thousand nine hundred forty-five (P. L. 401) entitled "An act defining and providing for the licensing and regulation of private trade schools and classes conferring powers and imposing duties on the State Board for Vocational Education and prescribing penalties" are hereby amended to read as follows

Section 1 The following words and phrases of this act shall have the meanings ascribed to them

(1) "Private Trade School" or "school" shall mean a school maintained or classes conducted for the purpose of offering instruction for a consideration profit or tuition the purpose of which is to prepare an individual to pursue a recognized profitable occupation in the skilled trades or industries or to give occupational training [other than] "Private Trade School" or "school" shall not include any school maintained or class conducted (I) for training for the vocation of home making to women and girls or (II) to give training in public and other service occupations [or to give vocational technical training designed to prepare an individual for or to upgrade him in technical occupations and technical phases of other occupations for which graduation from a degree-granting institution of college grade is not required] nor shall the terms include correspondence schools business schools private academic schools barber schools beauty cuture schools night schools or degree-granting institutions

(2) "Board" shall mean the State Board for Vocational Education

(3) "Annual" shall refer to the fiscal school year from the first day of July to the following thirtieth day of June inclusive

(4) "Agents" shall mean a person employed by any schol as above defined located within or outside this Commonwealth who shall act as an agent salesman broker or independent contractor to procure students enrolles or subscribers by solicitation in any form made in a place or places other than the office or place of busness of such school

Section 3 The provisions of this act shall be administered by the State Board for Vocational Education which in connection therewith shall have the power to make and to enforce rules and regulations and to make and promulgate standards of instruction not inconsistent with the provisions of this act The board shall appoint an advisory committee of five or more members selected from persons active in the private trade school field a representative of general industry and a representative of labor whose duties shall be to advise to make recommendations to the board regarding rules codes and other regulations for the licensing of schols and agents and to make and to promulgate standards of qualifications for schools and agents so licensed

Section 4 Effective one hundred eighty (180) days after final enactment of this act no private trade school or classes shall continue in operation or shall be established or no agent of such school or classes shall solicit students within the Commonwealth unless there is first secured from the board a license issued in such form as the board shall direct

Section 7 Each original application for a school shall be accompanied by a license fee of fifty dollars ($50.00) and each application for the renewal of a license fee of twenty-five dollars ($25.00) No fee shall be charged for a supplementary application for the approval of additional fields of courses of instruction Each application for an agent

shall be accompanied by a license fee of five dollars ($5.00) and each application for renewal of license for the agent shall be accompanied by a license fee of five dollars ($5.00) All license fees shall be paid into the General Fund in the State Treasury through the Department of Revenue No license fees shall be refunded in the event any license is refused or revoked or for any other reason

Section 8 The board shall maintain [a list] lists of schools and agents licensed under the provisions of this act which shall be available for the information of the public

Section 9 No private trade school or class shall be granted a license or shall be permitted to continue to operate under a granted license unless

(1) It shall permit the board and its [agents] representatives to inspect the school or classes and shall make available to the board at any time when requested to do so full information pertaining to any or all items of information contained in the application form which currently is provided by the board to applicants for license

(2) It shall prominently display the current approved school license where it may be inspected by students visitors and designated officials of the board

(3) The advertising and representations made by anyone representing the school or classes as a salesman or contractual agent to prospective students shall be free from misrepresentation or fraud and shall conform with the rules and regulations of the board governing such advertising or representation

(4) The premises equipment and conditions of the school or classes shall be adequate safe and sanitary in accordance with standards of the Commonwealth of Pennsylvania applicable to such premises and equipment

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Frost,	McCosker,	Sax,
Andrews,	Gallagher,	McCullough,	Scanlon,
Bane,	Getchey,	McDonald,	Schuster,
Barrett,	Gibson,	McKinney,	Scott,
Baumunk,	Goff,	McMillen,	Serrill,
Beech,	Goodling,	Mihm,	Shoemaker,
Bender,	Gorman,	Mikula,	Simons,
Bentzel,	Graybill,	Miller,	Smith, C. C.,
Bloom,	Greenwood,	Mills,	Smith, C. M.,
Boies,	Greer,	Mintess,	Snider,
Bonawitz,	Griffiths,	Mohr,	Sollenberger,
Boorse,	Guthrie,	Mooney,	Sorg,
Bower,	Gyger,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenshield,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Bucchin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,
Clevenger,	Jennings,	O'Dare,	Tompkins,
Cochran,	Johnson,	O'Donnell,	Toomey,
Cole,	Johnston,	O'Neill,	Turner,
Cook,	Jones,	Orban,	Upshur,
Cooper,	Jump,	Patten,	Vaughan,
Cordier,	Kean,	Petrosky,	Verona,
Costa,	Kelley,	Pichney,	Wachhaus,
Crowley,	Kemp,	Pickens,	Wagner,
Dague,	Kent,	Polaski,	Waldron,
Dalrymple,	Kirley,	Powers,	Wallin,
Davison,	Kline,	Price,	Walton,
De Long,	Kohl,	Propert,	Waterhouse,
Demech,	Kratz,	Ragot,	Watkins,
Dennison,	Krise,	Readinger,	Watson,
Depuy,	Kurtz,	Reagan,	Weidner,
Dix,	Laughner,	Reese, D. P.,	Weiss,
Dye,	Layer,	Reese, R. E.,	Wescott,
Efenberg,	Lee,	Reilly, J. M.,	West,
Elder,	Leisey,	Reilly, W. J.,	Wheeler,
Erb,	Livingston,	Richter,	Wolf,
Evans,	Livingstone,	Riley,	Wood,
Ewing,	Loftus,	Robbins,	Worley,
Feola,	Lovett,	Robertson,	Yeakel,
Fish,	Lyons,	Root,	Yester,
Fiss,	Madden,	Rose,	Yetzer,
Flack,	Madigan,	Rowen,	Young,
Fleming,	Mazza,	Royer,	Lichtenwalter,
Foor,	McCormack,	Sarraf,	Speaker.

NAYS—0

NOT VOTING—2

Hall,	Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate fon concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1107, as follows:

An Act to further amend section one of the act approved the sixteenth day of May one thousand eight hundred sixty-one P. L. 708) entitled "An act relating to brokers and private bankers" by changing the times for filing returns and for payment of the tax due

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one of the act approved the sixteenth day of May one thousand eight hundred sixty-one (P. L. 708) entitled "An act relating to brokers and private bankers" as last amended by the act approved the twenty-fifth day of April one thousand nine hundred twenty-nine (P. L. 679) is hereby further amended to read as follows

Section 1 Be it enacted &c That every private banker in this Commonwealth shall on or before the [first Monday of December next] fifteenth day of February one thousand nine hundred forty-eight and on or before the same date in each year thereafter make a written return under oath or affirmation to the nepartment of Revenue of this Commonwealth in which return he shall exhibit and set forth the full amount of his gross receipts from commissions discounts abatements allowances and all other receipts arising from his business during the [year ending with the thirtieth day of November preceding the date of such annual return] thirteen-month period immediately preceding the first day of January one thousand nine hundred forty-eight in the return to be made February fifteenth one thousand nine hundred forty-eight and during the calendar year immediately preceding the return to be made February fifteenth each year thereafter and shall forthwith pay into the State Treasury through the Department of Revenue one per centum upon the aggregate amount of such gross receipts contained in such return for the use of the Commonwealth

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Frost,	McCosker,	Sax,
Andrews,	Gallagher,	McCullough,	Scanlon,

Bane,	Getchey,	McDonald,	Schuster,
Barrett,	Gibson,	McKinney,	Scott,
Baumunk,	Goff,	McMillen,	Serrill,
Beech,	Goodling,	Mihm,	Shoemaker,
Bender,	Gorman,	Mikula,	Simons,
Bentzel,	Graybill,	Miller,	Smith, C. C.,
Bloom,	Greenwood,	Mills,	Smith, C. M.,
Boles,	Greer,	Mintess,	Snider,
Bonawitz,	Griffiths,	Mohr,	Sollenberger,
Boorse,	Guthrie,	Mooney,	Sorg,
Bower,	Gyger,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenshield,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Bucchin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,
Clevenger,	Jennings,	O'Dare,	Tompkins,
Cochran,	Johnson,	O'Donnell,	Toomey,
Cole,	Johnston,	O'Neill,	Turner,
Cook,	Jones,	Orban,	Upshur,
Cooper,	Jump,	Patten,	Vaughan,
Cordier,	Kean,	Petrosky,	Verona,
Costa,	Kelley,	Pichney,	Wachhaus,
Crowley,	Kemp,	Pickens,	Wagner,
Dague,	Kent,	Polaski,	Waldron,
Dalrymple,	Kirley,	Powers,	Wallin,
Davison,	Kline,	Price,	Walton,
De Long,	Kohl,	Propert,	Waterhouse,
Demech,	Kratz,	Ragot,	Watkins,
Dennison,	Krise,	Readinger,	Watson,
Depuy,	Kurtz,	Reagan,	Weidner,
Dix,	Laughner,	Reese, D. P.,	Weiss,
Dye,	Layer,	Reese, R. E.,	Wescott,
Effenberg,	Lee,	Reilly, J. M.,	West,
Elder,	Leisey,	Reilly, W. J.,	Wheeler,
Erb,	Livingston,	Richter,	Wolf,
Evans,	Livingstone,	Riley,	Wood,
Ewing,	Loftus,	Robbins,	Worley,
Feola,	Lovett,	Robertson,	Yeakel,
Fish,	Lyons,	Root,	Yester,
Fiss,	Madden,	Rose,	Yetzer,
Flack,	Madigan,	Rowen,	Young,
Fleming,	Mazza,	Royer,	Lichtenwalter,
Foor,	McCormack,	Sarraf,	Speaker.

NAYS—0

NOT VOTING—2

Hall, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1110, as follows:

An Act to amend sections two and three of the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 694) entitled "An act imposing a tax on gross receipts as an excise on the use of the public highways by certain owners or operators of motor vehicles transporting passengers and property for hire" by further providing for the filing of reports and for certain deductions

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections two and three of the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 694) entitled "An act imposing a tax on gross receipts as an excise on the use of the public highways by certain owners or operators of motor vehicles transporting passengers and property for hire" are hereby amended to read as follows

Section 2 Each company shall pay an excise tax for the use of the highways of this Commonwealth For the purpose of ascertaining the amount to be paid each such company shall on or before the first [days] day of February [and August] of each year file with the Department of Revenue on forms prescribed and furnished by it a report under oath or affirmation setting forth (1) The name and address of the company owning or operating such motor vehicle or vehicles (2) the location of the principal place of business of such company (3) the name and address of the person in this Commonwealth upon whom service of process or other notice may be had against such company (4) a schedule if any or if not a description of the routes over which such company shall have operated over highways in this Commonwealth during the period for which the report is filed (5) the number of miles of all routes over which such motor vehicle or motor vehicles shal lhave been operated by such company during the period for which the report is filed (6) the number of miles within this Commonwealth of al such routes so operated during the period for which the report is filed and (7) the amount of gross receipts of such company from all sources upon its operations during the period for which the report is filed and such other relevant information as the Department of Revenue may require in connection with the settlement of the excise tax hereinafter provided for [each period of six months] the calendar year immediately preceding the first [days] day of January [and july] of each year

Section 3 The amount of excise tax [semiannually] annually to be paid by each company specified in section one of this act shall be as follows (1) In case of a company operating routes which are entirely within the limits of this Commonwealth eight (8) mills upon the dollar upon the gross receipts of such company from all operations for the period covered by such report and (2) in case of a company operating over routes when only a part of such routes lies within this Commonwealth eight (8) mills upon the dollar upon such portion of the gross receipts of such company as is represented by the ratio that the number of miles of routes operated in this Commonwealth by such company during the period for which the report is filed bears to the total number of miles of all routes operated by such company during said period The provisions hereof shall not be construed as exempting any company from complying with the laws relating to fees payable to the Department of Revenue for the registration of motor vehicles In the event however that an excise tax shall be paid by any company to any city of this Commonwealth for the use of its highways during the period for which the report is filed the omount of such tax so paid may be deducted from the amount of tax payable to the Commonwealth as above computed upon satisfactory proof to the Department of Revenue of such payment and in addition thereto where any such company shal have paid to the Department of Revenue a registration fee or fees as provided for by the laws of this Commonwealth upon any motor vehicle or motor vehicles used in the busines sof carrying pasesngers or property for hire over the highways of this Commonwealth it shall receive a credit in each settlement for gross receipts tax made hereunder to the extent of [fifty per cent of] the total amount of the registration fee or fees paid for the calendar year of which the period covered by the settlement was a part

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Frost,	McCosker,	Sax,
Andrews,	Gallagher,	McCullough,	Scanlon,
Bane,	Getchey,	McDonald,	Schuster,

Barrett,	Gibson,	McKinney,	Scott,
Baumunk,	Goff,	McMillen,	Serrill,
Beech,	Goodling,	Mihm,	Shoemaker,
Bender,	Gorman,	Mikula,	Simons,
Bentzel,	Graybill,	Miller,	Smith, C. C.,
Bloom,	Greenwood,	Mills,	Smith, C. M.,
Boles,	Greer,	Mintess,	Snider,
Bonawitz,	Griffiths,	Mohr,	Sollenberger,
Boorse,	Guthrie,	Mooney,	Sorg,
Bower,	Gyger,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenshield,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Bucchin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,
Clevenger,	Jennings,	O'Dare,	Tompkins,
Cochran,	Johnson,	O'Donnell,	Toomey,
Cole,	Johnston,	O'Neill,	Turner,
Cook,	Jones,	Orban,	Upshur,
Cooper,	Jump,	Patten,	Vaughan,
Cordier,	Kean,	Pettigrew,	Verona,
Costa,	Kelley,	Pichney,	Wachhaus,
Crowley,	Kemp,	Pickens,	Wagner,
Dague,	Kent,	Polaski,	Waldron,
Dalrymple,	Kirley,	Powers,	Wallin,
Davison,	Kline,	Price,	Walton,
De Long,	Kohl,	Propert,	Waterhouse,
Demech,	Kratz,	Ragot,	Watkins,
Dennison,	Krise,	Readinger,	Watson,
Depuy,	Kurtz,	Reagan,	Weidner,
Dix,	Laughner,	Reese, D. P.,	Weiss,
Dye,	Layer,	Reese, R. E.,	Wescott,
Efenberg,	Lee,	Reilly, J. M.,	West,
Elder,	Leisey,	Reilly, W. J.,	Wheeler,
Erb,	Livingston,	Richter,	Wolf,
Evans,	Livingstone,	Riley,	Wood,
Ewing,	Loftus,	Robbins,	Worley,
Feola,	Lovett,	Robertson,	Yeakel,
Fish,	Lyons,	Root,	Yester,
Fiss,	Madden,	Rose,	Yetzer,
Flack,	Madigan,	Rowen,	Young,
Fleming,	Mazza,	Royer,	Lichtenwalter,
Foor,	McCormack,	Sarraf,	Speaker.

NAYS—0

NOT VOTING—2

Hall, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection

House Bill No. 1122, Printer's No. 369,

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1137, as follows:

An Act to further amend the act approved the twenty-sixth day of May one thousand nine hundred thirty-three (P. L. 1076) entitled "An act to provide for the organization incorporation operation and supervision of cooperative savings and credit associations to be termed credit unions designating such credit unions as corporations and defining their powers and duties conferring certain powers and duties on the Department of Banking and providing penalties" further defining the membership of Credit Unions and permitting loans to other credit unions

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause VII of section three of the act approved the twenty-sixth day of May one thousand nine hundred thirty-three (P. L. 1076) entitled "An act to provide for the organization incorporation operation and supervision of cooperative savings and credit associations to be termed credit unions designating such credit unions as corporations and defining their powers and duties conferring certain powers and duties on the Department of Banking and providing penalties" as amended by the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 745) is hereby further amended to read as follows

Section 3 Powers Each credit association so formed under the provisions of this act and when so formed by virtue of its existence as such shall have the following powers

* * * * *

VII To deposit its funds in State banks or trust companies or in National banks in this Commonwealth and to an extent which shall not exceed twenty-five per centum of its capital invest its funds in the following

(a) First mortgages of real estate located in this Commonwealth the terms of which call for amortization by the payment from time to time of installments in reduction of principal (b) the paid up shares of such building and loan associations and such other credit unions as are organized under the laws of this Commonwealth and to an extent which shall not exceed ten per centum of the paid-in and unimpaired capital and surplus of the lending credit union in loans to other credit unions organized under the laws of the Commonwealth or of the United States operating within the Commonwealth

Section 2 Section four of said act as amended by the act approved the eighteenth day of May one thousand nine hundred thirty-seven (P. L. 713) is hereby further amended to read as follows

Section 4 Membership Credit union membership shall consist of the incorporators and such other persons as may be elected from time to time to membership and who subscribe to at least one share of the capital stock and pay the initial installment thereon together with the entrance fee Organizations incorporated or otherwise composed principally of the same general group as the credit union membership may be members Crdit union organizations shall be limited to groups of both large and small membership having a common bond of association or by reason of occupation or by reason of membership in a war veteran organization recognized by both the General Assembly of Pennsylvania and the Congress of the United States within a well defined neighborhood community or rural district

Section 3 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Frost,	McCosker,	Sax,
Andrews,	Gallagher,	McCullough,	Scanlon,
Bane,	Getchey,	McDonald,	Schuster,
Barrett,	Gibson,	McKinney,	Scott,
Baumunk,	Goff,	McMillen,	Serrill,
Beech,	Goodling,	Mihm,	Shoemaker,
Bender,	Gorman,	Mikula,	Simons,
Bentzel,	Graybill,	Miller,	Smith, C. C.,
Bloom,	Greenwood,	Mills,	Smith, C. M.,
Boles,	Greer,	Mintess,	Snider,
Bonawitz,	Griffiths,	Mohr,	Sollenberger,
Boorse,	Guthrie,	Mooney,	Sorg,
Bower,	Gyger,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,

Brice,	Haudenshield,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Bucchin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,
Clevenger,	Jennings,	O'Dare,	Tompkins,
Cochran,	Johnson,	O'Donnell,	Toomey,
Cole,	Johnston,	O'Neill,	Turner,
Cook,	Jones,	Orban,	Upshur,
Cooper,	Jump,	Patten,	Vaughan,
Cordier,	Kean,	Petrosky,	Verona,
Costa,	Kelley,	Pichney,	Wachhaus,
Crowley,	Kemp,	Pickens,	Wagner,
Dague,	Kent,	Polaski,	Waldron,
Dalrymple,	Kirley,	Powers,	Wallin,
Davison,	Kline,	Price,	Walton,
De Long,	Kohl,	Propert,	Waterhouse,
Demech,	Kratz,	Ragot,	Watkins,
Dennison,	Krise,	Readinger,	Watson,
Depuy,	Kurtz,	Reagan,	Weidner,
Dix,	Laughner,	Reese, D. P.,	Weiss,
Dye,	Layer,	Reese, R. E.,	Wescott,
Efenberg,	Lee,	Reilly, J. M.,	West,
Elder,	Leisey,	Reilly, W. J.,	Wheeler,
Erb,	Livingston,	Richter,	Wolf,
Evans,	Livingstone,	Riley,	Wood,
Ewing,	Loftus,	Robbins,	Worley,
Feola,	Lovett,	Robertson,	Yeakel,
Fish,	Lyons,	Root,	Yester,
Fiss,	Madden,	Rose,	Yetzer,
Flack,	Madigan,	Rowen,	Young,
Fleming,	Mazza,	Royer,	Lichtenwalter,
Foor,	McCormack,	Sarraf,	Speaker.

NAYS—0

NOT VOTING—2

Hall,	Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1148, as follows:

An Act to further amend section one thousand four of the act approved the fifteenth day of May one thousand nine hundred thirty-three (P. L. 624) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employes of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" further regulating the pledge of assts for deposits

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one thousand four of the act approved the fifteenth day of May one thousand nine hundred thirty-three (P. L. 624) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organizations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employes of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" as amended by the act approved the twenty-first day of June one thousand nine hundred thirty-five (P. L. 369) is hereby further amended to read as follows

Section 1004 Pledge of Assets for Deposits A bank or a bank and trust company shall not have the power to pledge or hypothecate any of its assets as security for deposits made with it except for the following

(1) Federal State municipal school district or other public funds including monies deposited by any pension fund in which the members are or have been employes of any political subdivision within the Commonwealth

(2) Funds deposited by the Secretary of Banking as receiver of a corporation or person of which he has pursuant to the provisions of law taken possession

(3) Funds deposited by a bank and trust company in its own commercial department which funds are being held by such bank and trust company in a fiduciary capacity and are being deposited by it pending investment or distribution

(4) Funds deposited by a corporation or person which are required to be secured by law or an order of a court having jurisdiction

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Frost,	McCosker,	Sax,
Andrews,	Gallagher,	McCullough,	Scanlon,
Bane,	Getchey,	McDonald,	Schuster,
Barrett,	Gibson,	McKinney,	Scott,
Baumunk,	Goff,	McMillen,	Serrill,
Beech,	Goodling,	Mihm,	Shoemaker,
Bender,	Gorman,	Mikula,	Simons,
Bentzel,	Graybill,	Miller,	Smith, C. C.,
Bloom,	Greenwood,	Mills,	Smith, C. M.,
Boies,	Greer,	Mintess,	Snider,
Bonawitz,	Griffiths,	Mohr,	Sollenberger,
Boorse,	Guthrie,	Mooney,	Sorg,
Bower,	Gyger,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenshield,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Bucchin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,
Clevenger,	Jennings,	O'Dare,	Tompkins,
Cochran,	Johnson,	O'Donnell,	Toomey,

Cole,	Johnston,	O'Neill,	Turner,
Cook,	Jones,	Orban,	Upshur,
Cooper,	Jump,	Patten,	Vaughan,
Cordier,	Kean,	Petrosky,	Verona,
Costa,	Kelley,	Pichney,	Wachhaus,
Crowley,	Kemp,	Pickens,	Wagner,
Dague,	Kent,	Polaski,	Waldron,
Dalrymple,	Kirley,	Powers,	Wallin,
Davison,	Kline,	Price,	Walton,
De Long,	Kohl,	Propert,	Waterhouse,
Demech,	Kratz,	Ragot,	Watkins,
Dennison,	Krise,	Readinger,	Watson,
Depuy,	Kurtz,	Reagan,	Weidner,
Dix,	Laughner,	Reese, D. P.,	Weiss,
Dye,	Layer,	Reese, R. E.,	Wescott,
Efenberg,	Lee,	Reilly, J. M.,	West,
Elder,	Leisey,	Reilly, W. J.,	Wheeler,
Erb,	Livingston,	Richter,	Wolf,
Evans,	Livingstone,	Riley,	Wood,
Ewing,	Loftus,	Robbins,	Worley,
Feola,	Lovett,	Robertson,	Yeakel,
Fish,	Lyons,	Root,	Yester,
Fiss,	Madden,	Rose,	Yetzer,
Flack,	Madigan,	Rowen,	Young,
Fleming,	Mazza,	Royer,	Lichtenwalter,
Foor,	McCormack,	Sarraf,	Speaker.

NAYS—0

NOT VOTING—2

Hall, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection

House Bill No. 1209, Printer's No. 372,

was passed over at the request of Mrs. DYE.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1235, as follows:

An Act to further amend subsection (d) of section eight hundred fourteen of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be in consistent therewith" providing for aff the roadway parking facilities for school buses in certain districts

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (d) of section eight hundred fourteen of the act approved the eighteenth day of May one thousand nine hundred elevn (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as last amended by the act approved the twentieth day of June one thousand nine hundred thirty-nine (P. L. 491) is hereby further amended to read as follows

Section 814 The county board of school directors shall have power and its duty shall be

* * * * *

(d) To recommend the approval or disapproval of school sites and buildings by the State Council of Education Provided That they shall before approving plans for school buildings require that provision shall be made for loading and discharging of school pupils off the highways or streets and such facilities shall be provided in proportion in size of the facilities to be made available for public use In the event it shall not be possible to provide such off the street or highway parking a special permit to omit such provision shall be secured from the Department of Public Instruction The Superintendent of Public Instruction and the Secretary of Highways shall jointly prescribe standards relative to such parking facilities for use of the county board of directors

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Frost,	McCosker,	Sax,
Andrews,	Gallagher,	McCullough,	Scanlon,
Bane,	Getchey,	McDonald,	Schuster,
Barrett,	Gibson,	McKinney,	Scott,
Baumunk,	Goff,	McMillen,	Serrill,
Beech,	Goodling,	Mihm,	Shoemaker,
Bender,	Gorman,	Mikula,	Simons,
Bentzel,	Graybill,	Miller,	Smith, C. C.,
Bloom,	Greenwood,	Mills,	Smith, C. M.,
Boies,	Greer,	Mintess,	Snider,
Bonawitz,	Griffiths,	Mohr,	Sollenberger,
Boorse,	Guthrie,	Mooney,	Sorg,
Bower,	Gyger,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenshield,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Bucchin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,
Clevenger,	Jennings,	O'Dare,	Tompkins,
Cochran,	Johnson,	O'Donnell,	Toomey,
Cole,	Johnston,	O'Neill,	Turner,
Cook,	Jones,	Orban,	Upshur,
Cooper,	Jump,	Patten,	Vaughan,
Cordier,	Kean,	Petrosky,	Verona,
Costa,	Kelley,	Pichney,	Wachhaus,
Crowley,	Kemp,	Pickens,	Wagner,
Dague,	Kent,	Polaski,	Waldron,
Dalrymple,	Kirley,	Powers,	Wallin,
Davison,	Kline,	Price,	Walton,
De Long,	Kohl,	Propert,	Waterhouse,
Demech,	Kratz,	Ragot,	Watkins,
Dennison,	Krise,	Readinger,	Watson,
Depuy,	Kurtz,	Reagan,	Weidner,
Dix,	Laughner,	Reese, D. P.,	Weiss,
Dye,	Layer,	Reese, R. E.,	Wescott,
Efenberg,	Lee,	Reilly, J. M.,	West,
Elder,	Leisey,	Reilly, W. J.,	Wheeler,
Erb,	Livingston,	Richter,	Wolf,
Evans,	Livingstone,	Riley,	Wood,
Ewing,	Loftus,	Robbins,	Worley,
Feola,	Lovett,	Robertson,	Yeakel,
Fish,	Lyons,	Root,	Yester,
Fiss,	Madden,	Rose,	Yetzer,
Flack,	Madigan,	Rowen,	Young,
Fleming,	Mazza,	Royer,	Lichtenwalter,
Foor,	McCormack,	Sarraf,	Speaker.

NAYS—0

NOT VOTING—2

Hall, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1283, as follows:

An Act to amend the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 289) entitled "An act relating to nonprofit corporations defining and providing for the organization merger consolidation and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and members prescribing the condition on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the first class within the provisions of this act prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas prothonotaries of such courts recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" providing that name registrations shall automatically expire if the registrant has not become incorporated within six months requiring a statement in the articles that the name registration has been made within such period and providing for re-registration in case of such expiration

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause one of section two hundred three sections two hundred seven two hundred ten seven hundred nine and eight hundred ten of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 289) entitled "An act relating to nonprofit corporations defining and providing for the organization merger consolidation and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and members prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the first class within the provisions of this act prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas prothonotaries of such courts recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" are hereby amended to read as follows

Section 203 Articles of Incorporation Articles of incorporation shal lbe signed by each of the incorporators and acknowledged by at least three of them before any officer within or without this Commonwealth authorized to take acknowledgments and shall set forth in the English language

(1) The name of the proposed corporation unless the name is in a foreign language in which case it shall be set forth in English letters or characters and a statement that such name has been registered with the Department of State within six months of the date of the application for a charter

Section 207 Court to Decree or Refuse Incorporation On the day specified in the advertisement or as soon thereafter as the matter may be heard the incorporators shall preesnt an application for a charter to the court and shall present to the court the articles of incorporation proof of the advertisement required by the preceding section and the certificate of the Department of State pertaining to the registration of the corporate name The court shall consider the application It may hear evidence if any there be on behalf of the applicants and against the application or it may refer the application to a master to make report as to the propriety of granting the application In such case upon the filing of the master's report the court shall grant the applicants and protestants a hearing if exceptions are filed by either of them If the court shall find the articles to be in proper form and within the provisions of this act and the purpose or purposes given in the articles to be lawful and not injurious to the community and that the name is presently available for corporate use as evidenced by certificate from the Secretary of the Commonwealth issued within six months the court shall so certify on the articles and shall order and decree thereon that the articles are approved and that upon the recording of the articles and the order the corporation shall come into existence for the purpose or purposes and upon the terms stated therein otherwise the court shall refuse the application for a charter

Section 210 Prothonotary to Make Monthly Report to Department of State The prothonotary of each court of common pleas shall on or before the tenth day of each month report to the Department of State the name the address of the registered office and the date of incorporation of each nonprofit corporation incorporated by the court during the preceding month and for so doing shall receive a fee of one dollar ($1.00) from each corporation which shall be taxed as part of the prothonotary's filing fee The Department of State shall note after the registered name of each corporation the date of its incorporation If any incorporators shall have registered a name with the department and the corporation is not formed within six months from the date of such registration such registration shall automatically expire and be void and the department shall cancel the registration of such name Whenever the registration of a corporate name shall have expired the incorporators shall be required to make application for another registration of such corporate name in the manner provided for the original registration of such name

Section 709 Prothonotary to Make Monthly Report to Department of State The prothonotary in making the report to the Department of State heretofore required by his act shall include in such report the old and new name and the address of the registered office of every corporation which during the preceding month had its name changed by proceedings under this article For this service the prothonotary shall receive a fee of one dollar ($1.00) from each corporation The Department of State shall cancel the registration of the discarded corporate names and shall note after each newly acquired name the date it was acquired by proceedings under this article If any corporation shall have registered a new name with the department and the corporation does not adopt such name by proceedings under this article within six months from the date of such registration such registration shall automatically expire and be void and the department shall cancel the registration of such name Whenever the registration of a new corporate name shall have expired the corporation shall be required to make application for another registration of such new corporate name in the manner provided for the original registration of such new corporate name

Section 810 Prothonotary to Make Monthly Report to Department of State The prothonotary of the court in making the report to the Department of State heretofore required by this act shall include in such report the names and registered offices of the constituent corporations involved in merger or consolidation proceedings consummated during the preceding month and the names of the surviving or new corporations resulting from such proceedings For this service the prothonotary shall receive a fee of one dollar ($1.00) from the petitioners Where a

constituent corporations is merged into a surviving corporation or where the constituent corporations are consolidated into a new corporation the Department of State shall cancel the registration of the names of the nonsurviving corporations If any name registered with the department under the provisions of this article is not adopted by proceedings under this article within six months from the date of such registration such registration shall automatically expire and be void and the department shall cancel the registration of such name Whenever the registration of a corporate name under the provisions of this article shall have expired the constituent corporations shall be required to make joint application for another registration of such corporate name in the manner provided for the original registration of such corporate name

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Frost,	McCosker,	Sax,
Andrews,	Gallagher,	McCullough,	Scanlon,
Bane,	Getchey,	McDonald,	Schuster,
Barrett,	Gibson,	McKinney,	Scott,
Baumunk,	Goff,	McMillen,	Serrill,
Beech,	Goodling,	Mihm,	Shoemaker,
Bender,	Gorman,	Mikula,	Simons,
Bentzel,	Graybill,	Miller,	Smith, C. C.,
Bloom,	Greenwood,	Mills,	Smith, C. M.,
Boles,	Greer,	Mintess,	Snider,
Bonawitz,	Griffiths,	Mohr,	Sollenberger,
Boorse,	Guthrie,	Mooney,	Sorg,
Bower,	Gyger,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenshield,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Bucchin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,
Clevenger,	Jennings,	O'Dare,	Tompkins,
Cochran,	Johnson,	O'Donnell,	Toomey,
Cole,	Johnston,	O'Neill,	Turner,
Cook,	Jones,	Orban,	Upshur,
Cooper,	Jump,	Patten,	Vaughan,
Cordier,	Kean,	Petrosky,	Verona,
Costa,	Kelley,	Pichney,	Wachhaus,
Crowley,	Kemp,	Pickens,	Wagner
Dague,	Kent,	Polaski,	Waldron,
Dalrymple,	Kirley,	Powers,	Wallin,
Davison,	Kline,	Price,	Walton,
De Long,	Kohl,	Propert,	Waterhouse,
Demech,	Kratz,	Ragot,	Watkins,
Dennison,	Krise,	Readinger,	Watson,
Depuy,	Kurtz,	Reagan,	Weidner,
Dix,	Laughner,	Reese, D. P.,	Weiss,
Dye,	Layer,	Reese, R. E.,	Wescott,
Efenberg,	Lee,	Reilly, J. M.,	West,
Elder,	Leisey,	Reilly, W. J.,	Wheeler,
Erb,	Livingston,	Richter,	Wolf,
Evans,	Livingstone,	Riley,	Wood,
Ewing,	Loftus,	Robbins,	Worley,
Feola,	Lovett,	Robertson,	Yeakel,
Fish,	Lyons,	Root,	Yester,
Fiss,	Madden,	Rose,	Yetzer,
Flack,	Madigan,	Rowen,	Young,
Fleming,	Mazza,	Royer,	Lichtenwalter,
Foor,	McCormack,	Sarraf,	Speaker.

NAYS—0

NOT VOTING—2

Hall, Trout,

The majority erquired by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 38, entitled:

An Act to further amend sections one and two of the act approved the thirty-first day of May one thousand eight hundred and ninety-three (P. L. 188) entitled "An act designating the days and half days to be observed as legal holidays and for the payment acceptance and protesting of bills notes drafts checks and other negotiable paper on such days" by making Saturdays bank holidays under certain conditions and repealing inconsistent laws.

On the question,

Will the House agree to the bill on third reading?

Mr. ANDREWS. Mr. Speaker, inasmuch as it is late now, does the Majority Leader desire to pass this bill over until tomorrow?

Mr. SORG. If the gentleman so desires, Mr. Speaker.

Mr. ANDREWS. It doesn't make any difference to me, Mr. Speaker.

The SPEAKER. If there is no objection the bill will be passed over.

BILL PASSED OVER

There being no objection

Senate Bill No. 38, Printer's No. 145,

was passed over at the request of Mr. SORG.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 148, as follows:

An Act to amend the act approved the fifth day of June one thousand nine hundred thirty-seven (P. L. 1703) entitled "An act relating to criminal prosecutions limiting the effect of demurrers by defendants at the close of the cases of the Commonwealth" providing for the disposition of cases where evidence has been improperly admitted and the court has failed to sustain the demurrer at the close of the Commonwealth's case

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the fifth day of June one thousand nine hundred thirty-seven (P. L. 1703) entitled "An act relating to criminal prosecutions limiting the effect of demurrers by defendants at the close of the cases of the Commonwealth" is hereby amended by adding at the end thereof a new section to read as follows

Section 2 Whenever at the close of the Commonwealth's case the defendant files a demurrer to the evidence submitted by the Commonwealth and the court overrules the demurrer and on disposition of the case following motion for a new trial or in arrest of judgment it appears that the court over objection had erroneously admitted evidence in the record without which the demurrer should have been sustained then the court shall enter an order sustaining the demurrer nunc pro tunc or direct that a verdict of not guilty be entered of record for the defendant

Section 2 The provisions of this act shall apply to all criminal actions now pending as well as those hereafter begun

This act shall become effective immediately upon its final enactment.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Frost,	McCosker,	Sax,
Andrews,	Gallagher,	McCullough,	Scanlon,
Bane,	Getchey,	McDonald,	Schuster,
Barrett,	Gibson,	McKinney,	Scott,
Baumunk,	Goff,	McMillen,	Serrill,
Beech,	Goodling,	Mihm,	Shoemaker,
Bender,	Gorman,	Mikula,	Simons,
Bentzel,	Graybill,	Miller,	Smith, C. C.,
Bloom,	Greenwood,	Mills,	Smith, C. M.,
Boies,	Greer,	Mintess,	Snider,
Bonawitz,	Griffiths,	Mohr,	Sollenberger,
Boorse,	Guthrie,	Mooney,	Sorg,
Bower,	Gyger,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenshield,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Bucchin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,
Clevenger,	Jennings,	O'Dare,	Tompkins,
Cochran,	Johnson,	O'Donnell,	Toomey,
Cole,	Johnston,	O'Neill,	Turner,
Cook,	Jones,	Orban,	Upshur,
Cooper,	Jump,	Patten,	Vaughan,
Cordier,	Kean,	Petrosky,	Verona,
Costa,	Kelley,	Pichney,	Wachhaus
Crowley,	Kemp,	Pickens,	Wagner,
Dague,	Kent,	Polaski,	Waldron,
Dalrymple,	Kirley,	Powers,	Wallin,
Davison,	Kline,	Price,	Walton,
De Long,	Kohl,	Propert,	Waterhouse,
Demech,	Kratz,	Ragot,	Watkins,
Dennison,	Krise,	Readinger,	Watson,
Depuy,	Kurtz,	Reagan,	Weidner,
Dix,	Laughner,	Reese, D. P.,	Weiss,
Dye,	Layer,	Reese, R. E.,	Wescott,
Effenberg,	Lee,	Reilly, J. M.,	West,
Elder,	Leisey,	Reilly, W. J.,	Wheeler,
Erb,	Livingston,	Richter,	Wolf,
Evans,	Livingstone,	Riley,	Wood,
Ewing,	Loftus,	Robbins,	Worley,
Feola,	Lovett,	Robertson,	Yeakel,
Fish,	Lyons,	Root,	Yester,
Fiss,	Madden,	Rose,	Yetzer,
Flack,	Madigan,	Rowen,	Young,
Fleming,	Mazza,	Royer,	Lichtenwalter,
Foor,	McCormack,	Sarraf,	Speaker.

NAYS—0

NOT VOTING—2

Hall, Trent,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 244, as follows:

An Act providing for the establishment of temporary college centers in cooperation with certain accredited colleges and universities to meet certain educational needs of veterans and others creating the Area College Center Commission a temporary departmental administrative commission in the Department of Public Instruction and defining its powers and duties providing for the creation of certain local committees and defining their powers and duties and making certain appropriations.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Short Title This act shall be known and may be cited as the "Pennsylvania Area College Center Act"

Section 2 Legislative Findings and Policy It has been determined by the General Assembly and it is hereby declared as a matter of legislative finding

That there is a temporary lack of facilities for higher education for veterans and others in accredited colleges and universities and that the Commonwealth must therefore take action in cooperation with the accredited colleges and universities located within this Commonwealth to meet the educational needs of veterans and others during this period of emergency

Section 3 Definitions When used in this act the following words terms and phrases shall have the meanings ascribed to them in this section

(1) "Area" A contiguous geographical unit and section of this Commonwealth ascertained and determined for the purposes of this act by the Superintendent of Public Instruction

(2) "College Center" An educational institution of higher learning administered and operated under the Department of Public Instruction in cooperation with accredited colleges and universities of the Commonwealth to provide higher education for those persons who cannot now be admitted to any accredited college or university because of ovrcrowded facilities and conditions therein

(3) "Commission" or "Pennsylvania Area College Center Commission" The departmental administrative commission created by this act in the Department of Public Instruction

(4) "Executive Committee" or "Area College Center Executive Committee" The committee to be appointed in each area in which a college center or centers is or are being conducted by the college and university presidents of such area cooperating with the Commonwealth in establishing such college centers

Section 4 Creation and Designation of Areas Immediately following the effective date of this act the Superintendent of Public Instruction shall for the purposes of this act divide the Commonwealth into arbitrarily numbered contiguous geographical units each such unit to be designated as "College Center Area No. ....." The Superintendent shall at the same time by written notice inform the president or head of every college or university in this Commonwealth cooperating with the Commonwealth in establishing college centers of such action

Section 5 Formation of Area Executive Committees Within fifteen (15) days after areas have been created and the notice thereof has been given the presidents or heads of all the cooperating colleges or universities in each such area in which a college center or college centers is or are in operation or their authorized representatives shall meet and select residents of their respective areas as a Committee for such area to be designated as "Area College Center No. ..... Executive Committee" One such committee member shall be designated chairman and one secretary Such members shall serve for a designated period or until the purposes of this act have been accomplished Vacancies shall be filled in the same manner as the original appointements Committee members shall serve without compensation but shall be entitled to receive their traveling and other expenses actually incurred in the discharge of their duties

Section 6 Creation of Area College Center Commission There is hereby created and established in the Department of Public Instruction a temporary departmental administrative commission to be designated as the "Area College Center Commission" which shall exist as long as may be necessary to carry out the purposes of this act The Commission shall be composed of the Superintendent of Public

Instruction and the chairmen of the executive committees of each area in which a college center or college centers is or are being conducted or their authorized representatives Vacancies shall be filled in the same manner as the original appointements The members of such commission shall serve without compensation but shall be entitled to receive their traveling and other expenses actually incurred in the discharge of their duties The first meeting of the commission shall be held within fifteen (15) days following the effective date of this act at such time and place as the Superintendent of Public Instruction shall determine

Section 7 Organization of the Commission The members of the commission shall at their first meeting select from among themselves a chairman and a vice-chairman and may employ a secretary Three (3) members of such commission shall constitute a quorum for its meetings which shall be held on the call of the Superintendent of Public Instruction or on the call of its chariman

Section 8 Powers and Duties of Commission The commission shall have the following powers and duties

(1) To decide upon the establishment continuance and discontinuance of college centers

(2) To determine the extent and number of active areas

(3) To establish general standards and policies applicable to all active college centers and areas with reference to their organization and administration

(4) To approve or disapprove the actions of any area executive committee particularly with reference to contracts made

(5) To allocate funds appropriated to active areas upon recommendation of area executive committees with the approval of the Superintendent of Public Instruction

(6) To make and from time to time amend and repeal resolutions and rules not inconsistent with this act in order better to carry into effect the powers of the commission

(7) To advise the State Coordinator hereinafter provided for

Section 9 Powers and Duties of Area Executive Committee The executive committee of each area in which a college center or college centers is or are being conducted shall consistent with the rules of the commission have the power and duty as to the college center system within its area

(1) To formulate student admission standards

(2) To fix students' fees

(3) To determine the courses to be offered

(4) To appoint temporary faculty members and other temporary employes to fix their salaries and to terminate their employment for cause or upon the recommendation of the area coordinator

(5) To recommend a person for the position of area coordinator to the Superintendent of Public Instruction

(6) To approve facilities to be used

(7) To make and execute contracts with suppliers for furnishing books instructional supplies and equipment and to provide for the sale of such books and supplies to students

(8) To insure that the college center or centers in its area meets or meet the standards and conditions necessary to secure accreditment

(9) To make and amend resolutions policies and rules to operate the college centers and to carry out any of its designated powers

Section 10 Area College Centers

(a) Only first-year or freshman and second-year or sophomore college courses shall be established in area college centers

(b) The closing of any area college center may be recommended to the Superintendent of Public Instruction by the commission when it appears that there is no longer a need therefor and the Superintendent of Public Instruction shall thereupon close such area college center Provided That no area college center shall be closed without at least one semester's notice thereof

Section 11 Coordinators (a) Immediately after the effective date of this act the Superintendent of Public Instruction with the approval of the Governor shall appoint a resident of the Commonwealth who shall be designated as the "State Coordinator of Area College Centers" and who shall supervise the organization and administration of all area college centers His salary shall be fixed by the State Superintendent of Public Instruction with the approval of the Governor He shall hold office until his successor is appointed by the appointing authority

(b) Immediately upon receiving recommendations from each active area executive committee the Superintendent of Public Instruction shall appoint for each such area a resident thereof who shall be designated as the "Area No. ..... Coordinator" and who shall supervise the organization and administration of the college center or centers in his area The salary of the area coordinator shall be recommended by the area executive committee and approved by the commission and the Superintendent of Public Instruction

Section 12 Appropriations (a) All moneys due from tuition laboratory and library fees shall be collected by each area and shall be paid to the Department of Public Instruction for transmittal to the State Treasurer through the Department of Revenue All such moneys are hereby appropriated to the Department of Public Instruction for the payment of salaries rent equipment and other expenses of every description incurred in the operation and organization of college centers by the Commonwealth

(b) In addition to such moneys the sum of two hundred thousand dollars ($200,000) or so much thereof as may be necessary is hereby specifically appropriated to the Department of Public Instruction for use by the commission in the payment of the costs of providing laboratories for the study of physics chemistry biology and engineering drawing of college level The moneys hereby appropriated shall be allocated by the commission with the recommendations of the area executive committees and the approval of the Superintendent of Public Instruction

Section 13 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Frost,	McCosker,	Sax,
Andrews,	Gallagher,	McCullough,	Scanlon,
Bane,	Getchey,	McDonald,	Schuster,
Barrett,	Gibson,	McKinney,	Scott,
Baumunk,	Goff,	McMillen,	Serrill,
Beech,	Goodling,	Mihm,	Shoemaker,
Bender,	Gorman,	Mikula,	Simons,
Bentzel,	Graybill,	Miller,	Smith, C. C.,
Bloom,	Greenwood,	Mills,	Smith, C. M.,
Boies,	Greer,	Mintess,	Snider,
Bonawitz,	Griffiths,	Mohr,	Sollenberger,
Boorse,	Guthrie,	Mooney,	Sorg,
Bower,	Gyger,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenshield,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Bucchin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,
Clevenger,	Jennings,	O'Dare,	Tompkins,
Cochran,	Johnson,	O'Donnell,	Toomey,
Cole,	Johnston,	O'Neill,	Turner,
Cook,	Jones,	Orban,	Upshur,
Cooper,	Jump,	Patten,	Vaughan,
Cordier,	Kean,	Petrosky,	Verona,
Costa,	Kelley,	Pichney,	Wachhaus,
Crowley,	Kemp,	Pickens,	Wagner,

Dague,	Kent,	Polaski,	Waldron,
Dalrymple,	Kirley,	Powers,	Wallin,
Davison,	Kline,	Price,	Walton,
De Long,	Kohl,	Propert,	Waterhouse,
Demech,	Kratz,	Ragot,	Watkins,
Dennison,	Krise,	Readinger,	Watson,
Depuy,	Kurtz,	Reagan,	Weidner,
Dix,	Laughner,	Reese, D. P.,	Weiss,
Dye,	Layer,	Reese, R. E.,	Wescott,
Efenberg,	Lee,	Reilly, J. M.,	West,
Elder,	Leisey,	Reilly, W. J.,	Wheeler,
Erb,	Livingston,	Richter,	Wolf,
Evans,	Livingstone,	Riley,	Wood,
Ewing,	Loftus,	Robbins,	Worley,
Feola,	Lovett,	Robertson,	Yeakel,
Fish,	Lyons,	Root,	Yester,
Fiss,	Madden,	Rose,	Yetzer,
Flack,	Madigan,	Rowen,	Young,
Fleming,	Mazza,	Royer,	Lichtenwalter,
Foor,	McCormack,	Sarraf,	Speaker.

NAYS—0

NOT VOTING—2

Hall, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 245, as follows:

An Act making certain appropriations to the Department of Public Instruction for the payment of the cost of conducting certain college courses and classes for the fiscal biennium ending May thirty-first one thousand nine hundred forty-seven

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of seven hundred fifty thousand dollars ($750,000) or as much thereof as may be necessary is hereby appropriated for the fiscal biennium ending May thirty-first one thousand nine hundred forty-seven to the Department of Public Instruction for the payment of salaries and the payment of the cost of supplies rent equipment and other expenses of every description necessary in the organization and conduct by the Commonwealth of college courses and classes for veterans and other applicants for college training who cannot be admitted to established colleges and universities in Pennsylvania because of lack of capacity of these institutions.

Section 2 In addition to the specified sum appropriated by section one of this act there is hereby also appropriated for the same purposes all of the tuition library laboratory and other fees and income of every kind realized from the operations of college courses and classes with the exception of such local fees and income as gifts for specified purposes student activity fees health fees registration fees and handling fees for texts equipment and supplies Receipts from these sources shall be paid into the General Fund through the Department of Revenue and credited to the appropriation made by section one of this act

Section 3 Upon passage of this act the Auditor General and State Treasurer upon requisition by the Superintendent of Public Instruction shall transfer from the appropriation made in section one to the appropriation to the State Teachers Colleges made by the General Appropriation Act approved the fourth day of June one thousand nine hundred forty-five an amount sufficient to reimburse the latter appropriation in full for expenditures made from it less receipts credited to it from the conduct of college courses and classes and classes prior to the date of requisition

Section 4 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Frost,	McCosker,	Sax,
Andrews,	Gallagher,	McCullough,	Scanlon,
Bane,	Getchey,	McDonald,	Schuster,
Barrett,	Gibson,	McKinney,	Scott,
Baumunk,	Goff,	McMillen,	Serrill,
Beech,	Goodling,	Mihm,	Shoemaker,
Bender,	Gorman,	Mikula,	Simons,
Bentzel,	Graybill,	Miller,	Smith, C. C.,
Bloom,	Greenwood,	Mills,	Smith, C. M.,
Boies,	Greer,	Mintess,	Snider,
Bonawitz,	Griffiths,	Mohr,	Sollenberger,
Boorse,	Guthrie,	Mooney,	Sorg,
Bower,	Gyger,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenshield,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Bucchin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomas,
Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,
Clevenger,	Jennings,	O'Dare,	Tompkins,
Cochran,	Johnson,	O'Donnell,	Toomey,
Cole,	Johnston,	O'Neill,	Turner,
Cook,	Jones,	Orban,	Upshur,
Cooper,	Jump,	Patten,	Vaughan,
Cordier,	Kean,	Petrosky,	Verona,
Costa,	Kelley,	Pichney,	Wachhaus,
Crowley,	Kemp,	Pickens,	Wagner,
Dague,	Kent,	Polaski,	Waldron,
Dalrymple,	Kirley,	Powers,	Wallin,
Davison,	Kline,	Price,	Walton,
De Long,	Kohl,	Propert,	Waterhouse,
Demech,	Kratz,	Ragot,	Watkins,
Dennison,	Krise,	Readinger,	Watson,
Depuy,	Kurtz,	Reagan,	Weidner,
Dix,	Laughner,	Reese, D. P.,	Weiss,
Dye,	Layer,	Reese, R. E.,	Wescott,
Efenberg,	Lee,	Reilly, J. M.,	West,
Elder,	Leisey,	Reilly, W. J.,	Wheeler,
Erb,	Livingston,	Richter,	Wolf,
Evans,	Livingstone,	Riley,	Wood,
Ewing,	Loftus,	Robbins,	Worley,
Feola,	Lovett,	Robertson,	Yeakel,
Fish,	Lyons,	Root,	Yester,
Fiss,	Madden,	Rose,	Yetzer,
Flack,	Madigan,	Rowen,	Young,
Fleming,	Mazza,	Royer,	Lichtenwalter,
Foor,	McCormack,	Sarraf,	Speaker.

NAYS—0

NOT VOTING—2

Hall, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Mr. SORG. Mr. Speaker, I desire to call up House Bill No. 314, Printer's No. 330, on page 21 of today's cal-

endar, bills on third reading, which was passed over temporarily.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 314, as follows:

An Act to further amend sections five and six of the act approved the twentieth day of May one thonsand nine hundred fifteen (P. L. 566) entitled "An act requiring cities of the first class to establish a pension fund for employes of said cities and all county or other public employes if any paid by appropriation of the city councils thereof and out of the treasury of said cities and regulating the administration and the payment of such pensions" by requiring all city county or other public employes whether paid a per diem wage or otherwise to become members of the pensions system of such city and removing optional rate of contribution

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section five of the act approved the twentieth day of May one thousand nine hundred fifteen (P. L. 566) entitled "An act requiring cities of the first class to establish a pension fund for employes of said cities and all county or other public employes if any paid by appropriation of the city councils thereof and out of the treasury of said cities and regulating the administration and the payment of such pensions" as last amended by the act approved the eighth day of May one thousand nine hundred forty-five (P. L. 443) is hereby further amended to read as follows

Section 5 The city county or other public employes if any herein mentioned shall after the passage of this act pay unto the board of pensions monthly an amount equal to two per centum of their monthly salaries or wages—in no event however except as herein provided shall such employe be required to pay at a rate greater than four dollars a month—which shall be applied to the purposes of this act Whenever two per centum of the monthly salary or wages of any such employe shall exceed the sum of four dollars a month [and] then such employe [after signifying his or her consent in writing to the board of pensions] shall [be permitted to] pay unto the board of pensions four per centum of the portion of his or her salary or other compensation which is over and above the amount of salary or other compensation which is sufficient to require the monthly payment of four dollars a month at the rate of two per centum of such salary or other compensation and he or she shall thereafter be required to pay such increased monthly rate without regard to the limit of four dollars a month [which is herein imposed upon compulsory payments] Provided That such additional monthly payments shall not exceed eight dollars a month and the total monthly payment shall not exceed twelve dollars a month [Payments at a rate of more than four dollars a month shall not be made prior to September first one thousand nine hundred forty-five but shall begin immediately thereafter for all employes who on that date are members of the pension fund and who are eligible and have consented to make such increased monthly payments On and after September first one thousand nine hundred forty-five any employe who shall enter the pension fund and whose salary is sufficient to make him or her eligible to make monthly payments of more than four dollars a month shall at the time of entrance into the pension fund elect in writing whether his or her monthly payments shall be four dollars a month or at the increased rate hereinbefore provided Any employe who is a member of the pension fund on September first one thousand nine hundred forty-five and whose salary or other compensation is such as to require a monthly payment of four dollars or less unto the pension fund shall continue to make such payment but if and when his or her salary or other compensation shall be increased to an extent making such employe to make monthly payments of more than four dollars then such employe on the beginning date of such increased salary or compensation shall elect in writing whether his or her monthly payment shall be four dollars a month or at the increased rate hereinbefore provided] Payment of the monthly amount or contribution herein mentioned shall cease and be discontinued at the time the beneficiary receives the pension herein provided if such beneficiary has so contributed to the pension fund during a period of twenty years If at the time the beneficiary receives the pension herein provided he or she shall not have been a contributor to the pension fund during a period of twenty years such persons shall be required to pay unto the board of pensions an amount equal to four per centum of his or her monthly pension until such time as his or her contribution shall have extended during a period of twenty years If for any cause an employe contributing to the pension fund shall cease to be an employe of any such cities of the first class or other county or public employes paid out of the treasury of such cities before said employe becomes entitled to the pension conferred by this act the total amount of the contributions paid into the pension fund by such employe shall be refunded to him in full, without interest Provided however If any such employe shall have returned to him or her the amount contributed as aforesaid and shall afterward re-enter such public employment said employe shall not be entitled to the pension designated until twenty years after the said reemployment unless he or she shall return to the pension fund the amount withdrawn in which even the period of twenty years shall be computed from the time said employe first entered the such public service In the event of the death of any employe before the said employe becomes entitled to the pension aforesaid the said total amount of contributions aforesaid shall be paid over to the state of said deceased employe

Section 2 Section six of said act as amended by the act approved the fifth day of July one thousand nine hundred seventeen (P. L. 689) is hereby further amended to read as follows

Section 6 [Should any] Every person holding a position in said cities of the first class or any county or other public employes [if any] paid out of the treasury of such cities as aforesaid [be paid a per diem wage or a salary at a rate of three hundred and sixty dollars each year or less he or she] shall [not] be compelled to pay or contribute toward the pension fund herein provided for [but shall have the option or choice of so doing and in that event only becoming entitled to the pension provided by this act]

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Frost,	McCosker,	Sax,
Andrews,	Gallagher,	McCullough,	Scanlon,
Bane,	Getchey,	McDonald,	Schuster,
Barrett,	Gibson,	McKinney,	Scott,
Baumunk,	Goff,	McMillen,	Serrill,
Beech,	Goodling,	Mihm,	Shoemaker,
Bender,	Gorman,	Mikula,	Simons,
Bentzel,	Graybill,	Miller,	Smith, C. C.,
Bloom,	Greenwood,	Mills,	Smith, C. M.,
Boies,	Greer,	Mintess,	Snider,
Bonawitz,	Griffiths,	Mohr,	Sollenberger,
Boorse,	Guthrie,	Mooney,	Sorg,
Bower,	Gyger,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenshield,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Bucchin,	Hewitt,	Najaka,	Stuart,

Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,
Clevenger,	Jennings,	O'Dare,	Tompkins,
Cochran,	Johnson,	O'Donnell,	Toomey,
Cole,	Johnston,	O'Neill,	Turner,
Cook,	Jones,	Orban,	Upshur,
Cooper,	Jump,	Patten,	Vaughan,
Cordier,	Kean,	Petrosky,	Verona,
Costa,	Kelley,	Pichney,	Wachhaus,
Crowley,	Kemp,	Pickens,	Wagner,
Dague,	Kent,	Polaski,	Waldron,
Dalrymple,	Kirley,	Powers,	Wallin,
Davison,	Kline,	Price,	Walton,
De Long,	Kohl,	Propert,	Waterhouse,
Demech,	Kratz,	Ragot,	Watkins,
Dennison,	Krise,	Readinger,	Watson,
Depuy,	Kurtz,	Reagan,	Weidner,
Dix,	Laughner,	Reese, D. P.,	Weiss
Dye,	Layer,	Reese, R. E.,	Wescott,
Efenberg,	Lee,	Reilly, J. M.,	West,
Elder,	Leisey,	Reilly, W. J.,	Wheeler,
Erb,	Livingston,	Richter,	Wolf,
Evans,	Livingstone,	Riley,	Wood,
Ewing,	Loftus,	Robbins,	Worley,
Feola,	Lovett,	Robertson,	Yeakel,
Fish,	Lyons,	Root,	Yester,
Fiss,	Madden,	Rose,	Yetzer,
Flack,	Madigan,	Rowen,	Young,
Fleming,	Mazza,	Royer,	Lichtenwalter,
Foor,	McCormack,	Sarraf,	Speaker.

NAYS—0

NOT VOTING—2

Hall,	Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

SENATE MESSAGES

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 350.

An Act to amend section sixteen of the act approved the twenty-fourth day of January one thousand eight hundred forty-nine (P. L. 678) entitled "An act authorizing the commissioners of the incorporated districts of the Northern Liberties and Kensington to open a street to be called Delaware avenue relative to the duties of assessors venders of mineral waters the Fire association of Philadelphia vacancies in the school boards in the county of Philadelphia to lost mortgages auditors of Philadelphia county rebuilding of the court house in Philadelphia to enable the commissioners of Philadelphia county to borrow money to settle certain accounts between Spring Garden and the commonwealth and respecting the appointment of auditors" limiting appointive powers of judges in certain cases

HOUSE BILL No. 514.

An Act to amend the act approved the thirteenth day of June one thousand eight hundred eighty-three (P. L. 122) entitled "A supplement to an act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved April twenty-ninth one thousand eight hundred and seventy-four providing for the improvement amendment and alteration of the charters of corporations of the second class and authorizing the incorporation of traction motor companies" by changing the requirements for advertising notice of intention to improve amend or alter a charter incorporated under said supplement

HOUSE BILL No. 517.

An Act to further amend sections eight hundred eight and one thousand one hundred one of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 364) entitled "An act relating to business corporations defining and providing for the organization merger consolidation reorganization winding up and dissolution of such corporations conferring certain rights powers and duties and immunities upon them and their officers and shareholders prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the second class within the provisions of this act prescribing the terms and conditions upon which foreign business corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas and certain State departments commisisons and officers authorizing certain State departments boards commissions or officers to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" eliminating requirement that certificates of clearance be filed with articles of amendment or of dissolution

HOUSE BILL No. 525.

An Act to amend section eight hundred seven of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 364) entitled "An act relating to business corporations defining and providing for the organization merger consolidation reorganization winding up and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and shareholders prescribing the conditions on which such corporations may exercise their powers providing fo rthe inclusion of certain existing corporations of the second class within the provisions of this act prescribing the terms and conditions upon which foreign business corporations may be admitted or may continue to do business within the Commonwealth conferring powers and duties on the courts of common pleas and certain State departments commissions and officers authorizing certain State departments boards commissions or officers to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" providing for advertisement of articles of amendment after adoption by shareholders

HOUSE BILL No. 527.

An Act to further amend section nine hundred four of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 364) entitled "An act relating to business corporations defining and providing for the organization merger consolidation reorganization winding up and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and shareholders prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the second class within the provisions of this act prescribing the terms and conditions upon which foreign business corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas and certain State departments commissions and officers authorizing certain State departments boards commissions or officers to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to cor-

porations" limiting requirements to advertise intention to file articles of merger or consolidation

HOUSE BILL No. 646.

An Act to further amend clause two of section nine of the act approved the twenty-fifth day of May one thousand nine hundred thirty-three (P. L. 1050) entitled "An act creating and establishing a fund for the care maintenance and relief of aged retired and disabled employes of the bureau of fire in cities of the second class creating a board for the management theerof providing the mode and manner of payment to beneficiaries and for the care and disposition of its funds and providing for the transfer and payment of all moneys and securities in existing funds in similar boards superseded by the fund and board herein created" by changing the method of distributing dues paid into the fund in cases of deceased firemen

With the information that the Senate has passed the same without amendment.

The Clerk of the Senate being introduced, presented extracts from the Journal of the Senate:

Senate Bills for concurrence 239, 250, 268, 309, 381, 419, 446, 448, 453, 487 and 563.

BILL ON THIRD READING

Mr. WESCOTT. Mr. Speaker, I desire to call up House Bill No. 692, Printer's No. 342, on page 27 of today's calendar, bills on third reading.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 692, as follows:

An Act to amend section four hundred three of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by making further provision for the appointment of teachers

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section four hundred three of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" is hereby amended to read as follows

Section 403 The affirmative vote of a majority of all the members of the board of school directors in every school district in this Commonwealth duly recorded showing how each member voted shall be required in order to take action on the following subjects

Fixing length of school term

Adopting text-books

Appointing or dismissing district superintendents assistant district superintendents associate superintendents principals and teachers Appointments of teachers however shall be made from a list of qualified teachers prepared by the county superintendent district superintendent or supervising principay in cooperation with a committee of the board of school directors

Appointing tax-collectors and other appointees

Levying and assessing taxes

Purchasing selling or condemning land

Locating new buildings or changing the locations of old ones

Dismissing a teacher after a hearing

Creating or increasing any indebtedness

Adopting courses of study

Establishing additional schools or departments

Designating depositories for school funds

Entering into contracts of any kind including the purchase of fuel or any supplies wheer the amount involved exceeds one hundred dollars

Fixing salaries or compensation of officers teachers or other appointees of the board of school directors

Section 2 The provisions of this act shall become effective on the first day of July one thousand nine hundred forty-seven

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. LOVETT. May I ask the gentleman, Mr. Speaker, what difference there is in procedure at the present time from what it will be under this bill?

The SPEAKER. Will the gentleman from Susquehanna Mr. Wescott permit himself to be interrogated?

Mr. WESCOTT. Mr. Speaker, I desire to yield to the Chairman of the Education Committee, Mr. Sollenberger.

Mr. LOVETT. Mr. Speaker, I would like to have the gentleman explain the difference in the method of appointing teachers under this bill as compared with the present act.

Mr. SOLLENBERGER. Mr. Speaker, in reply to the gentleman I would state that at the present time they are chosen in three different ways, two of which are not the best. The first is oft times the superintendent or supervising principal presents the list of teachers to the board, and of course without much discussion they are all accepted without knowing too much of what they should know of the prospective teachers.

The second way is that the board oftimes presents the names and, of course, they have the power to elect the teacher over the superintendent's or supervising principal's opposition, or we might say they might be able to do so, and that is not good.

Under this bill it would be possible for the superintendent or the county, district or supervising principal along with a committee from the board of directors to study the list of teachers and from that list choose the teachers that both these groups feel will be the best teachers.

Mr. LOVETT. Mr. Speaker, under the present bill would the gentleman say that it would be possible that the committee could consist of all the board members?

Mr. SOLLENBERGER. Indeed the wording of the bill is such that every board member may be and can be on that committee, or it may be what they term a teacher's committee in many boards. That would be a certain number of board members, chosen by the president of the board to act for the teachers for the entire board. It may be either one.

Mr. LOVETT. Mr. Speaker, I should like to ask the gentleman under the present law is it not necessary that a teacher have qualifications as a teacher before she makes application for a position as a teacher?

Mr. SOLLENBERGER. Mr. Speaker, in reply to the gentleman, may I state that there could be the emergency certificates that we spoke about the other day, or there could be the war-time emergency or the regular qualified teacher, but in any case the teacher must have some type of certification, unless it would be for a substitute teacher. It is quite possible, that a teacher may be employed for an indefinite time without what we term proper qualification, or we might say temporary certification.

Mr. LOVETT. May I ask the gentleman as a school man what objection he would have to placing before the school board all of the teachers' names who have applied for a position.

Mr. SOLLENBERGER. Mr. Speaker, the names of all teachers may be placed before the board but this would say that those chosen by the two groups would dwell on the hiring of teachers that they think should be the ones that should be hired, instead of possibly a greater number that they have no intention of hiring. There is nothing to prevent the discussion of the merits of any teacher whose name comes before the board or the superintendent.

Mr. LOVETT. Mr. Speaker, I thank the gentleman.

After the very well given explanation I am not too clear in my mind that the bill is necessary at all, but due to the fact that all of the board members can be members of this committee to select from this list, I can't find any opposition to the bill, providing that the board itself will see to it that all of their members will have a right to serve on the committee and take into consideration the names of all teachers who have made application. If they do that I certainly do not find any fault with this legislation.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays weer taken and were as follows:

YEAS—196

Aaronson,	Getchey,	McCosker,	Scanlon,
Andrews,	Gibson,	McCullough,	Schuster,
Bane,	Goff,	McDonald,	Scott,
Baumunk,	Goodling,	McKinney,	Serrill,
Beech,	Gorman,	McMillen,	Shoemaker,
Bender,	Graybill,	Mihm,	Simons,
Bentzel,	Greenwood,	Mikula,	Smith, C. C.,
Bloom,	Greer,	Miller,	Smith, C. M.,
Boies,	Griffiths,	Mills,	Snider,
Bonawitz,	Guthrie,	Mintess,	Sollenberger,
Boorse,	Gyger,	Mohr,	Sorg,
Bower,	Haller,	Mooney,	Sproul,
Breisch,	Haudenshield,	Moore, C. E.,	Stimmel,
Brice,	Helm,	Moore, H. A.,	Stockham,
Brown,	Henry,	Morrison,	Stonier,
Brunner,	Hewitt,	Murray,	Stuart,
Cadwalader,	Hocker,	Myers,	Swope,
Capano,	Hoffman,	Najaka,	Tahl,
Cassidy,	Hoopes,	Naumann,	Thomassy,
Chudoff,	Horan,	Needham,	Thompson,
Clevenger,	Imbt,	Neff,	Tittle,
Cochran,	Jennings,	Nelson,	Tompkins,
Cole,	Johnson,	O'Dare,	Toomey,
Cook,	Johnston,	O'Donnell,	Turner,
Cooper,	Jones,	Orban,	Upshur,
Cordier,	Jump,	Patten,	Vaughan,
Costa,	Kean,	Pichney,	Verona,
Crowley,	Kelley,	Pickens,	Wachhaus,
Dague,	Kemp,	Polaski,	Wagner,
Dalrymple,	Kent,	Powers,	Waldron,
Davison,	Kirley,	Price,	Wallin,
De Long,	Kline,	Propert,	Walton,
Demech,	Kohl,	Ragot,	Waterhouse,
Dennison,	Kratz,	Readinger,	Watkins,
Depuy,	Krise,	Reagan,	Watson,
Dix,	Kurtz,	Reese, D. P.,	Weidner,
Dye,	Laughner,	Reese, R. E.,	Weiss,
Efenberg,	Layer,	Reilly, J. M.,	Wescott,
Elder,	Lee,	Reilly, W. J.,	West,
Erb,	Leisey,	Richter,	Wheeler,
Evans,	Livingston,	Riley,	Wolf,
Ewing,	Livingstone,	Robbins,	Wood,
Feola,	Loftus,	Robertson,	Worley,
Fish,	Lovett,	Root,	Yeakel,
Fiss,	Lyons,	Rose,	Yester,
Flack,	Madden,	Rowen,	Yetzer,
Fleming,	Madigan,	Royer,	Young,
Foor,	Mazza,	Sarraf,	Lichtenwalter,
Frost,	McCormack,	Sax,	Speaker.
Gallagher,			

NAYS—7

Barrett,	Chervenak,	O'Neill,	Stank,
Bucchin,	O'Connor,	Petrosky,	

NOT VOTING—2

Hall,	Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

REPORT FROM COMMITTEE

Mr. HELM from the Committee on Rules, reported as committed House Resolution No. 41.

Mr. BRUNNER from the Committee on Rules, reported as committed House Resolution No. 43.

PERMISSION TO ADD ADDITIONAL SPONSORS

Mr. SCANLON asked and obtained unanimous consent to add the names of Messrs. Stockham and Turner to a bill he was about to introduce.

BILL INTRODUCED

Mr. SCANLON asked and obtained unanimous consent to introduce a bill at this time.

CLASS OF READING HIGH SCHOOL WELCOMED

The SPEAKER. The Chair has received information that there are pupils here from the Reading High School under the direction of Mr. Boyer, Teacher of American History.

STUDENTS OF ALBRIGHT COLLEGE WELCOMED

The SPEAKER. The Chair is also happy to welcome students in American Government of Albright College, Reading, under the direction of Mr. L. E. Smith.

COMMITTEE MEETINGS

Agriculture and Dairy Industries, Room No. 331, Tuesday, April 22, 1947, at 10 a. m.

Appropriations, Room No. 246, Tuesday, April 22, 1947, at 12:45 p. m.

Boroughs, Room No. 522, Tuesday, April 22, 1947, at 9:30 a. m.

Elections and Apportionment, Room No. 329, Tuesday, April 22, 1947, at 10 a. m.

Judiciary, Room No. 438, Tuesday, April 22, 1947, at 11 a. m.

Military Affairs, Room No. 329, Tuesday, April 22, 1947, at 10:30 a. m.

Public Health and Sanitation, Room No. 522, Tuesday, April 22, 1947, at 10 a. m.

There will be a Public Hearing before the Committee on City and County—First Class, on House Bill No. 987, in the Minority Caucus Room, Tuesday, April 22, 1947, at 11 a. m.

There will be a Public Hearing before the Committee on Education, on House Bill No. 417, in the Forum (Education Building), Tuesday, April 22, 1947, at 11 a. m.

ADJOURNMENT

Mr. LIVINGSTON. Mr. Speaker, I move that this House do now adjourn until Tuesday, April 22, 1947 at 1:00 p. m.

The motion was agreed to, and (at 7:18 p. m.) the House adjourned.

ERRATUM

Omitted from Legislature Journal of March 26, 1947, Page 970, immediately following roll call on House Bi No. 659.

(Following calling of the roll and before the resu was announced.)

Mr. LAYER. Mr. Speaker, I request that only thos Members who have voted be recorded as voting.

The SPEAKER. The Chair would inform the gentle man that only those members who have voted are bein recorded.

Mr. ANDREWS. Does the gentleman desire the rol verified?

The SPEAKER. The Chair has heard no request fron the gentleman.

Mr. ANDREWS. If the gentleman desires the roll veri fied I would be very glad to support him in the suggestion

The SPEAKER. The Chair understands that th gentleman does not wish to have the roll verified.

Mr. LAYER. I would like to know, Mr. Speaker, i the gentleman from Delaware, Mr. Turner, is in the hal of the House, how he is recorded.

The SPEAKER. Is the gentleman from Delaware, Mr Turner, in the hall of the House? The gentleman is apparently not in the hall of the House, and the Clerks inform the Chair he is not recorded.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1947. 137th of the General Assembly.

Vol. 30. HARRISBURG, PA., TUESDAY, APRIL 22, 1947. No. 43.

SENATE

TUESDAY, April 22, 1947

The Senate met at 2:00 o'clock, p. m., Eastern Standard Time.

The PRESIDENT (Lieutenant-Governor Daniel B. Strickler) in the Chair.

PRAYER

The Chaplain, Rev. W. MURRAY YOUNG offered the following prayer:

Hear our prayer, O Jehovah, God, and give ear to our supplication. May the beauty of the Lord God be upon us and may life become stronger and richer as the days come and go. Be pleased, O God, to make the questions of duty clear to our reason, and help us to accept the wisest persuasions of our God-disciplined understanding. Enlarge our trust in that better self, of which we are capable, and which beckons us on toward the goal of our high calling from Thee, through Jesus Christ, our Lord. Amen!

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. TALLMAN and Mr. WALKER, further reading was dispensed with, and the Journal was approved.

LEAVE OF ABSENCE

Mr. Kephart asked and obtained leave of absence for Mr. FRAZIER.

NOMINATIONS BY THE GOVERNOR

NOTARIES PUBLIC

The Secretary to the Governor being introduced, presented in writing from His Excellency, the Governor of the Commonwealth, nominations for appointment as Notaries Public.

CONSIDERATION OF NOTARIES PUBLIC

Mr. KEPHART. Mr. President, I move that the Senate do now proceed to the consideration of nominations for appointment as Notaries Public, sent to the Senate, by His Excellency, the Governor of the Commonwealth, on April 22, 1947.

Mr. STEVENSON. Mr. President, I second the motion.

The motion was agreed to.

The nominations were read as follows:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 22, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the dates set opposite their names:

ALLEGHENY COUNTY

Morris Mallinger, Braddock. Confirmation.

Mrs. Sara B. Miller, Pittsburgh, 2130 Murray Ave. Confirmation.

BERKS COUNTY

Anthony Zaffiro, Reading. Confirmation.

CRAWFORD COUNTY

Paul M. Logue, Meadville. Confirmation.

DELAWARE COUNTY

William A. Duffy, Jr., Upper Darby Twp., 8143 West Chester Pike, Upper Darby. Confirmation.

Mrs. Doreen McKay, Upper Darby Twp., 304 S. 69th St., Upper Darby. Confirmation.

PHILADELPHIA COUNTY

R. Spencer Wood, Jr., Phila., 1213 N. 5th St. Confirmation.

LANCASTER COUNTY

Charles P. Russo, Lancaster. Confirmation.

LEHIGH COUNTY

Elmer W. Osenbach, Allentown. Confirmation.

NORTHUMBERLAND COUNTY

John E. Martz, Mt. Carmel. Confirmation.

PHILADELPHIA COUNTY

G. A. Weisenberger, Phila., 360 E. Meehan Ave. Confirmation.

YORK COUNTY

Harry L. Miller, Hanover. Confirmation.

ERIE COUNTY

Richard D. Agresti, Erie, April 26, 1947.

LEHIGH COUNTY

Mrs. Nell S. Williams, Allentown, April 28, 1947.

JAMES H. DUFF.

NOMINATIONS FOR NOTARIES PUBLIC

A motion was made by Mr. KEPHART and Mr. STEVENSON, that the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Geltz,	Lord,	Tarr,
Becker,	Haluska,	Mahany,	Taylor,
Berger,	Hare,	Mallery,	Tyler,
Blass,	Heyburn,	Margie,	Wade,
Carr,	Holland,	Rahauser,	Wagner,
Chapman,	Homsher,	Rosenfeld,	Walker,
Crider,	Jaspan,	Ruth,	Watson,
Crowe,	Kephart,	Scarlett,	Wilson,
Dent,	Klein,	Snowden,	Wolfe,
DiSilvestro,	Lane,	Stevenson,	Wood, L. H.,
Doehla,	Leader,	Stiefel,	Wood, T. N.,
Donlan,	Letzler,	Tallman,	Woodring,
Farrell,			

NAYS—0

Two-thirds of all the Senator having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

He also presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows, and referred to the Committee on Executive Nominations.

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 22, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Joseph M. Cribbs, Main Street, Saegertown, Crawford County, for appointment as Justice of the Peace in and for the Borough of Saegertown, Crawford County, until the first Monday of January, 1948, to fill a vacancy.

JAMES H. DUFF.

HOUSE MESSAGES

HOUSE NON-CONCURS IN SENATE CONCURRENT RESOLUTION

The Clerk of the House of Representatives being introduced informed the Senate that the House has non-concurred in resolution from the Senate as follows:

TIME OF NEXT MEETING

In the Senate, April 21, 1947.

Resolved (if the House of Representatives concur) That when the Senate adjourns this week it reconvene on Monday, April 28, 1947 at four o'clock o'clock p. m. and when the House of Representatives adjourns this week it reconvene on Monday, April 28, 1947 at four thirty o'clock p. m.

HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives being introduced presented for concurrence bills of the House, as follows:

House Bill No. 84, entitled:

An Act to amend section one thousand one of the act, approved the fourth day of May, one thousand nine hundred twenty-seven (P. L. 519), entitled "General Borough Act," by providing for compensation of councilmen for attendance at meetings.

Which was committed to the Committee on Local Government.

House Bill No. 94, entitled:

An Act abolishing the office of high constable in boroughs and repealing certain sections of the act, approved the fourth day of May, one thousand nine hundred twenty-seven (P. L. 519), entitled "General Borough Act," and other inconsistent acts or parts of acts.

Which was committed to the Committee on Local Government.

House Bill No. 314, entitled:

An Act to further amend sections five and six of the act, approved the twentieth day of May, one thousand nine hundred fifteen (P. L. 566), entitled "An act requiring cities of the first class to establish a pension fund for employes of said cities, and all county or other public employes, if any, paid by appropriation of the city councils thereof, and out of the treasury of said cities; and regulating the administration and the payment of such pensions," by requiring all city, county or other public employes whether paid a per diem wage or otherwise, to become members of the pension system of such city, and removing optional rate of contribution.

Which was committed to the Committee on Local Government.

House Bill No. 450, entitled:

An Act to add section one thousand eight point two to the act, approved the fourth day of May, one thousand nine hundred twenty-seven (P. L. 519), entitled "General Borough Act," permitting borough councils to follow a certain procedure in publishing certain ordinances.

Which was committed to the Committee on Local Government.

House Bill No. 582, entitled:

An Act to further amend section eight hundred three of the act, approved the eighteenth day of May, one thousand nine hundred eleven, (P. L. 309), entitled "Public School Code," increasing per diem compensation and mileage of school directors for attendance at conventions.

Which was committed to the Committee on Education.

House Bill No. 642, entitled:

An Act to further amend section five hundred sixty-three of the act approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309) entitled, "Public School Code," by providing for the revision of the budget of school districts of the second, third and fourth classes during the fiscal year.

Which was committed to the Committee on Education.

House Bill No. 645, entitled:

An Act to further amend section five of the act,, approved the thirteenth day of May, one thousand nine hundred fifteen, (P. L. 286), entitled "Child Labor Law" permitting employment of male minors sixteen years of age, or over, in public bowling-alleys.

Which was committed to the Committee on Labor and Industry.

House Bill No. 692, entitled:

An Act to amend section four hundred three of the act aproved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "Public School Code," by providing that the appointment of teachers shall be made from a list submitted by the county or district superintendent, or supervising principal.

Which was committed to the Committee on Education.

House Bill No. 745, entitled:

An Act to amend sections one thousand one hundred twenty-one and one thousand one hundred thirty of the act approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309) entitled "Public School Code," by providing for the budgeting of the traveling expenses of county and assistant county superintendents and the allocation of same.

Which was committed to the Committee on Local Government.

House Bill No. 746, entitled:

An Act to further amend sections two and four of the act, approved the thirtieth day of April, one thousand nine hundred forty-three (P. L. 145), entitled as amended "An act providing for and regulating the accumulation, investment, and expenditure by counties, cities, boroughs, incorporated towns, townships and school districts of funds for post war projects," permitting contributions to fund after post war period and the purchase or replacement of school buses.

Which was committed to the Committee on Education.

House Bill No. 779, entitled:

An Act to amend section forty of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1237), entitled "Divorce Law," providing for a rule upon respondent to furnish a bill of particulars in certain cases.

Which was committed to the Committee on Judiciary General.

House Bill No. 793, entitled:

An Act to amend section one thousand one hundred fifty-six of the act, approved the first day of May, one thousand nine hundred thirty-three (P. L. 103), entitled "The Second Class Township Law," providing for the regulation of encroachments on township, highways and the issuing of permits therefor by the township supervisors instead of by the Department of Highways of the Commonwealth and for the payment of permit fees into the township treasury.

Which was committed to the Committee on Local Government.

House Bill No. 813, entitled:

An Act to further amend subsections A and B of section seven hundred seven of the act, approved the fifth day of May, one thousand nine hundred and thirty-three (P. L. 457), entitled "Building and Loan Code," eliminating requirement that certificates of clearance be filed with articles of amendment.

Which was committed to the Committee on Banking.

House Bill No. 814, entitled:

To further amend subsections A and B of section eight hundred seven of the act, approved the fifteenth day of May, one thousand nine hundred and thirty-three (P. L. 624), entitled "Banking Code," eliminating requirement that certificates of clearance be filed with articles of amendment.

Which was committed to the Committee on Banking.

House Bill No. 875, entitled:

An Act to further amend section one of the act approved the seventh day of June, one thousand nine hundred eleven (P. L. 680), entitled "An act providing for the examination, licensure, and registration of persons, firms, or corporations engaged or engaging in the business or work of plumbing or house drainage, and prescribing certain rules, regulations, and requirements for the construction of plumbing, house drainage, and cesspools in cities of the first class, and imposing fines, penalties, and forfeitures for violation thereof," by exempting therefrom the construction of sewers and water lines

Which was committed to the Committee on Local Government.

House Bill No. 886, entitled:

An Act to add section seven point one to the act, approved the twenty-ninth day of June, one thousand nine hundred twenty-three (P L 957), entitled "An act authorizing boroughs and townships of the first class to adopt and enforce zoning ordinances regulating the location, construction, and use of buildings, the size of courts and open spaces, the density of population, and the use of land," providing an alternative plan for the adoption of zoning ordinances by boroughs

Which was committed to the Committee on Local Government.

House Bill No. 1084, entitled:

An Act to abolish the Pennsylvania Post-War Planning Commission; and to repeal the act by which it was created.

Which was committed to the Committee on State Government.

House Bill No. 1085, entitled:

A Supplement to the act approved the fourth day of June, one thousand nine hundred forty-five (P. L. 1191), entitled "An act to authorize the Pennsylvania Post-War Planning Commission under certain conditions to enter into agreements with political subdivisions of the Commonwealth for the financing of plans and specifications for public works; and making an appropriation," providing for the winding up of the functions of the Pennsylvania Post-War planning Commission by the State Planning Board; and reappropriating the unexpended balance of the appropriation.

Which was committed to the Committee on State Government.

House Bill No. 1103, entitled:

An Act to amend section two hundred seven of the act approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 364), entitled "Business Corporation Law," requiring the recording of corporation charters.

Which was committed to the Committee on Corporations.

House Bill No. 1106, entitled:

An Act to amend the act, approved the second day of May, one thousand nine hundred forty-five (P. L. 401), entitled "An act defining and providing for the licensing and regulation of private trade schools and classes; conferring powers and imposing duties on the State Board for Vocational Education; and prescribing penalties," broadening the definition of private trade school and providing for the licensure of agents of such trade schools.

Which was committed to the Committee on Education.

House Bill No. 1107, entitled:

An Act to further amend section one of the act, approved the sixteenth day of May, one thousand eight hundred sixty-one (P. L. 708), entitled "An act relating to brokers and private bankers," by changing the times for filing returns and for payment of the tax due.

Which was committed to the Committee on Banking.

House Bill No. 1110, entitled:

An Act to amend sections two and three of the act, approved the twenty-second day of June, one thousand nine hundred thirty-one (P. L. 694), entitled "An act imposing a tax on gross receipts as an excise on the use of the public highways by certain owners or operators of motor vehicles transporting passengers and property for hire," by further providing for the filing of reports and for certain deductions.

Which was committed to the Committee on Finance.

House Bill No. 1137, entitled:

An Act to further amend the act, approved the twenty-sixth day of May, one thousand nine hundred thirty-three (P. L. 1076), entitled "Credit Union Law," further defining the membership of credit unions and permitting loans to other credit unions.

Which was committed to the Committee on Banking.

House Bill No. 1148, entitled:

An Act to further amend section one thousand four of the act, approved the fifteenth day of May, one thousand nine hundred thirty-three (P. L. 624), entitled "Banking Code," further regulating the pledge of assets for deposits.

Which was committed to the Committee on Banking.

House Bill No. 1235, entitled:

An Act to further amend subsection (d) of section eight hundred fourteen of the act approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "Public chool Code," providing for off the roadway parking facilities for school buses in certain districts.

Which was committed to the Committee on Education.

House Bill No. 1283, entitled:

An Act to amend the act, approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 289), entitled "Nonprofit Corporation Law," providing that name registrations shall automatically expire if the registrant has not become incorporated within six months, requiring a statement in the articles that the name registration has been made within such period and providing for re-registration in case of such expiration.

Which was committed to the Committee on Corporations.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 462

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 462, entitled:

An Act relating to Federal aid to political subdivision for the development of public airports.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 532

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 532, entitled:

An Act regulating the sale and resale for profit and the carrying on of the business of selling or reselling tickets or other devices for admission to places of amusement; providing for the licensing of persons reselling such tickets for profit; providing for the suspension and revocation of such licenses; imposing duties on licensees and owners or operators of places of amusement; imposing powers and duties on the Department of Revenue, county treasurers, district attorneys, and the receiver of taxes and city solicitors in cities of the first class; making disposition of moneys collected; and providing penalties.

HOUSE CONCURS IN SENATE BILL NO. 244

He also returned to the Senate, Senate Bill No. 244, entitled:

An Act providing for the establishment of temporary college centers in cooperation with certain accredited colleges and universities to meet certain educational needs of veterans and others; creating the Area College Center Commission, a temporary departmental administrative commission in the Department of Public Instruction and defining its powers and duties; providing for the creation of certain local committees and defining their powers and duties; and making certain appropriations.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL NO. 245

He also returned to the Senate, Senate Bill No. 245, entitled:

An Act making certain appropriations to the Department of Public Instruction for the payment of the cost of conducting certain college courses and classes for the fiscal biennium ending May thirty-first, one thousand nine hundred forty-seven.

with the information that the House has passed the same without amendments.

HOUSE INSISTS UPON ITS AMENDMENTS NON-CONCURRED IN BY THE SENATE TO SENATE BILL No. 104

He also presented communication from the House of Representatives informing the Senate that the House insists upon its amendments non-concurred in by the Senate to Senate Bill No. 104, entitled:

An Act to amend section three of the act approved the fifteenth day of May, one thousand nine hundred forty-five, (P. L. 526) entitled "An act relating to the use of trailing cables on portable electric machinery in coal

mines; providing for the health and safety of persons employed therein, and for the protection and preservation of property connected therewith, and for the inspection of such equipment by the Department of Mines," providing for additional grant of time within which to conform to the requirements thereof; and validating actions of the Secretary of Mines and the Department of Mines.

and has appointed Messrs. HEWITT, ROBERTSON and O'NEILL, as a Committee of Conference to confer with a similar committee of the Senate (already appointed) to consider the differences existing between the two houses in relation to said bill.

SENATE BILL No. 148 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 148, entitled:

An Act to amend the act approved the fifth day of June, one thousand nine hundred thirty-seven (P. L. 1703), entitled "An act relating to criminal prosecutions; limiting the effect of demurrers by defendants at the close of the cases of the Commonwealth," providing for the disposition or cases where evidence has been improperly admitted and the court has failed to sustain the demurrer at the close of the Commonwealth's case.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill as amended, will appear on tomorrow's Calendar.

BILLS SIGNED

The PRESIDENT (Lieutenant-Governor Daniel B. Strickler) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

Senate Bill No. 244 entitled:

An Act providing for the establishment of temporary college centers in cooperation with certain accredited colleges and universities to meet certain educational needs of veterans and others; creating the Area College Center Commission, a temporary departmental administrative commission in the Department of Public Instruction and defining its powers and duties; providing for the creation of certain local committees and defining their powers and duties; and making certain appropriations.

Senate Bill No. 245, entitled:

An Act making certain appropriations to the Department of Public Instruction for the payment of the cost of conducting certain college courses and classes for the fiscal biennium ending May thirty-first, one thousand nine hundred forty-seven.

House Bill No. 350, entitled:

An Act to amend section sixteen of the act, approved the twenty-fourth day of January, one thousand eight hundred forty-nine (P. L. 678), entitled "An act authorizing the commissioners of the incorporated districts of the Northern Liberties and Kensington, to open a street to be called Delaware avenue; relative to the duties of assessors; venders of mineral waters; the Fire association of Philadelphia; vacancies in the school boards in the county of Philadelphia to lost mortages; auditors of Philadelphia county; rebuilding of the court house in Philadelphia; to enable the commissioners of Philadelphia county to borrow money; to settle certain accounts between Spring Garden and the commonwealth; and respecting the appointment of auditors," limiting appointive powers of judges in certain cases.

House Bill No. 514, entitled:

An Act to amend the act, approved the thirteenth day of June, one thousand eight hundred eighty-three (P. L. 122), entitled "A supplement to an act, entitled 'An act to provide for the incorporation and regulation of certain corporations,' approved April twenty-ninth, one thousand eight hundred andseventy-four, providing for the improvement, amendment andalteration of the charters of corporations of the second class, and authorizing the incorporation of traction motor companies," by changing the requirements for advertising notice of intention to improve, amend or alter a charter incorporated under said supplement.

House Bill No. 517, entitled:

An Act to further amend sections eight hundred eight and one thousand one hundred one of the act, approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 364) entitled "Business Corporation Law," eliminating requirement that certificates of clearance be filed with articles of amendment or of dissolution.

House Bill No. 525, entitled:

An Act to amend section eight hundred seven of the act, approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 364), entitled "Business Corporation Law," providing for advertisement of articles of amendment after adoption by shareholders.

House Bill No. 527, entitled:

An Act to further amend section nine hundred four of the act, approved the fifth day of May one thousand nine hundred thirty-three (P. L. 364), entitled "Business Corporation Law," limiting requirement to advertise intention to file articles of merger or consolidation.

House Bill No. 646, entitled:

An Act to further amend clause two of section nine of the act, approved the twenty-fifth day of May, one thousand nine hundred thirty-three (P. L. 1050), entitled "An act creating and establishing a fund for the care, maintenance, and relief of aged, retired and disabled employes of the bureau of fire in cities of the second class; creating a board for the management thereof; providing the mode and manner of payment to beneficiaries, and for the care and disposition of its funds; and providing for the transfer and payment of all moneys and securities in existing funds in similar boards superseded by the fund and board herein created," by changing the method of distributing dues paid into the fund in cases of deceased firemen.

Whereupon,

The PRESIDENT (Lieutenant-Governor Daniel B. Strickler) in the presence of the Senate signed the same.

GENERAL COMMUNICATION

The CHAIR cleared his table and laid before the Senate the following communication, which was read by the Clerk:

"PENNSYLVANIA INDUSTRIAL UNION COUNCIL

Dauphin Building, Harrisburg, Penna.

April 19, 1947

"Honorable Daniel B. Strickler
Lieutenant Governor
Harrisburg, Pennsylvania

"Dear Governor Strickler:

"Pennsylvania Industrial Union Council, CIO representing 600,000 wage-workers in the State's mass production industries, meet in annual convention at the Chestnut Street Auditorium, Harrisburg, Wednesday, Thursday and Friday, April 23, 24 and 25, morning and afternoon.

"All sessions are open to the public.

"You and all the members of the General Assembly are cordially invited to come at any time convenient to you and observe our deliberations.

Very truly yours,
HARRY BOYER, President"

YOUNG PEOPLE'S SUNDAY SCHOOL GLASS OF SOLOMON'S REFORMED CHURCH, MACUNGIE, INTRDUCED TO SENATE

Mr. TALLMAN. Mr. President, at this time I should like to present to the Senate a group of young folks who are with us in the gallery, the Young People's Sunday School Class of Solomon's Reformed Church, Macungie, Pennsylvania, under the direction of Reverend and Mrs. Ralph D. Althouse.

The PRESIDENT. On behalf of the Senate, the Chair welcomes this group of young people to this session of the Senate and hopes they will enjoy their visit with us this afternoon.

MORAVIAN COLLEGE FOR WOMEN OF BETHLEHEM, STUDENTS OF STATE GOVERNMENT, INTRODUCED TO SENATE

Mr. TALLMAN. Mr. President, I should also like to present to the Senate a group of twelve students of the class on State Government of Moravian college for women of Bethlehem, who are with us this afternoon, under the direction of Dr. Ralph Pickett.

The PRESIDENT. On behalf of the Senators, the Chair welcomes this group of students to the Senate, with the hope that their visit will be a pleasant one.

SCHOOL TEACHERS FROM ALIQUIPPA, BEAVER COUNTY, INTRODUCED TO SENATE

Mr. KLEIN. Mr. President, I would like to present to the Senate a group of distinguished school teachers from Aliquippa, Beaver County, Pennsylvania; some are sitting on my left and others are scattered throughout the Senate Chambers.

I might inform the Senate that they are as fine a group of teachers as you can find in this Commonwealth.

The PRESIDENT. On behalf of the Senators, the Chair welcomes to this session of the Senate the group of school teachers from Beaver County, and trust they will enjoy their visit.

GENERAL COMMUNICATION

Mr. WALKER. Mr. President, on behalf of our distinguished President pro tempore of the Senate of Pennsylvania, I at this time desire for the information of the Senate to read into the record a letter addressed to Honorable M. Harvey Taylor by Mr. Walter E Burns, Campaign Director of the Pennsylvania Division, American Cancer Society, reading as follows.

The PRESIDENT. The communication will be spread upon the Legislative Journal.

"1947 CAMPAIGN
"PENNSYLVANIA DIVISION
AMERICAN CANCER SOCIETY
STATE CAMPAIGN HEADQUARTERS

Capital Bank and Trust Company Building,
Harrisburg, Pa.

John B. Warden, Campaign Chairman
Zoe Allison Johnston, M. D., President
Walter E. Burns, Campaign Director

April 12, 1947

"Hon. M. Harvey Taylor
2226 North Second Street
Harrisburg, Pennsylvania

"Dear Senator:

"Thank you for the contribution of $50.00 from the members of the Senate of Pennsylvania to the American Cancer Society. I deeply appreciate your interest in obtaining these gifts from the members and wish to extend the sincere thanks of the Pennsylvania Division of the Cancer Society.

"With kindest personal regards, I remain

Yours very truly,
W. E. BURNS, State Campaign Director"

PERMISSION TO ADDRESS SENATE

Mr. HOLLAND asked and obtained unanimous consent to address the Senate.

Mr. HOLLAND. Mr. President, today we witnessed in the forum thousands of teachers coming from all parts of the state, at their own expense, fighting not merely for themselves but for a continuation of the school system of Pennsylvania on a better basis. Regardless of how we approach the problem, we must realize that in America we work under a profit system. We like to talk about free enterprise but under the capitalistic system without profit one cannot survive. For instance, the man who makes this microphone if it cost him $50 to make and if he sells it for $50 he immediately says "I either have to increase the sales price or decrease the cost of production because if I do not have a profit I can not stay in business."

Mr. President, that is what the teachers of Pennsylvania have said to us today. They come here and say "we who teach, make it possible for the survival of free enterprise in the capitalistic system in America, and we are a part of this system, but we too have something to sell, we have to sell our services, and if we receive for those services a mere pittance, when we take back to our homes each month our salaries and we pay the grocer, the butcher, the landlord, we find, as was demonstrated today, that we are working at a loss." Some must go into other fields to make up the differences, so that they can merely pay, gentlemen, pay for the mere right to live, not a profit. How can you expect a teacher to teach in the public schools of Pennsylvania, with a love for our system, when they do not enjoy the system.

I say to you that we have super-patriots in our school system in Pennsylvania because they, at a loss, hold up their pride and tell the pupils of the great system and of the great principles here in America.

I want to ask those of you who know, where was the Pennsylvania Manufacturers Association today? Why were they not at that hearing? Other people were represented —the American Legion, Veterans of Foreign Wars, Parent Teachers' organizations—but the Pennsylvania Manufac-

turers, who conduct in Pennsylvania the biggest suite of rooms, lobbying in the Penn Harris day after day, who are spending money by the thousands entertaining and trying to buy votes and, I might say, supplying liquor that is not even bought in the Pennsylvania state stores, because the brands they have been furnishing, it was told to me the other night by one legislator who was invited, who said "I have never seen the brand they gave me to drink bought in any Pennsylvania state liquor store." Maybe Senator Barr is right when he says in the Pennsylvania state stores today they are selling a very poor grade, I am not here to talk on liquor, but I might say that every case of liquor the Pennsylvania Manufacturers bring into Pennsylvania, the State of Pennsylvania loses $50 in taxes.

After all is said, and I quote from Mr. Buchell, President of the Virginia Bank of Richmond, Virginia, education today is the basis of the profit system, because, as the pupil is taught in school, as his mind is developed, that puts him in a better position to go out into a mechanized world, in the factories, which by his productivity, makes more profit for the manufacturers.

And I say to the Pennsylvania Manufacturers' Association, who are always worrying about communism coming into America, that if communism comes into America, it will come into America because our school system has collapsed because of not paying sufficient salaries to keep the teachers in the schools, so they will not have any other place. There is the bulkward of all foreign ideologies in our schools. And if they are sincere they should have been, they the recipients, they who are making more profit by our educational system, they should have been at that hearing, telling what they are willing to do in the form of taxation to take our teachers and place them in the profit system that they enjoy immensely.

I say to you it is disgraceful that this Manufacturers' Association, who are using a suite of rooms in the Penn Harris to entertain and to give liquor and other things to influence votes, are not interested in the public school system of Pennsylvania, and I hereby call upon the Manager of the Penn Harris to cancel their reservations and give their rooms to Americans who are willing to pay their own way to come to Harrisburg and fight for the things that make America great, our public school system.

REPORTS FROM COMMITTEES

Mr. CRIDER, from the Committee on Military Affairs and Aeronautics, reported as committed, Senate Bill No. 516, entitled:

An Act to amend section one of the act approved the fourth day of June, one thousand nine hundred forty-five (Appropriation Act No. 85-A, page 61), entitled "An act making an appropriation to the Department of Commerce to be used by the Pennsylvania Aeronautics Commission for the encouragement and development of aeronautics," by adding municipal authorities to the agencies receiving assistance.

He also, from the Committee on State Government, reported as committed, Senate Bill No. 544, entitled:

An Act to establish an Eastern Pennsylvania Psychiatric Institute; conferring powers and imposing duties and obligations on the Department of Property and Supplies; and providing for maintenance and operation by the Department of Welfare, through a director and an advisory board, appointed by it.

He also, from the Committee on State Government, reported as committed, House Bill No. 592, entitled:

An Act authorizing the conveyance to the Borough of Norristown of a certain tract of land in the Borough of Norristown, County of Montgomery, Pennsylvania.

Mr. WATSON, from the Committee on Forests and Waters, Game and Fish, reported as committed, Senate Bill No. 391, entitled:

An Act to further amend section seven hundred one of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," permitting licenses for temporary possession of game or game flesh to be issued by supervisors or district game protectors and extending such licenses to game birds.

Mr. FARRELL, from the Committee on State Government, reported as committed, Senate Bill No. 554, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of a certain tract or parcel of land in York County, Pennsylvania, for use in connection with the New Cumberland General Depot, and ceding jurisdiction to the United States.

Mr. CROWE, from the Committee on Forests and Waters, Game and Fish, reported as amended, House Bill No. 390, entitled:

An Act to amend section nine hundred six of the act approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," authorizing the granting of the rights to maintain radio stations radio towers facilities for skiing roadside rests and devices for flood control and recreational uses on lands acquired for the use of the Pennsylvania Game Commission.

Mr. TYLER, from the Committee on Forests and Waters, Game and Fish, reported as committed, House Bill No. 503, entitled:

An Act to amend, or further amend, sections eight hundred six, eight hundred eight, and eight hundred thirty of the act approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," by making it unlawful for certain persons to disturb wild birds or wild animals within safety zones during the open hunting or trapping season; clarifying the law with reference to shooting within safety zones; prohibiting the conveyance of certain firearms without being wrapped or in a case; and clarifying the law with reference to hunting accident reports.

Mr. DOEHLA, from the Committee on Forests and Waters, Game and Fish, reported as committed, Senate Bill No. 611, entitled:

An Act to amend the act approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto", by making it unlawful for any person while hunting or trapping to carry any firearm with the safety off, except during the momentary interval of time necessary to permit the discharge of such firearm, and providing penalties.

He also, from the Committee on Forests and Waters, Game and Fish, reported as committed, House Bill No. 361, entitled:

An Act to further amend section two hundred twenty of the act approved the second day of May, one thousand nine hundred twenty-five (P. L. 448), entitled "An act relating to fish; and amending, revising, consolidating, and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth," providing for free fishing licenses to certain disabled war veterans.

Mr. WOLFE, from the Committee on Forests and Waters, Game and Fish, reported as committed, Senate Bill No. 542, entitled:

An Act to amend Section six hundred seven of the act approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," by making it unlawful to disturb or tamper with traps set by agents of the Commission.

Mr. LORD, from the Committee on State Government, reported as amended, Senate Bill No. 411, entitled:

An Act authorizing Andrew J. Herbster and Carrie M. Herbster of the Village of Laurelton, Hartley Township, Union County, Pennsylvania, to bring suit against the Commonwealth of Pennsylvania in the Court of Common Pleas of Union County, for damage suffered by him by the diversion and use of the water of Stony Run and Laurel Run by Laurel State Village at Laurelton, Pennsylvania.

He also, from the Committee on State Government, reported as committed, House Bill No. 287, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to convey to the Borough of Towanda for use as an airport certain real estate located in the Township of Towanda County of Bradford and heretofore acquired by the Commonwealth for development as an airport.

Mr. RAHAUSER, from the Committee on State Government reported as committed, Senate Bill No. 553, entitled:

An Act to amend section one thousand seven hundred ten of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 343), entitled "An act relating to the finances of the State government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, anl all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department board, commission, and officer of the State government, every political subdivision of the State, and certain officers of such subdivisions, every person, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth," by further imposing penalties in certain cases.

Mr. RUTH, from the Committee on Forests and Waters, Game and Fish, reported as amended, House Bill No. 409, entitled:

An Act to further amend the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto", by further restricting the use of spotlights; eliminating the right to kill elk as a protection to crops; changing the dog training period; and fixing the period covered by petitions for hunting foxes with dogs.

Mr. TARR, from the Committee on State Government, reported as committed, Senate Bill No. 515, entitled:

An Act to amend section three of the act approved the eleventh day of May, one thousand nine hundred one (P. L. 166), entitled "An act providing for the commutation of sentences, for good behavior of convicts in prisons, penitentiaries, workhouses and county jails of this State, and regulations governing the same," changing the day on which monthly reports shall be forwarded to the Governor.

BILLS INTRODUCED AND REFERRED

Mr. FARRELL read in his place and presented to the Chair Senate Bill No. 624, entitled:

An Act to further amend section one of the act, approved the twenty-fourth day of June, one thousand nine hundred nineteen (P. L. 579), entitled "An act to fix the salary and mileage of the members of the General Assembly, and to provide for the furnishing of such postage, stationery, and supplies, as may be necessary for the conduct of their offices; and repealing all acts or parts of acts inconsistent therewith," changing amount of allowance for postage.

Which was committed to the Committee on State Government.

Mr. BERGER on behalf of Mr. CHAPMAN read in his place and presented to the Chair Senate Bill No. 625, entitled:

An Act to further amend section two hundred ten of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant-Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," increasing the salaries of the chairman and member of the Pennsylvania Public Utility Commission.

Which was committed to the Committee on State Government.

Mr. SNOWDEN read in his place and presented to the Chair Senate Bill No. 626, entitled:

An Act to amend Section 511 of the act approved the first day of June, one thousand nine hundred forty-five, (P. L. 1242) entitled "An act relating to roads, streets, highways and bridges; amending, revising, consolidating and changing the laws administered by the Secretary of Highways and by the Department of Highways relating thereto" by changing the procedure relating to changes made by the Secretary in boroughs.

Which was committed to the Committee on Highways.

He also read in his place and presented to the Chair Senate Bill No. 627, entitled:

An Act to further amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," creating the State Board of Cosmetology and defining its powers and duties.

Which was committed to the Committee on Education.

Mr. STIEFEL read in his place and presented to the Chair Senate Bill No. 628, entitled:

A joint resolution proposing an amendment to article eighteen section one of the Constitution of the Commonwealth of Pennsylvania, requiring proposed amendments to the Constitution to be voted upon by the qualified electors at a special election called for such purpose.

Which was committed to the Committee on Constitutional Changes and Federal Relations.

Messrs. ROSENFELD and DENT read in place and presented to the Chair Senate Bill No. 629, entitled:

An Act to further reenact and amend the act, approved the second day of June, one thousand nine hundred fifteen (P. L. 736), entitled as amended "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment; establishing an elective schedule of compensation; providing procedure for the determination of liability and compensation thereunder; and prescribing penalties," changing maximum and minimum rates, periods, total amounts and aggregate of compensation, changing the system of computation of wages for compensation purposes, changing practice and rules of evidence, defining earning power after personal injury, authorizing the board to terminate compensation in certain cases, changing the classes of dependents entitled to compensation in case of death, changing powers and duties of the board and imposing additional penalties, authorizing the department, the board and the referees to approve compromise agreements in certain cases and generally amending, clarifying and changing the provisions of said act.

Which was committed to the Committee on Labor and Industry.

Mr. KLEIN read in his place and presented to the Chair Senate Bill No. 630, entitled:

An Act to further amend clause (c) of section three of the act, approved the first day of June, one thousand nine hundred thirty-seven (P. L. 1168), entitled "An act to protect the right of employes to organize and bargain collectively; creating the Pennsylvania Labor Relations Board; conferring powers and imposing duties upon the Pennsylvania Labor Relations Board, officers of the State government, and courts; providing for the right of employes to organize and bargain collectively; declaring certain labor practices by employers to be unfair; further providing that representatives of a majority of the employes be the exclusive representatives of all employes; authorizing the board to conduct hearings and elections, and certify as to representatives of employes for purposes of collective bargaining; empowering the board to prevent any person from engaging in any unfair labor practice, and providing a procedure for such cases, including the issuance of a complaint, the conducting of a hearing, and the making of an order; empowering the board to petition a court of common pleas for the enforcement of its order, and providing a procedure for such cases; providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order, and establishing a procedure for such cases; providing for an appeal from the common pleas court to the Supreme Court; providing the board with investigatory powers, including the power to issue subpoenas and the compelling of obedience to them through application to the proper court; providing for service of papers and process of the board; prescribing certain penalties," including the Commonwealth or any political subdivision thereof within the definition of "employer."

Which was committed to the Committee on Labor and Industry.

Mr. KEPHART read in his place and presented to the Chair Senate Bill No. 631, entitled:

An Act to amend section two of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 806), entitled "An act limiting the number of licenses for the retail sale of liquor, malt or brewed beverages, or malt and brewed beverages, to be issued by the Pennsylvania Liquor Control Board; defining hotels and prescribing the accommodations required of hotels in certain municipalities," exempting certain clubs from the provisions of said act.

Which was committed to the Committee on Law and Order.

CALENDAR

BILLS ON FINAL PASSAGE CALENDAR

BILL RECOMMITTED

Mr. TALLMAN. Mr. President, I move that Senate Bill No. 219, on final passage, entitled:

An Act to add section eight hundred twelve to the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" providing

that where members of a political party are appointed or elected to represent the members of such party in an election district said members shall constitute a political committee for such districts

be recommitted to the Committee on Elections.

Mr. HEYBURN. Mr. President, I second the motion.

The motion was agreed to.

BILL ON FINAL PASSAGE

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 557, as follows:

An Act providing for and regulating the merger and consolidation of corporations organized for the transportation and storage of oil by means of pipe lines and tanks defining the rights and powers of the surviving or new corporation providing for the service of process on foreign corporations and defining the rights of dissenting stockholders

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Merger and Consolidation of Pipe Line Companies Authorized It shall and may be lawful for any corporation or corporations formed under the provisions of the act approved the second day of June one thousand eight hundred eighty-three (P. L. 61) entitled "An act supplementary to an act entitled 'An act for the incorporation and regulation of corporations' approved April twenty-ninth one thousand eight hundred and seventy-four authorizing the incorporation of pipe lines for the transportation of petroleum and providing for the exercise of the right of eminent domain in taking lands and property for such purposes" to construct and operate a pipe line or pipe lines hereinafter designated as domestic pipe line corporations or domestic pipe lines corporations whether operating such pipe line or pipe lines either wholly within or partly within and partly without the Commonwealth under the authority of this or any other state or states and for any corporation or transportations formed under the laws of any other state or states to construct and operate a pipe line or pipe lines to be designated as a foreign pipe line corporation or foreign pipe line corporations in the manner provided in this act to merge into one of such domestic pipe line corporations hereinafter designated as the surviving pipe line corporation or consolidate into a new pipe line corporation to be formed under the laws of this Commonwealth or to merge into or be consolidated into one of such foreign pipe line corporations hereinafter designated as the surviving or new pipe line corporation to be formed under the law or laws of the jurisdiction under which one of the foreign pipe line corporations was formed provided the laws of such jurisdiction authorize such merger or consolidation subject to all of the laws of this Commonwealth pertaining thereto and to the rules and regulations of the Pennsylvania Public Utility Commission

Section 2 Approval of Joint Plan to Merger or Consolidation A The board of directors of each of the domestic pipe line corporations which desire to merge or consolidate shall by resolution adopted by at least a majority vote of all the members of each board approve a joint plan of merger or consolidation as the case may be setting forth the terms and conditions of the merger or consolidation and mode of carrying the same into effect the manner and basis of converting the shares of stock of each corporation into shares of stock or other securities or obligations of the surviving or new corporation as the case may be and such other details and provisions as are deemed necessary

B The board of directors of each domestic pipe line corporation upon approving such plan of merger or plan of consolidation shall by resolution direct that the plan be submitted to a vote of the stockholders of such pipe line corporation entitled to vote thereon at an annual or special meeting of the stockholders Written notice shall not less than ten days before such annual or special meeting be given to each stockholder of record of such pipe line corporation whether or not entitled to vote on such plan unless the plan of merger or plan of consolidation contemplates an increase in the aggregate of the authorized capital stock of the constituent pipe line corporations in which event sixty days' notice of such meeting shall be given to each stockholder The notice shall state the place day hour and purpose of the meeting and a copy or summary of the plan of merger or plan of consolidation as the case may be shall be included in or enclosed with such notice

C The plan of merger or consolidation shall be approved upon receiving the affirmative vote of the holders of at least the majority of the outstanding shares of stock entitled to vote thereon of each of the merging or consolidating domestic pipe line corporations unless any class of shares of stock of any of such pipe line corporations is entitled to vote thereon as a class in which event as to such pipe line corporation the plan of merger or consolidation shall be approved upon receiving the affirmative vote of the holders of at least a majority of the outstanding shares of each class of shares of stock entitled to vote thereon as a class and the affirmative vote of the holders of at least a majority of all outstanding shares entitled to vote thereon

D The plan of merger or consolidation shall be authorized adopted or approved by each of the foreign pipe line corporations which desire to merge or consolidate in accordance with the laws of the jurisdiction in which it was formed

Section 3 Articles of Merger or Consolidation Upon the approval of the plan of merger of the plan of consolidation by the pipe line corporations desiring to merge or consolidate as provided in the preceding section articles of merger or articles of consolidation as the case may be shall be executed under the seal of each pipe line corporation signed and verified by two duly authorized officers of each pipe line corporation and shall set forth

(a) The name and the location of the registered office of the surviving or new pipe line corporation and the name of the jurisdiction under the laws of which it is or is to be formed

(b) The time and place of the meeting of the stockholders of each domestic pipe line corporation at which the plan of merger or consolidation as the case may be was adopted the kind and period of notice given to the stockholders and the total vote by which the plan was adopted

(c) The fact that the plan of merger or consolidation was authorized adopted or approved as the case may be by each of the foreign pipe line corporations in accordance with the laws of the jurisdiction in which it was formed

(d) Any changes desired to be made in the articles of the surviving pipe line corporation in the case of a merger or in the case of a consolidation if the new pipe line corporation be a domestic pipe line corporation all of the statements required by this act to be set forth in original articles in the case of the formation of a pipe line corporation

(e) The number names and addresses of the persons to be the first directors of the surviving or new pipe line corporation

(f) The plan of merger or consolidation

(g) If the surviving or new pipe line corporation is to be a foreign pipe line corporation a designation of the Secretary of the Commonwealth and his successor in office as the true and lawful attorney of such pipe line corporation upon whom may be served all lawful process in any action or proceeding against it for enforcement against it of any obligation of any constituent domestic pipe line corporation or any obligation arising from the merger or consolidation proceedings or any action or proceedings to determine and enforce the rights of any stockholder under the provisions of section eight of this act and an agreement that the service of process upon the Secretary of the Commonwealth shall be of the same legal force and validity as if served on such pipe line corporation and that

the authority for such service of process shall continue in force as long as any of the aforesaid obligations and rights remain outstanding in this Commonwealth

Section 4 Advertisement The constituent domestic pipe line corporations shall advertise their intentions to file articles of merger or articles of consolidation as the case may be with the Department of State in two newspapers published in the English language one of which shall be a newspaper of general circulation in the county in which the registered office of the surviving or new pipe line corporation is to be located and the other the legal newspaper if any designated by the rules of the court for the publication of legal notices otherwise in two newspapers of general circulation published in the county in which the registered office of the surviving or new pipe line corporation is to be located Where there is but one newspaper of general circulation published in any county advertisement in such newspaper shall be sufficient Advertisements shall appear at least three days prior to the day on which the articles of merger or articles of consolidation are presented to the Department of State and shall set forth briefly

(a) The name and the location of the registered office of each of the pipe line corporations intending to merge or consolidate

(b) The name and the location of the proposed registered office of the surviving or new pipe line corporation and the name of the jurisdiction under the laws of which it is or is to be formed

(c) A statement that the articles of merger or consolidation are to be filed under the provisions of this act

(d) The purpose or purposes of the surviving or new pipe line corporation

(e) The time when the articles of merger or consolidation will be delivered to the Department of State

Section 5 Filing of Articles of Merger or Consolidation The articles of merger or articles of consolidation as the case may be and proof of the advertisement required by the preceding section and a certificate or certificates from the proper department or departments evidencing payment by the pipe line corporation of all bonus taxes and charges as required by law shall be delivered to the Department of State If the Department of State finds that such articles have been approved by the Pennsylvania Public Utility Commission and conform to law and that the certificate or certificates evidencing payment of bonus or taxes or charges delivered therewith is in proper form it shall upon payment of the filing fee forthwith not prior to the day specified in the advertisement required by the preceding section endorse its approval thereon and file the articles and issue to the surviving or new pipe line corporation or its representatives a certificate of merger or a certificate of consolidation as the case may be to which shall be attached a copy of the approved articles

Section 6 Effective Date of Merger or Consolidation Upon the issuance of the certificate of merger or the certificate of consolidation by the Department of State the merger or consolidation shall be effective The certificate of merger or the certificate of consolidation shall be conclusive evidence of the performance of all conditions precedent to such consolidation or merger and the creation or existence of a new or surviving pipe line corporation except as against the Commonwealth The merger or consolidation of one or more domestic pipe line corporations into a foreign pipe line corporation shall be effective according to the provisions of law of the jurisdiction in which such foreign pipe line corporation was formed but not until articles of merger or articles of consolidation have been adopted and filed as heretofore provided in this act

Section 7 Effect of Merger or Consolidation Upon the merger or consolidation becoming effective the several pipe line corporations parties to the plan of merger or consolidation shall be a single pipe line corporation which in the case of a merger shall be that pipe line corporation designated in the plan of merger as the surviving pipe line corporation and in the case of a consolidation shall be the new pipe line corporation provided for in the plan of consolidation and which shall have all of the rights and powers of a pipe line corporation as provided by the laws of this Commonwealth including the power of eminent domain The separate existence of all pipe line corporations parties to the plan of merger or consolidation shall cease except that of the surviving pipe line corporation in the case of a merger The surviving or new pipe line corporation as the case may be if it be a domestic pipe line corporation shall not thereby acquire authority to engage in any business or exercise any right which a pipe line corporation may not be formed to engage in or exercise All the property real personal and mixed of each of the pipe line corporations parties to the plan of merger or consolidation and all debts due on whatever account to any of them including subscriptions to shares of stock and other choses in action belonging to any of them shall be taken and deemed to be transferred to and vested in the surviving or new pipe line corporation as the case may be without further act or deed The surviving or new pipe line corporation shall thenceforth be responsible for all the liabilities and obligations of each of the pipe line corporations so merged or consolidated but the liabilities of the merging or consolidating pipe line corporations or of their stockholders directors or officers shall not be affected nor shall the rights of the creditors thereof or of any persons dealing with such pipe line corporations or any liens upon the property of such pipe line corporations be impaired by such merger or consolidation and any claim existing or action or proceeding pending by or against any of such pipe line corporations may be prosecuted to judgment as if such merger or consolidation had not taken place or the surviving or new pipe line corporation may be proceeded against or substituted in its place In the case of a merger the articles of incorporation of the surviving pipe line corporation shall be deemed to be amended to the extent if any that changes in its articles are stated in the articles of merger and in the case of a consolidation the statements which are set forth in the articles of consolidation and if the new pipe line corporation be a domestic pipe line corporation which are required or permitted to be set forth in the articles of incorporation of pipe line corporations formed under the laws of this Commonwealth shall be deemed to be the articles of incorporation of the new pipeline corporation The aggregate amount of the net assets of the merging or consolidating pipe line corporations which was available for the payment of dividends immediately prior to such merger or consolidation to the extent that the value thereof is not transferred to stated capital by the issuance of shares of stock or otherwise shall continue to be available for the payment of dividends by such surviving or new pipe line corporation

Section 8 Rights of Dissenting Stockholder A If any stockholder of a domestic pipe line corporation which becomes a party to a plan of merger or consolidation shall file with such pipe line corporation prior to or at the meeting of stockholders at which the plan of merger or consolidation is submitted to a vote a written objection to such plan of merger or consolidation and shall not vote in favor thereof and such stockholder within twenty days after the merger or consolidation was affected shall also make written demand on the surviving or new pipe line corporation for the payment of the fair value of his shares of stock as of the day prior to the date on which the vote was taken approving the merger or consolidation without regard to any depreciation or appreciation thereof in consequence of the merger or consolidation the surviving or new pipe line corporation shall pay to such stockholder the fair value of his shares upon surrender of the share certificate or certificates representing his shares The demand of the stockholder shall state the number and class of the shares owned by him Unless a stockholder files such written objection and also makes such demand within the twenty day period he shall be conclusively presumed to have consented to the merger or consolidation and shall be bound by the terms thereof If within thirty days after the date on which such merger or consolidation was effected the value of such shares shall be agreed upon

between the dissenting stockholder and the surviving or new pipe line corporation payment thereof shall be made in cash within ninety days after the date on which such merger or consolidation was effected upon the surrender of the stock certificate or certificates representing his shares Upon payment of the agreed value the dissenting stockholder shall cease to have any interest in such shares or in the pipe line corporations

B It within such period of thirty days the stockholder and the surviving or new pipe line corporation do not so agree then the dissenting stockholder may within sixty days after the expiration of the thirty-day period apply by petition to the court of common pleas in equity within the county in which the registered office of the surviving or new pipe line corporation is situated if it be a domestic pipe line corporation or if it be a foreign pipe line corporation to the court of common pleas in equity within the county in which was situated the registered office of the foreign pipe line corporation of which such petitioner was a stockholder which shall be deemed to be the county in which the cause of action of such petitioner arose and all process in such proceeding shall be served upon the surviving or new foreign pipe line corporation in the manner provided by law in such cases for the appointment by the court of three disinterested persons to appraise the fair value of his shares of stock without regard to any depreciation or appreciation thereof in consequence of the merger or consolidation The award of the appraisers or of a majority of them shall be submitted to the court for determination and the judgment of the court thereon shall be final and conclusive The cost of such appraisal including a reasonable fee to the appraisers shall be fixed by the court and shall be borne by the surviving or new pipe line corporation unless in the opinion of the court the action of any stockholder in refusing the offer of the pipe line corporation has been arbitrary vexatious or in bad faith in which case the costs shall be assessed in the discretion of the court The award shall be payable only upon and simultaneously with the surrender to the surviving or new pipe line corporation of the stock certificate or certificates representing the shares of the dissenting stockholder If the award shall not be paid by the surviving or new pipe line corporation within thirty days after the order of the court thereon the amount of the award shall be a judgment against the surviving or new pipe line corporation as the case may be and may be collected as other judgments in such court are by law collectible Upon the payment of the award or judgment the dissenting stockholder shall cease to have any interest in such shares or in the surviving or new pipe line corporation Such shares may be held and disposed of by the surviving or new pipe line corporation as it may see fit Unless the dissenting stockholder shall file a petition within the time herein limited such stockholder and all persons claiming under him shall be conclusively presumed to have approved and ratified the merger or consolidation and shall be bound by the terms thereof

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Geltz,	Lord,	Tarr,
Becker,	Haluska,	Mahany,	Taylor,
Berger,	Hare,	Mallery,	Tyler,
Blass,	Hayburn,	Margie,	Wade,
Carr,	Holland,	Rahauser,	Wagner,
Chapman,	Homsher,	Rosenfeld,	Walker,
Crider,	Jaspan,	Ruth,	Watson,
Crowe,	Kephart,	Scarlett,	Wilson,
Dent,	Klein,	Snowden,	Wolfe,
DiSilvestro,	Lane,	Stevenson,	Wood, L. H.,
Doehla,	Leader,	Stiefel,	Wood, T. N.,
Donlan,	Letzler,	Tallman,	Woodring,
Farrell,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 41, as follows:

An Act to further amend section eight of the act approved the nineteenth day of July one thousand nine hundred thirty-five (P. L. 1356) entitled "An act to regulate the sale and delivery of solid fuel as herein defined providing for appointment of licensed weighmasters prescribing their powers and duties authorizing substitute licensed weighmasters imposing certain duties on the Department of Internal Affairs and providing penalties" increasing the penalties for violations thereof

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section eight of the act approved the nineteenth day of July one thousand nine hundred thirty-five (P. L. 1356) entitled "An act to regulate the sale and delivery of solid fuel as herein defined providing for appointment of licensed weighmasters prescribing their powers and duties authorizing substitute licensed weighmasters imposing certain duties on the Department of Internal Affairs and providing penalties" as amended by the act approved the twenty-fourth day of June one thousand nine hundred forty-one (P. L. 152) is hereby further amended to read as follows

Section 8 Any person violating any of the provisions of this act shall upon summary conviction before a magistrate be sentenced for the first offense to pay a fine of not less than [twenty-five dollars ($25.00)] one hundred dollars ($100) or more than [fifty dollars ($50.00)] two hundred dollars ($200) and costs of prosecution and in default of payment thereof shall undergo imprisonment for [ten] twenty days and for the second offense be sentenced to pay a fine of not less than [fifty dollars ($50.00)] two hundred dollars ($200) or more than [one hundred dollars ($100.00)] three hundred dollars ($300) and costs of prosecution and in default of payment thereof shall undergo imprisonment for [twenty] sixty days and for the third offense shall be sentenced to pay a fine of not less than three hundred dollars ($300.00) or more than five hundred dollars ($500.00) and costs of prosecution and in default of the payment thereof shall undergo imprisonment for ninety days

Any person violating any of the provisions of this act for a fourth or subsequent offense shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than [one hundred dollars ($100.00)] three hundred dollars ($300) or more than [three hundred dollars ($300.00)] five hundred dollars ($500) and suffer imprisonment for not less than six months or more than one year

In cities of the first class all hearings shall be held before a magistrate who shall hear such purported violations for one month only and thereafter another magistrate shall be assigned to hear such cases until all magistrates of such city have been assigned to such hearings It is hereby declared to be the legislative intent that there be a rotation of magistrates assigned to such hearings in the same manner as that provided by section eleven of the "Magistrates' Court Act of 1937" approved the fifteenth day of June one thousand nine hundred thirty-seven (P. L. One thousand seven hundred forty-three)

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Geltz	Lord,	Tarr,
Becker,	Haluska	Mahany,	Taylor,
Berger,	Hare,	Mallery,	Tyler,
Blass,	Heyburn	Margie,	Wade,
Carr,	Holland	Rahauser,	Wagner,
Chapman,	Homsher	Rosenfeld,	Walker,
Crider,	Jaspan	Ruth,	Watson,
Crowe,	Kephart,	Scarlett,	Wilson,
Dent,	Klein,	Snowden,	Wolfe,
DiSilvestro,	Lane,	Stevenson,	Wood, L. H.,
Doehla,	Leader,	Stiefel,	Wood, T. N.,
Donlan,	Letzler,	Tallman,	Woodring,
Farrell,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 72, on third reading, entitled:

An Act to further amend section three hundred twenty of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by providing for the payment of retirement allowances to widows of deceased county employes and for crediting employes with time spent in military service in counties of the second class

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL POSTPONED

Mr. WALKER. Mr. President, I move that Senate Bill No. 195, on third reading, entitled:

An Act to further amend the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 364) entitled "An act relating to business corporations defining and providing for the organization merger consolidation reorganization winding up and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and shareholders prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the second class within the provisions of this act prescribing the terms and conditions upon which foreign business corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas and certain State departments commissions and officers authorizing certain State departments boards commissions or officers to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" changing the time of the inception of corporate existence or authority to do business and the requirements and effect of notices to shareholders in certain cases providing for cancellation of shares acquired by issuing corporation and limiting the rights of dissenting shareholders in certain cases

be placed on the Postponed Calendar.

Mr. WADE. Mr. President, I second the motion.

The motion was agreed to.

BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 284, entitled:

An Act to further amend the act approved the thirtieth day of March one thousand nine hundred thirty-seven (P. L. 115) entitled "An act to provide for the permanent personal registration of electors in cities of the first class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties bodies of electors registration commissions commissioners registrars inspectors of registration and other appointees of registration commission election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics real estate brokers rental agents certain public service companies persons firms and corporations operating vehicles for moving furniture and household goods and boards of school directors and imposing penalties" by imposing an additional penalty

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. LORD. Mr. President, I ask unanimous consent to offer an amendment at this time.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendment as follows:

Amend sec. 1 (Sec. 45), page 5, line 19, by striking out the words "commissioner, registrar or inspector" and inserting in lieu thereof "registrar, agent or employe of the commission",

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

It was agreed to.

Ordered, That the bill as amended, lie over for printing on final passage.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 317, as follows:

An Act to reenact and amend the title and the act approved the second day of May one thousand nine hundred forty-five (P. L. 375) entitled "An act conferring upon the councils of cities of the first class the power and devolving upon them the duty of fixing and determining the salaries wages and other compensation payable out of the treasury of such cities from and after the first day of January one thousand nine hundred and forty-six of all public officers clerks and other public employes except the salaries of elected officers whose salaries are fixed by law and except the salaries wages or other compensation of officers clerks and employes

of the courts are fixed by law or by the courts" by vesting in city council of cities of the first class the power to fix the salaries wages or other compensation of employes of the courts

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title of the act aproved the second day of May one thousand nine hundred forty-five (P. L. 375) entitled "An act conferring upon the councils of cities of the first class the power and devolving upon them the duty of fixing and determining the salaries wages and other compensation payable out of the treasury of such cities from and after the first day of January one thousand nine hundred and forty-six of all public officers clerks and other public employes except the salaries of elected officers whose salaries are fixed by law and except the salaries wages or other compensation of officers clerks and employes of the courts which are fixed by law or by the courts" is hereby amended to read as follows

An Act conferring upon the councils of cities of the first class the power and devolving upon them the duty of fixing and determining the salaries wages and other compensation payable out of the treasury of such cities from and after the first day of January one thousand nine hundred and forty-six of all public officers clerks and other public employes except the salaries of elected officers whose salaries are fixed by law [and except the salaries wages or other compensation of officers clerks and employes of the courts which are fixed by law or by the courts]

Section 2 Sections one and two of said act are hereby amended to read as follows

Section 1 That from and after the first day of January one thousand nine hundred and forty-six the salaries wages and other compensation of all public officers clerks and employes including all officers clerks and employes whose salaries were heretofore fixed by law or by the courts payable out of the treasury of any city of the first class shall be fixed and determined by the council of such city by ordinance except such salaries of elected officers which are or may be fixed by law [and the salaries wages and other compensation of officers clerks and employes of the courts which are or may be fixed by law or by the courts]

Section 2 All acts or parts of acts inconsistent herewith be and the same are hereby repealed to the extent of such inconsistency it being the intent and purpose of this act to establish a uniform and complete system except as aforesaid of the fixing and determination of all salaries wages or other compensation of public officers clerks and employes payable out of the treasury of such cities thereby unifying and co-ordinating as far as may be practicable that power and duty with the power to raise revenue by taxation and otherwise

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. JASPAN. Mr. President, last week, my colleague, Senator Woodring, cleverly treated the passage of House Bills 402 and 135 as a twin delivery. Both political bills, of course. I, however, term them as twin killings, if I may use the vernacular of the baseball diamond. You remember the combinations of Tinker, Evers and Chance of the old Chicago Cubs, and Barry, Collins and McInnis of the Athletics, who were adept in double plays. Triple plays or killings are unusual in baseball, but can very well happen in the legislative halls. And so tonight with the present bill before us a triple killing is in sight.

Seriously, House Bill 317, doomed to death on various occasions, has been given another shot in the arm, and may be properly treated as a political bill, and is passed on to us under the guise of home rule for Philadelphia. Home rule covers a multitude of sins, and is in this case merely a veneer to conceal the true significance of this bill. This bill on the surface has for its purpose the vesting in City Council of cities of first class the power to fix the salaries, wages, or other compensation of employes of the courts.

May I refresh your memories and inquire why in 1943 you enacted legislation empowering the judges of the Municipal Court to fix salaries of probation officers and other employes of the Municipal Court. Home rule apparently meant little or nothing to you then. You felt it was dangerous to trifle with the courts.

May I again refresh your memories and ask you why in 1945 you enacted legislation empowering City Council to fix salaries of all county employes, excepting elected officers and court employes. Did you cry home rule then? Again you felt it was dangerous to trifle with the courts, and hence excepted court employes from the provisions of the Act. Apparently home rule meant nothing to you then. You did not dare to trifle with the courts. Why the sudden reversal of attitude on your yart at the present time? The judges of Philadelphia are still opposed to this particular bill and so are the court employes.

Does it require much analysis, Mr. President, or deep thinking, to come to the inescapable conclusion that this bill is politically inspired? It is obviously a means of clubbing or stampeding judges into making political appointments. Yes, there are some juicy plums in the courts, and some of our thoughtless and greedy politicians are viewing them with hungry eyes. There is little hope for the courts when people who have little regard for public welfare are ready to strangle the courts with their tentacles, poisoned indeed.

One councilman told me that he is eager to get rid of two court employes who have outlived their political usefulness and replace them with younger men who are active politically, but he can not do anything about them under present conditions. However, if this bill becomes law, he can force their dismissal, notwithstanding their worth to the court. You may multiply this twofold, threefold and fourfold, and the whole scheme is unfolded before your very eyes.

If the officials of Philadelphia are truly interested in home rule, why not insist upon the passage of the city and county consolidation bill? If they were really interested in home rule why not press for the passage of House Bill 743, as introduced by Mr. Lee of the House of Representatives, and who is one of the Republican stalwarts, from the most Republican legislative district in the city of Philadelphia? House Bill 743 is a very simple one—what it calls for is home rule and that is what we have this bill here today for, under the guise of home rule. House Bill 743 is a bill to carry into effect Section 1 of Article 15 of the Constitution, giving cities of the first class the right and power to frame, adopt and amend their own charters and to exercise the power and authority of local self-government. Is there any reason why this bill still remains in the committee to which it was referred? We know the answer—political reasons.

These two proposed projects, one the city-county consolidation and House Bill 743, are sponsored and backed by our leading newspapers in the city of Philadelphia and civic groups, but the political machine fears it because of the wide latitude given to the people to govern themselves. The political leaders in Philadelphia would not risk a change in the complexion of our manner of govern-

ment in Philadelphia. Political expediency is more important than public welfare. Yet they have the effrontery to shout home rule with respect to the bill before us.

Mr. President, frankly, under the present set-up in Philadelphia, I would hesitate to give them unlimited home rule, excepting as advocated by our Philadelphia newspapers and civic groups in Philadelphia. Our Philadelphia officials have convinced me beyond a doubt that they are not capable of handling the affairs of the city efficiently and capably.

Let me give you an idea as to the mismanagement of the city's affairs by those now in power.

First, in 1939, we gave the city of Philadelphia home rule with respect to the operation of the gas works. What happened? There were two increases in gas rates approved by our Gas Commission without any independent findings, and this was done at a time, mind you, when the profits of the gas company reached an all-time high. To add insudt to injury, our city council, representing us in the city of Philadelphia, approved a $4,000,000 loan for the benefit of the gas company, a private utility running the gas works for the city.

Further, the Philadelphia Electric Company, another utility, during the past year earned more money than ever, and the sum exceeded the allowable return, but the city of Philadelphia stood idly by, although two million consumers were affected.

Further, the city of Philadelphia has leased its Broad Street subway at a rental that does not even pay the carrying charges, mind you, does not even pay the carrying charges. Trolley service has been poor and inadequate, and no complaints have been lodged by the city against the company. The city, however, has spent millions of dollars to expand the lines and increase the facilities of the Philadelphia Transportation Company.

Many sections of our city today, Mr. President, ar without sewage systems, and many populated districts are without recreational facilities.

Philadelphians, as you know, have been promised pure water for years, but the fact is they are still drinking chlorine cocktails.

As to the welfare, health and safety of its citizens, as compared with other large cities, Philadelphia stands practically at the very bottom of the list—hard to believe, but nevertheless the truth.

To cite further instances of mismanagement on the part of the city officials would be futile at the present time. However, this much is certain, that very little has been accomplished for the general welfare of the people. Excuse me please, Mr. President, something was done by our city council rather recently. They felt that they had to show some interest in the public welfare and therefore there was an ordinance passed to exterminate all pigeons and anybody apprehended feeding pigeons was fined $5. Imagine, the city of Philadelphia passed an ordinance to exterminate pigeons and if you are caught feeding them you are fined $5—poor Independence Square, poor Washington Square, poor Franklin Square, where the kids assemble every day every week, and feed the pigeons. This is the type of legislation we get from city council of Philadelphia. That is great stuff, I say.

In view of present circumstances, Mr. President, it therefore becomes increasingly important that we permit the citizens of Philadelphia to decide for themselves as to what type of government they wish and, further, to decide upon the question of home rule, and we can set the ball or the machinery in motion by passing House Bill 743, a very simple bill, but you know our political leaders and officials in Philadelphia would not dare to have it passed or use any pressure to have it passed. They could also pass the city-county consolidation bill. For the benefit and information of those who do not know, we have two forms of government in Philadelphia, a county government and a city government. Where else can that happen; where else does it apply?

Meanwhile, Mr. President, in closing, I say with all the emphasis at my command, vote down House Bill 317, which I call a politically inspired bill. Let us not strangel the judges or the administration of justice for the benefit of a few.

Mr. STIEFEL. Mr. President, I just desire to develop one fact. In my opinion, and according to political science, House Bill 317 is not tenable, for the following reasons: when we say in Philadelphia there is a Court of Common Pleas In and For Philadelphia County that is a misnomer, because the state of Pennsylvania is divided into judicial districts and, therefore, each court is a branch of the state government and not a part of the city machinery.

If we pass this bill that will mean that employes of the Commonwealth of Pennsylvania will be subjected to influence and dictation by city officials, because city officials will be deciding upon the salaries of state employes.

This contradiction, in my opinion, is very dangerous and will detract from the importance of our courts, and for that reason I desire to appeal to all those members of the State Senate, who are interested in protection of our city government, to vote against this measure.

Mr. KEPHART. Mr. President, if we go back into the history of this legislation, we find that the Legislature had the power to fix the compensation of the clerks of these courts, not the judges; the legislature fixed the maximum and, a few years ago, since the maximum was not high enough, a bill was passed for the term of the emergency only, to increase that compensation so that now it is about $800 above the maximum. All this bill does is authorize city council to do it. That legislation will expire, because the emergency is over, and if something is not done the clerks of the courts and the judicial employes will be receiving less than they now receive.

This bill will permit city council to pay those employes the same as they have been paid in the past under this emergency situation, and it will not be taking anything away from the judges that they had before, because the judges did not fix their salaries; the legislature fixed their salaries.

This bill is merely a transfer from the legislative body to city council of this legislative power, and that is the proper place for the power to reside, because city council fixes the tax rate and raises the funds out of which these employes are paid. They are the ones, just like the Legislature, which raises the funds by which state employes are paid, they in Philadelphia raise the funds for these employes to be paid, and it is only proper that they should fix these salaries.

Another reason for council to fix salaries is so that there will be no discrimination between similar grades of positions. Council has worked out a program, a scale, for those things and if the whole business is in the hands of city council, there will be no discrimination between different employes, whether they belong in the judicial

branch of the government, whether they belong in the legislative branch of the government, or whether they belong in the administrative branch of the government. There is no reason why a janitor should be paid one salary if he takes care of the mayor's office, and a different salary if he takes care of a judge's office. They should both be paid on the same scale. This bill will permit that. It is a home rule bill and it is a sound bill from every standpoint of good government.

Mr. JASPAN. Mr. President, may I remind my friend from Philadelphia that some of the employes of the municipal court who were paid from city funds, their salaries were fixed by the judges, and in 1943, when my friend from Philadelphia, Senator Kephart, was a member of this Senate, he voted the right that the judges should fix the salaries of employes in the municipal court. Possibly he may have forgotten, in the rush and bustle of business, but nevertheless that is the fact, and it is recorded in the statute books of 1943.

With respect to being a home rule bill, I believe in home rule, but this puts me in mind of the mountain being in labor and bringing forth a mouse. If Philadelphia is really interested in home rule—and Mr. Kephart can walk out if he so sees fit, but I have a little more regard when he is on the floor—I will say this much, let him use the same effort to put over House Bill 743, which is a home rule bill in every respect, and if he does not like that, let him follow the pattern of another bill I have here, known as House Bill 545, which is applicable to third class cities, introduced by House Representative Rose on March 4, 1947, and which passed the House by an overwhelming majority and today reposes very quietly but soundly in the hands of the Committee on Local Government.

So if you want home rule let us have it and let us put through a bill that spells home rule and not bits from time to time under the pretext of home rule when, as a matter of fact they are politically inspired. Can you explain why councilmen in Philadelphia and other officials are eager to stampede the judges into firing men and hiring others? As long as council can fix salaries they are put into the strong and dangerous position of interfering with the administration of government.

I say that this bill is unsound and unfair and it has been hatched in the minds of ward-heelers.

And the question recurring,

Will the Senate agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—31

Becker,	Farrell,	Mahany,	Wagner,
Berger,	Geltz,	Mallery,	Walker,
Blass,	Hare,	Scarlett,	Watson,
Carr,	Heyburn,	Snowden,	Wilson,
Chapman,	Homsher	Stevenson,	Wolfe,
Crider,	Kephart,	Tallman,	Wood, L. H.,
Crowe,	Letzler,	Taylor,	Wood, T. N.,
Doehla,	Lord,	Wade,	

NAYS—14

Barr,	Holland,	Leader.	Ruth,
Dent,	Jaspan,	Rahauser,	Stiefel,
DiSilvestro,	Klein,	Rosenfeld,	Woodring,
Haluska,	Lane,		

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL POSTPONED

Mr. WAGNER, Mr. President, I move that Senate Bill No. 333, on third reading, entitled:

An Act to further amend clause (a) of subsection three of section fourteen of the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judical process and providing penalties" by providing for an increased employe's annuity

be placed on the Postponed Calendar.

Mr. LLOYD H. WOOD, Mr. President, I second the motion.

The motion was agreed to.

BILL ON THIRD READING AMENDED

Agreeably to order.

The Senate proceeded to the third reading and consideration of Senate Bill No. 428, entitled:

An Act to further amend clause (17) of subdivision (4) of subsection (L) of section four of the act approved the fifth day of December one thousand nine hundred thirty-six (1937 P. L. 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" by expressly excluding from the definition of "employment" services of certain solicitors and salesmen who are compensated on a commission basis

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. HEYBURN. Mr. President, I ask unanimous consent to offer minor amendments.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend page 2, by inserting after the word "solicitors" and before the word "and" appearing on the ninth line of the title on page 2 the following word: "agents;" Amend page 4, line 1, by inserting after the word "company" and before the word "if" the following words: "or as an agent

of an investment company;" Amend page 4, line 8, by inserting after the word "solicitors" and before the word "or" the following word: "agents."

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

It was agreed to.

Ordered, That the bill as amended, lie over for printing on final passage.

BILL OVER IN ORDER

Mr. BECKER. Mr. President, I ask unanimous consent that Senate Bill No. 492, on third reading, entitled:

An Act to amend Section 2 of the act approved the third day of May one thousand nine hundred and thirty-three (P. L. 227) entitled "An act authorizing stock corporations with certain exceptions to make provision for and to issue shares of capital stock of any classes or to change shares of authorized or outstanding capital stock of any class into one or more classes with or without nominal or par value and with such designations terms relative rights powers privileges preferences limitations restrictions and qualifications as may be specified regulating such corporations and the liabilities of their directors making other provisions relating to the capital and capital stock of such corporations and repealing all acts or parts of acts inconsistent herewith" by empowering subject to certain conditions the boards of directors of corporations to issue out of the authorized but unissued shares of capital stock the kinds and classes of shares so authorized regulating the creation and issuance of preferred or special stock in series and designating the variations in the relative rights and preferences as between different series and empowering subject to certain conditions the boards of directors of corporations as respects the authorized but unissued shares of preferred or special stock of the corporation to divide the same into series and subject to certain conditions and limitations to fix and determine the relative rights and preferences of any series so established

go over in order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 506, entitled:

An Act to further amend the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eight classes and revising amending and consolidating the laws relating thereto" providing for fixing the number and compensation of all appointed officers deputies assistants clerks and other persons whose compensation is paid out of the county treasury whether employed by the county the courts or by any judge thereof creating a salary board in each county defining its powers and duties providing for appeals and repealing inconsistent acts

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. STEVENSON. Mr. President, I ask unanimous consent to offer amendments at this time.

The PRESIDENT. It there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend sec. 9 (Sec. 227), page 12, line 3, by striking out the bracket before the word "This:" Amend sec. 9 (Sec. 227), page 12, line 10, by striking out the bracket after the word "amendments."

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

It was agreed to.

Ordered, That the bill as amended, lie over for printing on final passage.

BILLS OVER IN ORDER

Mr. STEVENSON. Mr. President, this bill is a companion bill to Senate Bill No. 506, I ask unanimous consent that Senate Bill No. 507, on third reading, entitled:

An Act abolishing all existing county salary boards and providing for the transfer of their books records and property

go over in order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 532, on third reading, entitled:

An Act to amend section twenty of the act approved the twenty-fifth day of May one thousand nine hundred forty-five (P. L. 1050) entitled "An act relating to the collection of taxes levied by counties county institution districts cities of the third class boroughs towns townships certain school districts and vocational school districts conferring powers and imposing duties on tax collectors courts and various officers of said political subdivisions and prescribing penalties" making a husband liable for his wife's per capita poll and occupation taxes and providing for the collection thereof

go over in order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL RECOMMITTED

Mr. HOMSHER. Mr. President, I move that Senate Bill No. 536, on third reading, entitled:

An Act regulating the discharge of police officers in townships of the second class and in boroughs and townships of the first class having police forces of less than three members

be recommitted to the Committee on Local Government.

Mr. SCARLETT. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 543, as follows:

An Act ratifying confirming and validating certain sales of unused and unnecessary lands sold by any Board of School Directors

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Whenever any board of school directors shall have heretofore sold any unused and unnecessary lands the sale of which is authorized under provisions of the school laws of the Commonwealth and such board of school directors has received a fair purchase price then such sale shall be valid and binding on the school district and all deeds of conveyance given by the school district for any such lands are hereby ratified confirmed and validated and such purchasers and their respective heirs successors and assigns shall hold and may convey such titles and estates indefeasibly as to any rights of the school district therein notwithstanding the fact that the same was not sold by public auction as provided by law or upon sealed bids requested by the school board or upon a private sale subject to the approval of the court of common pleas as provided by law Provided That such ratification and confirmation shall not relieve the board of school directors in the event of any fraud or improper act

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	Farrell,	Letzler,	Tallman,
Becker,	Geltz,	Lord,	Tarr,
Berger,	Haluska,	Mahany,	Taylor,
Blass,	Hare,	Mallery,	Tyler,
Carr,	Heyburn,	Margie,	Wade,
Chapman,	Holland,	Rahauser,	Wagner,
Crider,	Homsher	Rosenfeld,	Watson,
Crowe,	Jaspan,	Ruth,	Wilson,
Dent,	Kephart,	Scarlett,	Wolfe,
DiSilvestro,	Klein,	Snowden,	Wood, L. H.,
Doehla,	Lane,	Stevenson,	Wood, T. N.,
Donlan,	Leader,	Stiefel,	Woodring,

NAYS—1

Walker,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 552, as follows:

An Act further prescribing the bonds required of foreign corporations contracting for public buildings public works or projects

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 In every case when a contract is to be entered into on behalf of the Commonwealth or any agency thereof or on behalf of any political subdivision or any agency thereof with a foreign corporation for the erection construction alteration or repair of any public building public work or public project the bond or bonds required by law to be furnished by such contracting foreign corporation before the letting of such contract or with or in relation to such contract shall contain in addition to the conditions and provisions required by law a further condition or stipulation that the contracting corporation or its sureties shall not be discharged from liability on the bond nor the bond surrendered until such corporation files with the contracting authorities a certificate from the Department of Revenue evidencing the payment in full of all bonus taxes penalties and interest and a certificate from the Bureau of Employment and Unemployment Compensation of the Department of Labor and Industry evidencing the payment of all unemployment compensation contributions penalties and interest due the Commonwealth from the said contracting corporation or any foreign corporation sub-contractor thereunder or for which liability has accrued but the time for payment has not arrived

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Geltz,	Lord,	Tarr,
Becker,	Haluska,	Mahany,	Taylor,
Berger,	Hare,	Mallery,	Tyler,
Blass,	Heyburn,	Margie,	Wade,
Carr,	Holland,	Rahauser,	Wagner,
Chapman,	Homsher	Rosenfeld,	Walker,
Crider,	Jaspan,	Ruth,	Watson,
Crowe,	Kephart,	Scarlett,	Wilson,
Dent,	Klein,	Snowden,	Wolfe,
DiSilvestro,	Lane,	Stevenson,	Wood, L. H.,
Doehla,	Leader,	Stiefel,	Wood, T. N.,
Donlan,	Letzler,	Tallman,	Woodring,
Farrell,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL RECOMMITTED

Mr. TALLMAN. Mr. President, I move that House Bill No. 770, on third reading, entitled:

An Act to amend section two hundred seven of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 289) entitled "An act relating to nonprofit corporations defining and providing for the organization merger consolidation and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and members prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the first class within the provisions of this act prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas prothonotaries of such courts recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" permitting applications for charters to be referred by court to masters only upon objections being filed thereto

be recommitted to the Committee on Judiciary General.

Mr. WALKER. Mr. President, I second the motion.

The motion was agreed to.

BILL POSTPONED

Mr. TALLMAN. Mr. President, I move that House Bill No. 772, on third reading, entitled:

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L.

177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by changing the name of the Thaddeus Stevens Industrial School

be placed on the Postponed Calendar.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

BILL ON THIRD READING POSTPONED CALENDAR CALLED UP

Mr. WALKER. Mr. President, I move that the Senate do now resume the consideration of Senate Bill No. 169, on third reading postponed.

Mr. TALLMAN. Mr. President, I second the motion.

The motion was agreed to.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate resumed the third reading and consideration of Senate Bill No. 169, as follows:

An Act authorizing the arbitration of death taxes when there are conflicting claims as to the domicile of the decendent and making uniform the law relating thereto

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The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Short title—This act shall be known and may be cited as the "Uniform Act of Interstate Arbitration of Death Taxes"

Section 2 Definition of State—As used in this act the word "state" shall mean any state territory or possession of the United States and the District of Columbia

Section 3 Interpretation—This act shall be so interpreted and construed as to effectuate its general purpose to make uniform the law of those states which enact it

Section 4 Arbitration Agreement—When the register of wills of any county claims that a decedent was domiciled in this State at the time of his death and the taxing authorities of another state or states make a like claim on behalf of their state or states the Secretary of Revenue may with the approval of the Attorney General make a written agreement with the other taxing authorities and with the executor or administrator to submit the controversy to the decision of a board consisting of one or any uneven number of arbitrators The executor or administrator is hereby authorized to make the agreement The parties to the agreement shall select the arbitrator or arbitrators

Section 5 Hearings—The board shall hold hearings at such times and places as it may determine upon reasonable notice to the parties to the agreement all of whom shall be entitled to be heard to present evidence and to examine and cross-examine witnesses

Section 6 Powers of Board— The board shall have power to administer oaths take testimony subpoena and require the attendance of witnesses and the production of books papers and documents and issue commissions to take testimony Subpoenas may be signed by any member of the board In case of failure to obey a subpoena issued by the board any judge of a court of record of this State upon application by the board may make an order requiring compliance with the subpoena and the court may punish failure to obey the order as a contempt

Section 7 Determination of Domicile—The board shall by majority vote determine the domicile of the decedent at the time of his death This determination shall be final for purposes of imposing and collecting death taxes but for no other purpose

Section 8 Majority Vote—Except as provided in section six in respect of the issuance of subpoenas all questions arising in the course of the proceedings shall be determined by a majority vote of the board

Section 8 Filing of Determination of Domicile and Other Documents—The Secretary of Revenue register of wills the board or the executor or administrator shall file the determination of the board as to domicile the record of the board's proceedings and the agreement or a duplicate made pursuant to section four of this act with the authority having jurisdiction to assess or determine the death taxes in the state determined to be the domicile and shall file copies of such documents with the authorities that would have been empowered to assess or determine the death taxes in each of the other states involved

Section 10 Interest or Penalties for Nonpayment of Taxes—In any case where it is determined by the board that the decedent died domiciled in this state interest or penalties if otherwise imposed by law for nonpayment of death taxes between the date of the agreement and of filing of the determination of the board as to domicile shall not exceed six per centum (6%) per annum

Section 11 Compromise by Parties to Arbitration Agreement—Nothing contained herein shall prevent at any time a written compromise if otherwise lawful by all the parties to the agreement made pursuant to section four of this act fixing the amounts to be accepted by this and any other state involved in full satisfaction of death taxes

Section 12 Compensation and Expenses—The compensation and expenses of the members of the board and its employes may be agreed upon among such members and the executor or administrator and if they cannot agree shall be fixed by the probate court of the state determined by the board to be the domicile of the decedent The amounts so agreed upon or fixed shall be deemed an administration expense and shall be payable by the executor or administrator

Section 13 Reciprocal Application—This act shall apply only to cases in which each of the states involved has a law identical or substantially similar to this act

Section 14 Estates Affected—The provisions of this act shall apply to estates of decedents dying before or after its enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Geltz,	Lord,	Tarr,
Becker,	Haluska,	Mahany,	Taylor,
Berger,	Hare,	Mallery,	Tyler,
Blass,	Heyburn,	Margie,	Wade,
Carr,	Holland,	Rahauser,	Wagner,
Chapman,	Homsher	Rosenfeld,	Walker,
Crider,	Jaspan,	Ruth,	Watson,
Crowe,	Kephart,	Scarlett,	Wilson,
Dent,	Klein,	Snowden,	Wolfe,
DiSilvestro,	Lane,	Stevenson,	Wood, L. H.,
Doehla,	Leader,	Stiefel,	Wood, T. N.,
Donlan,	Letzler,	Tallman,	Woodring,
Farrell,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL ON THIRD READING POSTPONED CALENDAR CALLED UP

Mr. WALKER. Mr. President, I move that the Senate do now resume the consideration of Senate Bill No. 170, on third reading postponed.

Mr. TALLMAN. Mr. President, I second the motion.

The motion was agreed to.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate resumed the third reading and consideration of Senate Bill No. 170, as follows:

An Act authorizing the compromise of death taxes when there are conflicting claims as to the domicile of the decedent and making uniform the law relating thereto

Table of Contents

Section 1 Short Title
Section 2 Definition of State
Section 3 Interpretation
Section 4 Compromise Agreement Filing Interest or Penalty for Nonpayment of Taxes

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Short Title This act shall be known and may be cited as the "Uniform Act on Interstate Compromise of Death Taxes"

Section 2 Definition of State As used in this act the word "state" shall mean any state territory or possession of the United States and the District of Columbia

Section 3 Interpretation This act shall be so interpreted and construed as to effectuate its general purpose to make uniform the law of those states which enact it

Section 4 Compromise Agreement Filing Interest or Penalty for Nonpayment of Taxes When the Register of Wills of any county claims that a decedent was domiciled in this State at the time of his death and the taxing authorities of another state or states make a like claim on behalf of their state or states the Secretary of Revenue may with the approval of the Atorney General make a written agreement of compromise with the other taxing authorities and the executor or administrator that a certain sum shall be accepted in full satisfaction of any and all death taxes imposed by this State including any interest or penalties to the date of filing the agreement The agreement shall also fix the amount to be accepted by the other states in full satisfaction of death taxes The executor or administrator is hereby authorized to make such agreement Either the Secretary of Revenue or the executor or administrator shall file the agreement or a duplicate with the authority that would be empowered to assess or determine death taxes for this State if there had been no agreement and thereupon the tax shall be deemed conclusively fixed as herein provided Unless the tax is paid within sixty (60) days after filing the agreement interest or penalties shall thereafter accrue upon the amount fixed in the agreement but the time between the decedent's death and the filing shall not be included in computing the interest or penalties

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Geltz,	Lord,	Tarr,
Becker,	Haluska,	Mahany,	Taylor,
Berger,	Hare,	Mallery,	Tyler,
Blass,	Heyburn,	Margie,	Wade,
Carr,	Holland,	Rahauser,	Wagner,
Chapman,	Homsher	Rosenfeld,	Walker,
Crider,	Jaspan,	Ruth,	Watson,
Crowe,	Kephart,	Scarlett,	Wilson,
Dent,	Klein,	Snowden,	Wolfe,
DiSilvestro,	Lane,	Stevenson,	Wood, L. H.,
Doehla,	Leader,	Stiefel,	Wood, T. N.,
Donlan,	Letzler,	Tallman,	Woodring,
Farrell,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL ON THIRD READING POSTPONED CALENDAR CALLED UP

Mr. CARR. Mr. President, I move that the Senate do now resume the consideration of Senate Bill No. 263, on third reading postponed.

Mr. WAGNER. Mr. President, I second the motion.

The motion was agreed to.

BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 263, entitled:

An Act to further amend section two and amend sections three and five of the act approved the eighteenth day of July one thousand nine hundred thirty-five (P. L. 1303) entitled "An act to regulate the sale of certain hypotic analgesic and body-weight reduction drugs in the interest of public health" extending requirements as to contents of labels conditions under which barbiturate drugs may be sold or handled and increasing penalties for violations thereof

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. CARR. Mr. President, I ask unanimous consent to offer amendments at this time.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend title, page 1, 2nd and 3rd lines from end of title, by striking out the words "conditions under which barbiturate drugs may be sold or handled"; Amend title, page 1, last line of title, by striking out the words "for violations thereof"; Amend sec. 2, page 3, line 20, by striking out all of said line; Amend sec. 2, page 4, lines 1 to 12, by striking out all of said lines; Amend sec. 3, page 4, line 13, by striking out the figure "3" and inserting in lieu thereof "2"; Amend sec. 3 (Sec. 5), page 4, line 17, by inserting a bracket before the word "less"; Amend sec. 3 (Sec. 5), page 4, line 17, by striking out the bracket before the word "twenty-"; Amend sec. 3 (Sec. 5), page 4, lines 18 and 19, by striking out the words "five hundred dollars ($500) nor".

On the question,

Will the Senate agree to the amendments?

They were agreed to.

Will the Senate agree to the bill on third reading, as amended?

BILL OVER IN ORDER

Mr. CARR. Mr. President, I ask unanimous consent that Senate Bill No. 263, on third reading, as amended, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING POSTPONED CALENDAR CALLED UP

Mr. BERGER. Mr. President, I move that the Senate do now resume the consideration of Senate Bill No. 478, on third reading postponed.

Mr. TALLMAN. Mr. President, I second the motion.

The motion was agreed to.

BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 478, entitled:

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by extending the wartmie purchasing powers of the Department of Property and Supplies for a period of not longer than two years after the state of war ceases and by further prescribing the methods of making purchasers and entering into contracts by the Department of Property and Supplies

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. BERGER. Mr. President, I ask unanimous consent to offer an amendment at this time.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendment as follows:

Amend page 6, line 12, by adding at the end of the line after the word "be" the following: "approved by the Governor or his designated representative and",

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

It was agreed to.

Ordered, That the bill as amended, lie over for printing on final passage.

BILL ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 35, entitled:

An Act to further amend the act approved the twenty-fifth day of July one thousand nine hundred thirteen (P. L. 1024) entitled "An act to protect the public health and welfare by regulating the employment of females in certain establishments with respect to their hours of labor and the conditions of their employment by establishing certain sanitary regulations in the establishments in which they work by requiring certain abstracts and notices to be posted by providing for the enforcement of this act by the Commissioner of Labor and Industry and others by prescribing penalties for violations thereof by defining the procedure in prosecutions and by repealing all acts and parts of acts inconsistent with the provisions thereof" providing for payment of time and one-half for overtime changing hours of labor and restrictions relative to age in certain employments and extending provisions to include additional persons

The first section was read and agreed to.

The second section was read.

On the question,

Will the Senate agree to the section?

Mr. MAHANY offered the following amendments:

Amend Sec. 2, (Sec. 5), page 7, lies 18 to 20 inclusive, by striking out all of said lines; Amend Sec. 2, (Sec. 5), page 8, lines 1 to 6 inclusive, by striking out all of said lines.

They were agreed to.

The section was agreed to as amended.

The third, fourth and fifth sections and title were read and agreed to.

And said bill having been read at length the second time, and agreed to, as amended,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. TALLMAN. Mr. President, I move that House Bill No. 211, on second reading, entitled:

An Act to encourage and promote the apple industry of the Commonwealth creating the Pennsylvania State Apple

Board defining its powers and duties providing for campaigns of education advertising publicity sales promotion and research to promote the sale and consumption of Pennsylvania apples levying a tax on apples appropriating the proceeds of such tax conferring powers and imposing duties on the Department of Revenue and prescribing penalties

be recommitted to the Committee on Agriculture.

Mr. SCARLETT. Mr. President, I second the motion.

The motion was agreed to.

BILL ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 218, entitled:

An Act to further amend the first paragraph of section nine hundred seventy-six of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by further providing procedure for rejection of nomination petitions papers or certificates

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. KEPHART offered the following amendment:

Amend Sec. 1, (Sec. 976), page 3, line 12, by striking out the brackets before and after the word "genuine".

It was agreed to.

The section was agreed to as amended.

The second section and title were read and agreed to.

And said bill having been read at length the second time, and agreed to, as amended,

Ordered, To be transcribed for a third reading.

BILLS RECOMMITTED

Mr. TALLMAN. Mr. President, I move that House Bill No. 389, on second reading, entitled:

An Act to amend section two of the act approved the seventh day of June one thousand nine hundred eleven (P. L. 668 No. 261) entitled "An act to restrain and regulate the use of billiard-tables pool-tables and bagatelle-boards or tables kept and maintained for the use of the general public for hire or reward in cities of the first class in this Commonwealth providing for the granting of licenses and providing for punishments for the violations of the provisions of this act" by requiring applicant for license to have been a resident of the city in which he desires a license for a period of two years immediately preceding the filing of his petition for a license

be recommitted to the Committee on Law and Order.

Mr. HEYBURN. Mr. President, I second the motion.

The motion was agreed to.

Mr. TALLMAN. Mr. President, I move that Senate Bill No. 527, on second reading, entitled:

An Act to add (i) to section two hundred one of the act approved the twenty-ninth day of November one thousand nine hundred thirty-three (P. L. 15, 1933-34) entitled as amended "An act to regulate and restrain the sale manufacture possession transportation importation traffic in and use of alcohol and alcoholic and malt or brewed beverages conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents the Department of Public Instruction other officers of the State government courts and district attorneys authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises and the granting of licenses subject to local option to sell such beverages for consumption on and off the premises forbidding importation or bringing of such beverages into the State except as herein provided prohibiting certain sale sor practices in connection with and transaotions in such beverages by licensees and others providing for the forfeiture of certain property making disposition of the receipts from State stores and fees and imposing penalties" empowering Liquor Control Board to warn licensees as to uncleanliness or unsanitary conditions existing on licensed premises and prescribing manner of regulation in such cases

be recommitted to the Committee on Law and Order.

Mr. HEYBURN. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 531, entitled:

A Supplement to the Act approved the 7th day of March one thousand nine hundred and one (P. L. 20) entitled "An act for the government of cities of the second class" establishing a department of parks and recreation in said cities providing for its officers and employees and defining the powers duties and jurisdiction of said department.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 575, entitled:

An Act concerning the ascertainment of principal and income and the apportionment of receipts and expenses among tenants and remaindermen.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 742, entitled:

An Act to amend section one hundred eighty-one of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" permitting sheriffs to succeed themselves.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 785, entitled:

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An Act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the oreorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant-Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by creating the Public Service Institute Board in the Department of Public Instruction and defining its powers and duties

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1016, entitled:

An Act to amend section four hundred thirty-nine of the approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the oreorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant-Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" increasing the membership of the Sanitary Water Board and providing compensation for certain members of such board.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL ON SECOND READING POSTPONED CALLED UP

Mr. BERGER. Mr. President, I move that the Senate do now resume the consideration of Senate Bill No. 280, on second reading postponed.

Mr. HEYBURN. Mr. President, I second the motion.

The motion was agreed to.

BILL RECOMMITTED

Mr. BERGER. Mr. President, I move that Senate Bill No. 280, on second reading, entitled:

An Act relating to relations between employers and employes creating a Division of Conciliation in the Department of Labor and Industry defining its powers and duties providing procedures for collective bargaining conciliation and arbitration providing for the conducting of hearings by a Commission in disputes in industries affecting the public interest limiting right to strikes and lockouts providing procedures for taking a secret ballot before a strike is instituted providing for the determination of jurisdictional disputes establishing financial responsibility of labor organizations and their liability for suits for breach of contract.

be recommitted to the Committee on Labor and Industry, for the purpose of a public hearing.

Mr. HEYBURN. Mr. President, I second the motion.

The motion was agreed to.

BILL ON SECOND READING POSTPONED CALLED UP

Mr. BERGER. Mr. President, I move that the Senate do now resume the consideration of Senate Bill No. 361, on second reading postponed.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

BILL RECOMMITTED

Mr. BERGER. Mr. President, I move that Senate Bill No. 361, on second reading, entitled:

An Act to further amend the act approved the first day of June one thousand nine hundred thirty-seven (P. L. 1168) entitled "An act to protect the right of emples to organize and bargain collectively creating the Pennsylvania Labor Relations Board conferring powers and imposing duties upon the Pennsylvania Labor Relations Board officers of the State government and courts providing for the right of employes to organize and bargain collectively declaring certain labor practices by employers to be unfair further providing that representatives of a majority of the employes be the exclusive representatives of all the employes authorizing the board to conduct hearings and elections and certify as to representatives of employes for purposes of collective bargaining empowering the board to prevent any person from engaging in any unfair labor practice and providing a procedure for such cases including the issuance of a complaint the conducting of a hearing and the making of an order empowering the board to petition a court of a common pleas for the enforcement of its order and providing a procedure for such cases providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order and establishing a procedure for such cases providing for an appeal from the common pleas court to the Supreme Court providing the board with investigatory powers including the power to issue subpoenas and the compelling of obedience to them through application to the proper court providing for service of papers and process of the board prescribing certain penalties"

further defining certain terms declaring certain additional labor practices of employers and employes to be unfair authorizing the Pennsylvania Labor Relations Board to conduct strike votes and votes to return to work by secret ballot and further defining the scope of collective bargaining

be recommited to the Committee on Labor and Industry, for the purpose of a public hearing.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

BILL ON SECOND READING POSTPONED CALLED UP

Mr. BERGER. Mr. President, I move that the Senate do now resume consideration of Senate Bill No. 426, on second reading postponed.

Mr. HEYBURN. Mr. President, I second the motion.

The motion was agreed to.

BILL RECOMMITTED

Mr. BERGER. Mr. President, I move that Senate Bill No. 426, on second reading, entitled:

An Act to amend section five and to further amend section six and subsection (c) of section eight of the act approved the first day of June one thousand nine hundred thirty-seven (P. L. 1168) entitled "An act to protect the right of employes to organize and bargain collectively creating the Pennsylvania Labor Relations Board conferring powers and imposing duties upon the Pennsylvania Labor Relations Board officers of the State government and courts providing for the right of employes to organize and bargain collectively declaring certain labor practices by employers to be unfair further providing that representatives of a majority of the employes be the exclusive representatives of all the employes authorizing the board to conduct hearings and elections and certify as to representatives of employes for purposes of collective bargaining empowering the board to prevent any person from engaging in any unfair labor practice and providing a procedure for such cases including the issuance of a complaint the conducting of a hearing and the making of an order empowering the board to petition a court of common pleas for the enforcement of its order and providing a procedure for such cases providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order and establishing a procedure for such cases providing for an appeal from the common pleas court to the Supreme Court providing the board with investigatory powers including the power to issue subpoenas and the compelling of obedience to them through application to the proper court providing for service of papers and process of the board prescribing certain penalties" making it an unfair labor practice to require membership or non-membership in a labor organization a condition of employment establishing the right to join or refrain from joining such organizations as a right of employes and providing for the enforcement thereof

be recommited to the Committee on Labor and Industry, for the purpose of a public hearing.

Mr. HEYBURN. Mr. President, I second the motion.

The motion was agreed to.

BILL ON SECOND READING POSTPONED CALLED UP

Mr. BERGER. Mr. President, I move that the Senate do now resume consideration of Senate Bill No. 427, on second reading postponed.

Mr. HEYBURN. Mr. President, I second the motion.

The motion was agreed to.

BILL RECOMMITTED

Mr. BERGER. Mr. President, I move that Senate Bill No. 427, on second reading, entitled:

An Act to amend section five of the act approved the second day of June one thousand nine hundred thirty-seven (P. L. 1198) entitled "An act relating to employes and organizations thereof defining labor disputes prescribing the procedure by which and the conditions under which injunctions may be granted in such disputes and the scope thereof declaring certain undertakings and promises between employers and employes contrary to public policy and void prescribing the nature of proof necesasry in actions arising out of labor disputes against persons or associations prescribing the terms and conditions for bonds to be furnished prior to the issuance of injunctions prescribing the procedure in case of appeal from granting injunctions limiting the duration of temporary and permanent injunctions in case of labor disputes and providing for the payment of costs and repealing all acts or parts of acts inconsistent herewith" including among provisions of contracts which are unenforceable in law or equity agreements to become or remain a member of labor or employer organizations

be recommited to the Committee on Labor and Industry, for the purpose of a public hearing.

Mr. HEYBURN. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON FIRST READING

Mr. TALLMAN. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. LETZLER. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 287, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to convey to the Borough of Towanda for use as an airport certain real estate located in the Township of Towanda County of Bradford and heretofore acquired by the Commonwealth for development as an airport

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 361, entitled:

An Act to further amend section two hundred twenty of the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" providing for free fishing licenses to certain disabled war veterans

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 390, entitled:

An Act to amend section nine hundred six of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concern-

ing game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" authorizing the granting of railroad rights of way and the right to maintain radio stations or radio towers on lands acquired for the use of Pennsylvania Game Commission.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 391, entitled:

An Act to further amend section seven hundred one of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law realting thereto," permitting licenses for temporary possession of game or game flesh to be issued by supervisors or district game protectors and extending such licenses to game birds.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 409, entitled:

An Act to further amend the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by further restricting the use of spotlights eliminating the right to kill elk as a protection to crops changing the dog training period and fixing the period covered by petitions for hunting foxes with dogs.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 411, entitled:

An Act authorizing Andrew J. Herbster and Carrie M. Herbster of the Village of Laurelton Hartley Township Union County Pennsylvania to bring suit against the Commonwealth of Pennsylvania in the Court of Common Pleas of Union County for damage suffered by him by the diversion and use of the water of Stony Run and Laurel Run by Laurelton State Village at Laurelton Pennsylvania

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 503, entitled:

An Act to amend or further amend Sections eight hundred six eight hundred eight and eight hundred thirty of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by making it unlawful for certain persons to disturb wild birds or wild animals within safety zones during the open hunting or trapping season clarifying the law with reference to shooting within safety zones prohibiting the conveyance of certain firearms without being wrapped or in a case and clarifying the law with reference to hunting accident reports.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 515, entitled:

An Act to amend section three of the act, approved the eleventh day of May, one thousand nine hundred one (P. L. 166), entitled "An act providing for the commutation of sentences, for good behavior of convicts in prisons, penitentiaries, workhouses and county jails of this State, and regulations governing the same," changing the day on which monthly reports shall be forwarded to the Governor.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 516, entitled:

An Act to amend section one of the act approved the fourth day of June, one thousand nine hundred forty-five (Appropriation Act No. 85-A, page 61), entitled, "An act making an appropriation to the Department of Commerce to be used by the Pennsylvania Aeronautics Commission for the encouragement and development of aeronautics," by adding municipal authorities to the agencies receiving assistance.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 542, entitled:

An Act to amend Section six hundred seven of the act approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," by making it unlawful to disturb or tamper with traps set by agents of the Commission.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 544, entitled:

An Act to establish an Eastern Pennsylvania Psychiatric Institute; conferring powers and imposing duties and obligations on the Department of Property and Supplies; and providing for maintenance and operation by the Department of Welfare, through a director and an advisory board, appointed by it.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 553, entitled:

An Act to amend section one thousand seven hundred ten of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 343), entitled "An act relating to the finances of the State government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the

settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department board, commission and officer of the State government, every political subdivision of the State, and certain officers of such subdivisions, every person, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth," by further imposing penalties in certain cases.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 554, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of a certain tract or parcel of land in York County, Pennsylvania, for use in connection with the New Cumberland General Depot, and ceding jurisdiction to the United States.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 592, entitled:

An Act authorizing the conveyance to the Borough of Norristown of a certain tract of land in the Borough of Norristown County of Montgomery Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 611, entitled:

An Act to amend the act approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," by making it unlawful for any person while hunting or trapping to carry any firearm with the safety off, except during the momentary interval of time necessary to permit the discharge of such firearm, and providing penalties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

BILLS SIGNED

The PRESIDENT (Lieutenant-Governor Daniel B. Strickler) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 462, entitled:

An Act relating to Federal aid to political subdivisions for the development of public airports.

House Bill No. 532, entitled:

An Act regulating the sale and resale for profit and the carrying on of the business of selling or reselling tickets or other devices for admission to places of amusement; providing for the licensing of persons reselling such tickets for profit; providing for the suspension and revocation of such licenses; imposing duties on licenses and owners or operators of places of amusement; imposing powers and duties on the Department of Revenue, county treasurers, district attorneys, and the receiver of taxes and city solicitors in cities of the first class; making disposition of moneys collected; and providing penalties.

Whereupon,

The PRESIDENT (Lieutenant-Governor Daniel B. Strickler) in the present of the Senate signed the same.

REPORT FROM COMMITTEE

Mr. TAYLOR. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TAYLOR, from the Committee on Corporations, reported as amended, Senate Bill No. 415, entitled:

An Act to amend Sections 501 and 502 of the Act, approved the twenty-eighth day of May, one thousand nine hundred thirty-seven (P. L. 1053), entitled "An act relating to the regulation of public utilities; defining as public utilities certain corporations, companies, associations, and persons; providing for the regulation of public utilities, including, to a limited extent, municipalities engaging in public utility business, by prescrbing, defining, and limiting their duties, powers, and liabilities, and regulating the exercise, surrender or abandonment of their powers, privileges, and franchises; defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle; conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons, associations, companies, and corporations, including, to a limited extent, municipal corporations subject to this act, and administering the provisions of this act; authorizing the commission to fix temporary rates; placing the burden of proof on public utilities to sustain their rates and certain other matters; authorizing a permissive or mandatory sliding scale method of regulating rates; providing for the supervision of financial and contractual relations between public utilities and affiliated interests, and supervision and regulation of accounts and securities or obligations issued, assumed, or kept by persons, associations, companies, corporations or municipal corporations subject to this act; conferring upon the commission power to vary, reform, or revise certain contracts; conferring upon the commission the exclusive power to regulate or order the construction, alteration, relocation, protection, or abolition of crossings of facilities of public utilities, and of such facilities by or over public highways, to appropriate property for the construction or improvement of such crossings, and to award or apportion resultant costs and damages; authorizing owners of such property to sue the Commonwealth for such damages; providing for ejectment proceedings in connection with the appropriation of property for crossings; conferring upon the commission power to control and regulate budgets of public utilities; imposing upon persons, associations, companies and corporations (except municipal corporations) subject to regulation, the cost of administering this act; prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action; giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings; prescribing penalties, fines, and imprisonment for violations of the provisions

of this act and regulations and orders of the commission, and the procedure for enforcing such, fines and penalties; and repealing legislation supplied and superseded by or inconsistent with this act," limiting original cost accounting to those public utilities whose accounting systems are subject also to the jurisdiction of a Federal regulatory body.

The PRESIDENT. The bill will appear on tomorrow's Calendar.

ADJOURNMENT

Mr. TALLMAN. Mr. President, I move that the Senate do now adjourn until Wednesday, April 23, 1947, at 2:00 o'clock, p. m., Eastern Standard Time.

Mr. BLASS. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 4:06 o'clock, p. m., Eastern Standard Time until Wednesday, April 23, 1947, at 2:00 o'clock, p. m., Eastern Standard Time.

HOUSE OF REPRESENTATIVES

TUESDAY, April 22, 1947

The House met at 1 p. m.

The SPEAKER (Franklin H. Lichtenwalter) in the Chair.

PRAYER

The guest Chaplain, Rev. Ralph D. Althouse, Pastor of Solomon's Reformed Church, Macungie, offered the following prayer:

Almighty God, our Heavenly Father, Who hast taught us in Thy Holy Word that the nations that will not serve Thee shall perish; we acknowledge Thy eternal wisdom shown to us so clearly in Thy righteous law and standard; we realize our dependence upon Thee for life and all its blessings, and our obligations to serve and glorify Thee in our bodies and spirits which are Thine.

We praise Thy Holy Name for the manifold blessings of Thy Providence and grace; for our birth and education under the influence of Thy Word; for the civil and religious liberty we enjoy; for the ministrations of Thy Spirit; for the comfort of our homes; and for all the tender relationships of life; and while we enjoy these many tokens of Thy favor, we beseech Thee to pardon our many sins and failures, and grant that we may show our thankfulness by a sincere obedience to Thy Holy laws and always be mindful of Thy Presence as a Holy safeguard against wrong.

Bless our land with honorable industry, sound learning, and pure living. Save us from violence, discord, and confusion, from pride and arrogance, and from every evil way. Defend our liberties and fashion into one united people the multitudes in our land of many kindreds and tongues. Guide and direct us in all our ways that there may be justice at home and peace among all the nations of the earth. In the time of prosperity, temper our self-confidence with thankfulness, and in time of trouble and adversity, let our trust in Thee remain firm.

Bless those placed in authority over us: the President of the United States; the Governor of this Commonwealth; this legislative assembly. Empower them to see Thy light and by walking in that light, receive might and the will to do the right. We pray in the Name of Thy Dear Son, Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of Monday, April 21, 1947.

The Clerk proceeded to read the Journal of Monday, April 21, 1947, when, on motion of Mr. WATSON unanimously agreed to, the further reading was dispend with and the Journal approved.

BILLS INTRODUCED AND REFERRED

By Messrs. O'NEILL, SCANLON, STOCKHAM and TURNER. HOUSE BILL No. 1316.

An Act appropriating eighteen hundred dollars to the Chief Clerk of the House of Representatives to be used for the purpose of paying the salaries of deceased members to the wife or husband or legal representative of such deceased member.

Referred to the Committee on Appropriations.

By Mr. WOLF (by request). HOUSE BILL No. 1317.

An Act defining chiropractic; and relating to the right to practice chiropractic in the Commonwealth of Pennsylvania, and making certain exceptions; providing a State Board of Chiropractic Examiners" as a departmental administrative board in the Department of Public Instruction, and a means whereby the right to practice chiropractic may be obtained; providing for the means to carry out the provisions of this act; providing for revocation or suspension of licenses issued by said board, and providing penalties for violation thereof; and repealing all acts or parts of acts inconsistent therewith.

Referred to the Committee on Professional Licensure.

SENATE MESSAGES

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence, bills numbered and entitled as follows:

SENATE BILL No. 239.

An Act to amend the last paragraph of section nine of the act approved the twenty-fourth day of June one thousand nine hundred thirty-three (P. L. 1433) entitled "An act defining the powers of the courts of quarter sessions the Municipal Court of Philadelphia and the County or Juvenile Court of Allegheny County with respect to the care guidance control trial placement and commitment of delinquent dependent and neglected children under sixteen years of age and of persons over sixteen years or age contributing to or encouraging the delinquency neglect and dependency of children and amending revising and consolidating the law relating thereto" further defining liability for support of children in private homes foster homes children's homes and institutions and providing for the enforcement thereof.

Referred to the Committee on Judiciary.

SENATE BILL No. 250.

An Act permitting certain personnel of State-owned mental hospitals to certify as to the condition of mental patients in lieu of attendance in person before any court in certain cases.

Referred to the Committee on Judiciary.

SENATE BILL No. 255.

An Act to further amend the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," authorizing second class counties to acquire land for and erect, operate and maintain thereon garbage disposal plants.

Referred to the Committee on Cities and County—Second Class.

SENATE BILL No. 268.

An Act to amend section three of the act approved the first day of June, one thousand nine hundred forty-five (P. L. 1222), entitled "An act providing for the complete medical and dental examination of all children of school age and teachers and other school employes in the public and private elementary and secondary schools of the Commonwealth and imposing certain duties upon the Department of Health and the Department of Public Instruction and making an appropriation" providing that nurses and physicians performing the services required of them in certain schools situated in school districts of the first class shall remain employes of such municipal corporations by whom they are employed.

Reefrred to the Committee on Education.

SENATE BILL No. 309.

An Act to further amend subsection (e) of section three of the act approved the first day of August one thousand nine hundred forty-one (P. L. 744) entitled "An act requiring school boards in all school districts and boards of directors of all vocational school districts to grant leaves of absence to all school employes who shall volunteer or be called for military or naval service in time of war or during a state of national emergency preserving certain contracts salaries increments retirement rights seniority State lists reemployment authorizing school boards and boards of directors of vocational schools to employ substitutes in contributions and grants to local school boards eligibility places of such employes requiring school districts and vocational school districts to make additional payments rights and privileges of employes granted leaves of abinto the School Employes' Retirement Fund reserving all sence under the provisions herein and superseding or repealing all contrary laws" by providing that former school employes who entered the military or naval service may obtain credit for such period of service when they return to school service.

Reefrred to the Committee on Education.

SENATE BILL No. 341.

An Act to amend section ten of the act approved the twenty-fifth day of May, one thousand nine hundred forty-five, (P. L. 1050), entitled "An act relating to the collection of taxes levied by counties, county institution districts, cities of the third class, boroughs, towns, townships, certain school districts and vocational school districts; conferring powers and imposing duties on tax collectors; courts and various officers of said political subdivisions; and prescribing penalties," providing for interest on unpaid taxes.

Referred to the Committee on Municipal Corporations.

SENATE BILL No. 381.

An Act to further amend subsection (f) of section four hundred forty-eight of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" increasing the number of members of The Advisory Health Board requiring one of such members to be a licensed dentist and one to be a licensed pharmacist.

Referred to the Committee on State Government.

SENATE BILL No. 419.

An Act validating county treasurers' sales for delinquent taxes where the reports and returns of such sales were not made to the court of common pleas and such sales were not confirmed by the court.

Referred to the Committee on Municipal Corporations.

SENATE BILL No. 446.

An Act to further amend section one of the act approved the seventeenth day of June one thousand nine hundred thirteen (P. L. 507) entitled "An act to provide revenue for State and county purposes and in cities coextensive with counties for city and county purposes imposing taxes upon certain classes of personal property providing for the assessment and collection of the same providing for the duties and compensation of prothonotaries and recorders in connection therewith and modifying existing legislation which provided for raising revenue for State purposes" providing that corporations limited partnerships and joint stock associations holding certain taxable securties as mere custodian for the real owner shall not be taxed therefor.

Referred to the Committee on Judiciary.

SENATE BILL No. 448.

An Act to further amend section one of the act approved the twenty-fourth day of July one thousand nine hundred thirteen (P. L. 1013) entitled "An act regulating the issuance of licenses to marry prohibiting the issuance of such licenses to certain persons regulating the time during which licenses shall be valid and the time when returns shall be made of marriages solemnized to the clerk of the orphans' court and prescribing the duties of the clerk of the orphans' court" by permitting a master duly appointed by the orphans' court to authorize the issuance of marriage licenses in cases of emergency or extraordinary circumstances.

Referred to the Committee on Judiciary.

SENATE BILL No. 453.

An Act to amend section fourteen of Article XIX of the act approved the twenty-fifth day of June one thousand nine hundred nineteen (P. L. 581) entitled "An act for the better government of cities of the first class of the Commonwealth" by extending the time for posting of eligible lists after examination held by the Civil Service Commission when more than one thousand applicants are examined.

Referred to the Committee on Cities and County—First Class.

SENATE BILL No. 487.

An Act to amend the act approved the twenty-fifth day of May one thousand nine hundred forty-five (P. L. 1050) entitled "An act relating to the collection of taxes levied by counties county institution districts cities of the third class boroughs towns townships certain school districts and vocational school districts conferring powers and imposing duties on tax collectors courts and various officers of said political subdivisions and prescribing penalties" changing the method of furnishing notices of taxes.

Referred to the Committee on Municipal Corporations.

SENATE BILL No. 563.

An Act to amend clause (a) and the first paragraph of clause (b) of section three hundred twenty-four of the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 682), entitled "An act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," by further regulating the notice of meetings required to be given stockholders in certain cases.

Referred to the Committee on Insurance.

TIME OF NEXT MEETING

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, April 21, 1947.

Resolved (if the House of Representatives concur) That when the Senate adjourns this week it reconvene on Monday, April 28, 1947 at four o'clock p. m. and when the House of Representatives adjourns this week it reconvene on Monday, April 28, 1947 at four thirty o'clock p. m.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

Mr. SORG. Mr. Speaker, I move that the House nonconcur in the resolution of the Senate.

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

APPOINTMENT OF CONFERENCE COMMITTEE ON SENATE BILL No. 104

The Clerk of the Senate being introduced, informed that the Senate insists on its concurrence in the amendments made and insisted upon by the House of Representatives to Senate Bill No. 104, entitled:

An Act to amend section three of the act approved the fifteenth day of May, one thousand nine hundred forty-five (P. L. 526), entitled "An act relating to the use of trailing cables on portable electric machinery in coal mines; providing for the health and safety of persons employed therein, and for the protection and preservation of property connected therewith, and for the inspection of such equipment by the Department of Mines," providing for additional grant of time within which to conform to the requirements thereof; and validating actions of the Secretary of Mines and the Department of Mines.

And has appointed Messrs. Letzler, Mahany and Tarr a committee of conference to confer with a similar committee of the House of Representatives (if the House of Representatives shall appoint such committee) on the subject of the differences existing between the two Houses in relation to said bill.

Mr. SORG. Mr. Speaker, I move that the House insist upon its amendments non-concurred in by the Senate and that a committee of conference be appointed on the part of the House.

The motion was agreed to.

APPOINTMENT OF CONFERENCE COMMITTEE ON SENATE BILL No. 104

The SPEAKER. The Chair appoints as a committee of conference on the part of the House, Messrs. Hewitt, Robertson and O'Neill.

Ordered, That the Clerk inform the Senate accordingly.

LEAVES OF ABSENCE

By consent of the House leave of absence was granted as follows:

Mr. Fleming for Mr. COOPER for the remainder of the week because of illness in the family.

Mr. Sorg for Mr. WORLEY for Wednesday and Thursday.

SENATE MESSAGES

AMENDED HOUSE BILLS RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 462.

An Act relating to Federal aid to political subdivisions for the development of public airports.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend the title, page 1, line 1 by inserting after the word "subdivision" the words "or municipality authority".

Amend Section 1, page 1, line 1, by inserting after the word "subdivision" the words "or municipality authority".

Amend Section 1, page 2, line 7 by inserting after the word "subdivision" the words "or municipality authority"; and line 17 by inserting after the word "subdivision" the words "or municipality authority".

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202.

Aaronson,	Frost,	McCosker,	Sax,
Andrews,	Gallagher,	McCullough,	Scanlon,
Bane,	Getchey,	McDonald,	Schuster,
Barrett,	Gibson,	McKinney,	Scott,
Baumunk,	Goff,	McMillen,	Serrill,
Beech,	Goodling,	Mihm,	Shoemaker,
Bender,	Gorman,	Mikula,	Simons,
Bentzel,	Graybill,	Miller,	Smith, C. C.,

Bloom,	Greenwood,	Mills,	Smith, C. M.,
Boies,	Greer,	Mintess,	Snider,
Bonawitz,	Griffiths,	Mohr,	Sollenberger,
Boorse,	Guthrie,	Mooney,	Sorg,
Bower,	Gyger,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenshield,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Bucchin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,
Clevenger,	Jennings,	O'Dare,	Tompkins,
Cochran,	Johnson,	O'Donnell,	Toomey,
Cole,	Johnston,	O'Neill,	Turner,
Cook,	Jones,	Orban,	Upshur,
Cordier,	Jump,	Patten,	Vaughan,
Costa,	Kean,	Petrosky,	Verona,
Crowley,	Kelley,	Pichney,	Wachhaus,
Dague,	Kemp,	Pickens,	Wagner,
Dalrymple,	Kent,	Polaski,	Waldron,
Davison,	Kirley,	Powers,	Wallin,
De Long,	Kline,	Price,	Walton,
Demech,	Kohl,	Propert,	Waterhouse,
Dennison,	Kratz,	Ragot,	Watkins,
Depuy,	Krise,	Readinger,	Watson,
Dix,	Kurtz,	Reagan,	Weidner,
Dye,	Laughner,	Reese D. P.,	Weiss,
Efenberg,	Layer,	Reese, R. E.,	Wescott,
Elder,	Lee,	Reilly, J. M.,	West,
Erb,	Leisey,	Reilly, W. J.,	Wheeler,
Evans,	Livingston,	Richter,	Wolf,
Ewing,	Livingstone,	Riley,	Wood,
Feola,	Loftus,	Robbins,	Worley,
Fish,	Lovett,	Robertson,	Yeakel,
Fiss,	Lyons,	Root,	Yester,
Flack,	Madden,	Rose,	Yetzer,
Fleming,	Madigan,	Rowen,	Young,
Foor,	Mazza,	Royer,	Lichtenwalter,
	McCormack,	Sarraf,	Speaker.

NAYS—0.

NOT VOTING—3.

Cooper,	Hall,	Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk in the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 532.

An Act regulating the sale and resale for profit and the carrying on of the business of selling or reselling tickets or other devices for admission to places of amusement providing for the licensing of persons reselling such tickets for profit providing for the suspension and revocation of such licenses imposing duties on licensees and owners or operators of places of amusement imposing powers and duties on the Department of Revenue county treasurers district attorneys and the receiver of taxes and city solicitors in cities of the first class making disposition of moneys collected and providing penalties

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 13, page 12, line 18, by inserting after the word "fine", the words "not to exceed".

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202.

Aaronson,	Frost,	McCosker,	Serr,
Andrews,	Gallagher,	McCullough,	Scanlon,
Bane,	Getchey,	McDonald,	Schuster,
Barrett,	Gibson,	McKinney,	Scott,
Baumunk,	Goff,	McMillen,	Serrill,
Beech,	Goodling,	Mihm,	Shoemaker,
Bender,	Gorman,	Mikula,	Simons,
Bentzel,	Graybill,	Miller,	Smith, C. C.,
Bloom,	Greenwood,	Mills,	Smith, C. M.,
Boies,	Greer,	Mintess,	Snider,
Bonawitz,	Griffiths,	Mohr,	Sollenberger,
Boorse,	Guthrie,	Mooney,	Sorg,
Bower,	Gyger,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenshield,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Bucchin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,
Clevenger,	Jennings,	O'Dare,	Tompkins,
Cochran,	Johnson,	O'Donnell,	Toomey,
Cole,	Johnston,	O'Neill,	Turner,
Cook,	Jones,	Orban,	Upshur,
Cordier,	Jump,	Patten,	Vaughan,
Costa,	Kean,	Petrosky,	Verona,
Crowley,	Kelley,	Pichney,	Wachhaus,
Dague,	Kemp,	Pickens,	Wagner,
Dalrymple,	Kent,	Polaski,	Waldron,
Davison,	Kirley,	Powers,	Wallin,
De Long,	Kline,	Price,	Walton,
Demech,	Kohl,	Propert,	Waterhouse,
Dennison,	Kratz,	Ragot,	Watkins,
Depuy,	Krise,	Readinger,	Watson,
Dix,	Kurtz,	Reagan,	Weidner,
Dye,	Laughner,	Reese, D. P.,	Weiss,
Efenberg,	Layer,	Reese, R. E.,	Wescott,
Elder,	Lee,	Reilly, J. M.,	West,
Erb,	Leisey,	Reilly, W. J.,	Wheeler,
Evans,	Livingston,	Richter,	Wolf,
Ewing,	Livingstone,	Riley,	Wood,
Feola,	Loftus,	Robbins,	Worley,
Fish,	Lovett,	Robertson,	Yeakel,
Fiss,	Lyons,	Root,	Yester,
Flack,	Madden,	Rose,	Yetzer,
Fleming,	Madigan,	Rowen,	Young,
Foor,	Mazza,	Royer,	Lichtenwalter,
	McCormack,	Sarraf,	Speaker.

NAYS—0.

NOT VOTING—3.

Cooper,	Hall,	Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

QUESTION OF PERSONAL PRIVILEGE

Mr. LAYER. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state it.

Mr. LAYER. Mr. Speaker, on March 26, 1947, immediately following the yeas and nays on House Bill Number 659 and before the official count was announced, I arose, addressed the Speaker, was recognized, asked certain questions and was given answers by the Speaker of the House.

In reading over the official record (Legislative Journal) of March 26, 1947, I failed to find those remarks; I also failed to find any record of a vote to expunge these same remarks from the record.

Mr. Speaker and members of the House omitting something from the official record can, as we all appreciate, have serious complications; and by the same token if something can be omitted, something can be added that perhaps was never intended or said.

Could you tell me, Mr. Speaker, how those remarks that I made on March 26, 1947, might be properly included in the record.

The SPEAKER. The Chair would inform the gentleman from Delaware, Mr. Layer, that he was unaware of the fact that certain matters had been deleted or were not being placed in the official record, as a matter of policy over a period of Legislative Sessions. When the gentleman from Delaware called to the attention of the Speaker the other day that there had been an omission in the official record of his remarks the Speaker asked the Official Reporter to get for him from his record, transcribed from the official record, the remarks made by the gentleman that particular day, and after seeing the remarks and reading the transcribed record the Speaker informed the Official Reporter to place in the record the remarks of the gentleman from Delaware, Mr. Layer. These were properly placed in the record as of April 21, 1947.

Mr. LAYER. I thank you, Mr. Speaker.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 350.

An Act to amend section sixteen of the act approved the twenty-fourth day of January one thousand eight hundred forty-nine (P. L. 678) entitled "An act authorizing the commissioners of the incorporated districts of the Northern Liberities and Kensington to open a street to be called Delaware avenue relative to the duties of assessors venders of mineral waters the Fire association of Philadelphia vacancies in the school boards in the county of Philadelphia to lost mortgages auditors of Philadelphia county rebuilding of the court house in Philadelphia to enable the commissioners of Philadelphia county to borrow money to settle certain accounts between Spring Garden and the commonwealth and respecting the appointment of auditors" limiting appointive powers of judges in certain cases.

HOUSE BILL No. 514.

An Act to amend the act approved the thirteenth day of June one thousand eight hundred eighty-three (P. L. 122) entitled "A supplement to and act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved April twenty-ninth one thousand eight hundred and seventy-four providing for the improvement amendment and alteration of the charters of corporations of the second class and authorizing the incorporation of traction motor companies" by changing the requirements for advertising notice of intention to improve amend or alter a charter incorporated under said supplement.

HOUSE BILL No. 517.

An Act to further amend sections eight hundred eight and one thousand one hundred one of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 364) entitled "An act relating to business corporations defining and providing for the organization merger consolidation reorganization winding up and dissolution of such corporations conferring certain rights powers and duties and immunities upon them and their ocers and shareholders prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the second class within the provisions of this act prescribing the terms and conditions upon which foreign business corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas and certain State departments commissions and ocers authorizing certain State departments boards commissions or officers to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" eliminating requirement that certificates of clearance be filed with articles of amendment or of dissolution.

HOUSE BILL No. 525.

An Act to amend section eight hundred seven of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 364) entitled "An act relating to business corporations defining and providing for the organization merger consolidation reorganization winding up and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and shareholders prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the second class within the provisions of this act prescribing the terms and conditions upon which foreign business corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas and certain State departments commissions and officers authorizing certain State departments boards commissions or officers to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" providing for advertisement of articles of amendment after adoption by shareholders.

HOUSE BILL No. 527.

An Act to further amend section nine hundred four of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 364) entitled "An act relating to business corporations defining and providing for the organization merger consolidation reorganization winding up and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and shareholders prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the second class within the provisions of this act prescrebing the terms and conditions upon which foreign business corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas and certain State departments commissions and officers authorizing certain State departments boards commissions or ocers to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" limiting requirement to advertise intention to file articles of merger or consolidation.

HOUSE BILL No. 646.

An Act to further amend clause two of section nine of the act approved the twenty-fifth day of May one thousand nine hundred thirty-three (P. L. 1050) entitled 'An act creating and establishing a fund for the care mainenance and relief of aged retired and disabled employes of

the bureau of fire in cities of the second class creating a board for the management thereof providing the mode and manner of payment to beneficiaries and for the care and disposition of its funds and providing for the transfer and payment ofall moneys and securities in existing funds in similar boards superseded by the fund and board herein created" by changing the method of distributing dues paid into the fund in cases of deceased firemen.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

STUDENTS OF MORAVIAN COLLEGE WELCOMED

The SPEAKER. The Chair is very happy to welcome as guests at today's Session students on State Government from the Moravian College for Women, located at Bethlehem, Pennsylvania, under the direction of Dr. Ralph Pickett.

CLASS OF YOUNG PEOPLES SUNDAY SCHOOL WELCOMED

The SPEAKER. The Chair is very pleased to have as guests of the Chair the Young People's Sunday School Class of Solomon's Reformed Church, Macungie, under the direction of Rev. Ralph D. Althouse, who acted as the chaplain at today's Session.

The Chair might say that the Sunday School teacher of this class is the Administrative Assistant to the Speaker.

REPORTS FROM COMMITTEES

Mr. KEAN from the Committee on Military Affairs, reported as committed, House Bill No. 18, entitled:

An Act to further amend clause thirty-four and to amend clause forty-one of section two thousand four hundred three of the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled 'An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto," including American Veterans of World War II (AMVETS) among the veterans organizations for which certain appropriations may be made and for which space for meetings may be given.

Mr. THOMPSON from the Committee on Military Affairs, reported as committed, House Bill No. 19, entitled:

An Act to amend section one of the act, approved the second day of June, one thousand nine hundred thirty-seven (P. L. 1184), entitled "An act authorizing cities of the first and second class and second class A and incorporated towns to make appropriations to organizations of ex-service men and to aid in defraying the expenses of Memorial Day and Armistice Day," including the American Veterans of World War II among the veterans' organizations to which certain appropriations may be made.

Mr. NAJAKA from the Committee on Military Affairs, reported as committed, House Bill No. 20, entitled:

An Act to amend section four hundred thirty-one of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," including the American Veterans of World War II (AMVETS) among the veterans' organizations for which certain appropriations may be made.

Mr. YOUNG from the Committee on Military Affairs, reported as committed, House Bill No. 23, entitled:

An Act to further amend subsection (a) of section seven hundred twenty-two of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," including the American Veterans of World War II (AMVETS) among those organizations exempt from payment of registration fees of vehicles used by such organizations.

Mr. BANE from the Committee on Military Affairs, reported as committed, House Bill No. 24, entitled:

An Act to further amend the act, approved the fourth day of May, one thousand nine hundred twenty-seven (P. L. 519), entitled "An act concerning boroughs, and revising, amending, and consoldiating the law relating to boroughs. "including American Veterans of World War II (AMVETS) among the veterans' organizations for which certain appropriations may be made and making more specific the veterans' organizations for which money may be appropriated for rental of meeting rooms of such organizations.

Mr. PRICE from the Committee on Military Affairs, reported as committed, House Bill No. 25, entitled:

An Act to further amend section one of the act, approved the third day of May, one thousand nine hundred twenty-three (P. L. 134), entitled "An act making the proceedings of the conventions of the Departments of Pennsylvania of the Grand Army of the Republic and the United Spanish War Veterans a part of the public records of the State; and providing for their publication and distribution," including American Veterans of World War II (AMVETS) among the veterans organizations entitled to the printing of convention reports.

Mr. UPSHUR from the Committee on Military Affairs, reported as committed, House Bill No. 26, entitled:

An Act to further amend the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth", prohibiting the unauthorized wearing of insignia or selling of the official flower of the American Veterans of World War II (AMVETS) and including such organizations among those whose members may wear military uniforms for certain purposes.

Mr. NAJAKA from the Committee on Elections and Apportionment, reported as committed, House Bill No. 32, entitled:

An Act to further amend subsection (b) of section four hundred twelve to the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333), entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of election, county commissioners, imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections" by fixing a minimum compensation for judges and elected inspectors of election.

Mr. WOOD from the Committee on Appropriations, reported as amended, House Bill No. 216, entitled:

An Act authorizing the Joint State Government commission to study the educational facilities and needs of the citizens in certain educational fields; the financing, administration and other features of collegiate institutions; prescribing the powers and duties; and making an appropriation.

Mr. BOIES from the Committee on Appropriations, reported as committed, House Bill No. 309, entitled:

An Act to further amend section seven of the act, approved the fourth day of June, one thousand nine hundred forty-three (P. L. 883), entitled "An act authorizing and directing the Department of Highways to erect and maintain, as a post war construction project, a toll bridge over the Allegheny River between a point in or near the Borough of Tarentum, Allegheny County, and a point in Westmoreland County, and to provide the necessary approaches and connections with State highways; providing for the acceptance of Federal aid; empowering counties to pay certain damages; providing for the collection of tolls on such bridges; and making an appropriation," appropriating additional funds from the Motor License Fund for the construction of said bridge.

Mr. FISH from the Committee on Boroughs, reported as committed, House Bill No. 744, entitled:

An Act to add clause LXIV to section one thousand two hundred two of the act approved the fourth day of May, one thousand nine hundred twenty-seven (P. L. 519), entitled "An act concerning boroughs, and revising, amending, and consolidating the law relating to boroughs," authorizing charges for borough services and facilities.

Mr. MOHR from the Committee on Elections and Apportionment, reported as amended, House Bill No. 865, entitled:

An Act to further amend section nine hundred six and to amend section one thousand two hundred one of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333), entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contest; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," reducing the number of times publication of notice of officers to be elected and time of November elections shall be given in certain counties.

Mr. PICKENS from the Committee on Boroughs, reported as committed, House Bill No. 885, entitled:

An Act to add section one thousand three hundred one point two to the act approved the fourth day of May, one thousand nine hundred twenty-seven (P. L. 519), entitled "An act concerning boroughs, and revising, amending, and consolidating the law relating to boroughs," authorizing the levy and collection of an additional tax to provide pensions, retirement or the purchase of annuity contracts for municipal employes.

Mr. BOORSE from the Committee on Boroughs, reported as amended, House Bill No. 889, entitled:

An Act to add section one thousand three hundred one point two to the act, approved the fourth day of May, one thousand nine hundred twenty-seven (P. L. 519), entitled "An act concerning boroughs, and revising, amending and consolidating the law relating to boroughs," providing for amusement tax for general revenue purposes and providing penalties.

Mr. BONAWITZ from the Committee on Boroughs, reported as committed, House Bill No. 891, entitled:

An Act to amend section eight hundred ten of the act, approved the fourth day of May, one thousand nine hundred twenty-seven (P. L. 519), entitled "An act concerning boroughs, and revising, amending, and consolidating the law relating to boroughs," providing for the election and terms of councilmen in cases of invalid elections.

Mr. YESTER from the Committee on Appropriations, reported as committed, House Bill No. 922, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor and the Board of Trustees of Woodville State Hospital to acquire a certain tract of land adjacent thereto for the use of said hospital and making an appropriation therefor.

Mr. THOMPSON from the Committee on Public Health and Sanitation, reported as committed, House Bill No. 1043, entitled:

An Act to amend the second paragraph of section two of the act, approved the eighteenth day of July, one thousand nine hundred thirty-five (P. L. 1303), entitled "An act to regulate the sale of certain hypnotic, analgesic, and body-weight reduction drugs in the interest of public health," prohibiting sales of inhalers at retail.

Mr. O'DONNELL from the Committee on Elections and Apportionment, reported as committed, House Bill No. 1121, entitled:

An Act to amend section one thousand two hundred five of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333), entitled "An Act concerning elections, including general, municipal, specital and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," changing the time for closing polls.

Mr. PATTEN from the Committee on Elections and Apportionment, reported as committed, House Bill No. 1279, entitled:

An Act to amend subsection (a) of section thirty of the act, approved the first day of June, one thousand nine hundred thirty-seven (P. L. 1132), entitled "An act to provide for the permanent personal registration of electors in cities of the second class A as a condition of their

right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors, and imposing penalties," providing that reports of nonresidents' deaths be made to the registration commission of the county or city in which they resided.

Mr. KOHL from the Committee on Elections and Apportionment, reported as committed, House Bill No. 1281, entitled:

An Act to amend subsection (a) of section twenty-nine of the act, approved the twenty-ninth day of April, one thousand nine hundred thirty-seven (P. L. 487), entitled "An act to provide for the permanent personal registration of electors in boroughs, towns, and townships as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; requiring the county commissioners of the various counties to act as a registration commission therefor; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporationsfi real estate brokers, rental agents, and boards of school directors; and imposing penalties," providing that reports of deaths of nonresidents be made to the registration commission of the county or city in which they resided.

Mr. WEIDNER from the Committee on Elections and Apportionment, reported as committed, House Bill No. 1282, entitled:

An Act to amend subsection (a) of section thirty-one of the act, approved the thirtieth day of March, one thousand nine hundred thirty-seven (P. L. 115), entitled "An act to provide for the permanent persoal registration of electors in cities of the first class as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens, parties, bodies of electors, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commission, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, real estate brokers, rental agents, certain public service companies, persons, firms, and corporations operating vehicles for moving furniture and household goods, and boards of school directors; and imposing penalties." providing that reports of deaths of nonresidents be made to the registration commission of the county or city in which they resided.

Mr. GOODLING from the Committee on Appropriations, reported as committed, House Bill No. 1313, entitled:

An Act to amend section one of the act, approved the twenty-ninth day of May, one thousand nine hundred forty-five (Appropriation Acts, page 20, Act No. 26-A), entitled "An act making an appropriation to the Elwyn Training School at Elwyn, in the County of Delaware, Commonwealth of Pennsylvania, and prescribing certain conditions upon which the appropriation will be available to the school," increasing the per capita annual maintenance rate of wards of the State and the amount of the total appropriation.

Mr. WACHHAUS from the Committee on Appropriations, reported as committed, Senate Bill No. 66, entitled:

An Act making a deficiency appropriation to the Pennsylvania Institution for the Deaf at Mount Airy, Philadelphia, Pennsylvania.

Mr. SERRILL from the Committee on Appropriations, reported as amended, Senate Bill No. 342, entitled:

An Act making an appropriation to the Senate, and the House of Representatives to pay the expenses of their committees directed to visit State institutions under the supervision of the Department of Welfare.

Mr. LAYER from the Committee on Public Health and Sanitation, reported as committed Senate Bill No. 371, entitled:

An Act to amend section six and section thirteen of the act, approved the twenty-third day of May, one thousand nine hundred forty-five (P. L. 926) entitled "An act for the protection of the public health by regulating the conduct and operation of public eating and drinking places within this Commonwealth; requiring their licensing; imposing certain duties on the Department of Health of this Commonwealth and on the local health authorities; and providing penalties," by conferring on local health authorities power to suspend or revoke licenses and making fines collected in cities, boroughs and townships of the first class payable to these political subdivisions.

Mr. FISH from the Committee on Boroughs, reported as committed, Senate Bill No. 385, entitled:

An Act to amend subsection (b) of section four of the act, approved the twenty-fifth day of May, one thousand nine hundred forty-five (P. L. 1050), entitled "An act relating to the collection of taxes levied by counties, county institution districts, cities of the third class, boroughs, towns, townships, certain school districts and vocational school districts; conferring powers and imposing duties on tax collectors, courts and various officers of said political subdivisions; and prescribing penalties," by providing that where borough taxes are collected by an appointee of council, the council may prescribe the bond that may be required for the borough taxes.

Mr. DAGUE from the Committee on Appropriations, reported as committed, Senate Bill No. 447, entitled:

An Act to amend the act, approved the fourth day of June, one thousand nine hundred forty-five (Appropriation Acts, page 106), entitled "An act making an appropriation for the preparation of the Eightieth Division History, and creating a commission for such purposes," continuing the commission and re-appropriating the unexpended balance.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 647, entitled:

An Act to add section one thousand two hundred forty-two point one to the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local of any parts thereof that are or may be inconsistent therewith" making special provision for reimbursement of school districts under certain circumstances

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 849, entitled:

An Act providing referendums to ascertain the will of electors on the question of baseball and football on Sundays and for the enactment of licensing ordinances and resolutions in accordance herewith

The first section was read and agreed to.

The second section was read.

On the question,

Will the House agree to the section?

Messrs. SCANLON and ROOT offered the following amendments:

Amend Sec. 2, page 2, line 13, by striking out the word "two" and inserting in lieu thereof: "one".

Amend Sec. 2, page 2, line 13, by striking out the word "seven' and inserting in lieu thereof: "eight".

They were agreed to.

The section was agreed to as amended.

The third section was read.

On the question,

Will the House agree to the section?

Messrs. SCANLON and ROOT offered the following amendments:

Amend Sec. 3, page 3, line 12, by striking out the word "two" and inserting in lieu thereof: "one".

Amend Sec. 3, page 3, line 13, by striking out the word "seven" and inserting in lieu thereof: "eight".

They were agreed to.

The section was agreed to as amended.

The fourth section was read.

On the question,

Will the House agree to the section?

Messrs SCANLON and ROOT offered the following amendment:

Amend Sec. 4, page 4, line 4, by striking out the words "to seven o'clock" and inserting in lieu thereof: "from one o'clock post meridian to eight o'clock".

On the question,

Will the House agree to the amendment?

Mr. SPROUL. Mr. Speaker, will we have an opportunity to vote on these amendments on second reading?

The SPEAKER. To what amendments does the gentleman refer?

Mr. SPROUL. Mr. Speaker, the sections changing the time from 6 to 8 o'clock to 7 to 8. The extension of time from 7 to 8 is not satisfactory.

The SPEAKER. If there be no objections the Chair rescinds its action as to the House agreeing to the amendment to Section 4 and the Chair now recognizes the gentleman from Delaware, Mr. Sproul.

Mr. SPROUL. Mr. Speaker, as I understand the amendments they increase the hours of privilege on sports from 1 o'clock until 8 o'clock. While there may have been some interference with the church services in the time 2 o'clock, I am personally willing to pass that over, but extending the time from 6 to 8 o'clock, I believe the church services will be very materially interfered with in the evening, especially when the crowds are coming from the parks, and I would like the Members of the House to vote down the amendments.

Mr. SCANLON. Mr. Speaker, I think the gentleman from Delaware has the wrong impression as to what the intent of the amendments is. It does not make the law mandatory; it gives every municipality a chance by referendum to increase the hours from 7 to 8. It does not make it mandatory.

Mr. SPROUL. Mr. Speaker, I am aware of the fact that the bill is not mandatory, but I personally do not care to see the provisions of the bill furnish an opportunity to vote to extend the time from 6 to 8 o'clock. So I feel again that this House should vote "no" on these amendments.

Mr. SCANLON. Mr. Speaker, we had an experience in Philadelphia last year where 35,000 people who were attending a double header had to stop playing at 7 o'clock due to the fact that the law said so. It is my opinon that if the gentlemen from Delaware or from any other county do not desire to have a referendum, it is perfectly okeh, but if we in Philadelphia or any other county desire to ask our people to vote for their own way, I do not see anything wrong with that, and I ask the Members of this House to support the amendments.

Mr. SPROUL. Mr. Speaker, I do not like to take the time of the House but there are other municipalities, even though I have been and am a sportsman myself, having played baseball, I do feel that the time covered by these amendments between 6 and 8 o'clock should be reserved for people attending church services and that is the reason I oppose this amendment both as it affects the City of Philadelphia and any other place.

Mr. FLEMING. Mr. Speaker, I desire to interrogate the gentleman from Philadelphia, Mr. Scanlon.

The SPEAKER. Will the gentleman from Philadelphia permit himself to be interrogated?

Mr. SCANLON. I shall, Mr. Speaker.

Mr. FLEMING. Mr. Speaker, if this is enacted into law, would that automatically extend the hours in those communities that have already by referendum approved Sunday baseball?

Mr. SCANLON. Mr. Speaker, it is my understanding, in answer to the gentleman from Allegheny, that it would not make it mandatory. There would have to be a referendum in every community.

Mr. FLEMING. Mr. Speaker, the gentleman probably has answered my question correctly but I did not quite understand. The point that I wished to bring out, is, for example, if the city of Johnstown has approved Sunday baseball, say four or five years ago, under this bill, if it were enacted into law, would the Johnstown Baseball Club or any other baseball club have the right to play until 8 p. m. standard time?

Mr. SCANLON. Positively no, Mr. Speaker.

Mr. FLEMING. That is all.

Mr. Speaker, I would not want to cast any reflection on Mr. Scanlon's legal knowledge but I would like to have an answer on that from some attorney in the House. The Minority Floor Leader said some time ago a "competent" attorney. I know that the Speaker's personal attorney, the Majority Floor Leader, is a competent attorney, and I therefore would like to interrogate him.

The SPEAKER. The gentleman from Allegheny desires to interrogate the Chair's attorney, the gentleman from Elk, Mr. Sorg. Will the gentleman from Elk permit himself to be interrogated?

Mr. SORG. I shall Mr. Speaker.

Mr. FLEMING. Mr. Speaker, I would like to inquire from the gentleman from Elk if this bill is passed would a municipality that has already approved Sunday baseball automatically get its hours extended to 8 p. m., as provided in this act?

Mr. SORG. Mr. Speaker, my off-hand opinion is that it would not automatically extend the hours.

Mr. FLEMING. I thank the gentleman from Elk, Mr. Speaker.

Mr. SPROUL. Mr. Speaker, I would like to inquire if we are voting on the amendments to section 4, or all the amendments.

The SPEAKER. We are voting on the amendments to section 4. The amendments to the other sections have already been approved.

Mr. SPROUL. Mr. Speaker, section 4 would not correspond to the other sections of the bill.

The SPEAKER. We are voting on the amendments to section 4.

On the question recurring,

Will the House agree to the amendment?

The yeas and nays were required by Mr. Scanlon and Mr. Chudoff, and were as follows:

YEAS—59

Aaronson,	Feola,	Mills,	Sax,
Barrett,	Gallagher,	Mintess,	Scanlon,
Baumunk,	Gorman,	Mohr,	Schuster,
Boies,	Horan,	Najaka,	Stank,
Brown,	Jump,	Needham,	Stimmel,
Brunner,	Kean,	O'Dare,	Thompson,
Bucchin,	Kirley,	O'Neill,	Upshur,
Capano,	Kline,	Petrosky,	Vaughan,
Cassidy,	Kohl,	Pichney,	Verona,
Chudoff,	Livingston,	Polaski,	Waldron,
Cordier,	Livingstone,	Powers,	Wallin,
Costa,	Lovett,	Robbins,	Walton,
De Long,	McCormack,	Root,	Watson,
Demech,	McCosker,	Rowen,	Yetzer,
Depuy,	McDonald,	Sarraf,	

NAYS—101

Andrews,	Graybill,	Moore, C. E.,	Smith, C. M.,
Bane,	Greenwood,	Moore, H. A.,	Snider,
Beech,	Greer,	Morrison,	Sorg,
Bonawitz,	Griffiths,	Myers,	Sproul,
Boorse,	Guthrie,	Neff,	Stockham,
Bower,	Haller,	Nelson,	Stonier,
Breisch,	Haudenshield,	O'Donnell,	Swope,
Cadwalader,	Henry,	Orban,	Tittle,
Clevenger,	Hewitt,	Patten,	Tompkins,
Cole,	Hocker,	Pickens,	Toomey,
Cook	Imbt,	Price,	Turner,
Crowley,	Johnson,	Propert,	Wachhaus,
Dague,	Johnston,	Ragot,	Wagner,
Davison,	Kelley,	Reagan,	Waterhouse,
Dennison,	Kemp,	Reese, D. P.,	Weidner,
Efenberg,	Krise,	Reese, R. E.,	Wescott,
Elder,	Kurtz,	Reilly, W. J.,	West,
Erb,	Layer,	Richter,	Wheeler,
Evans,	Lee,	Robertson,	Wolf,
Fish,	Leisey,	Royer,	Worley,
Flack,	Madden,	Scott,	Yeakel,
Fleming,	Madigan,	Serrill,	Yester,
Getchey,	McCullough,	Shoemaker,	Young,
Gibson,	McKinney,	Simons,	Lichtenwalter,
Goff,	Miller,	Smith, C. C.,	Speaker.
Goodling,	Mooney,		

NOT VOTING—45

Bender,	Foor,	Laughner,	Reilly, J. M.,
Bentzel,	Frost,	Loftus,	Riley,
Bloom,	Gyger,	Lyons,	Rose,
Brice,	Hall,	Mazza,	Sollenberger,
Chervenak,	Helm,	McMillen,	Stuart,
Cochran,	Hoffman,	Mihm,	Tahl,
Cooper,	Hoopes,	Mikula,	Thomassy,
Dalrymple,	Jennings,	Murray,	Trout,
Dix,	Jones,	Naumann,	Watkins,
Dye,	Kent,	O'Connor,	Weiss,
Ewing,	Kratz,	Readinger,	Wood,
Fiss,			

So the question was determined in the negative and the amendment was not agreed to.

On the question,

Will the House agree to the section?

BILL POSTPONED

Mr. SCANLON. Mr. Speaker, I move that this bill be placed on the postponed calendar.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1165, entitled:

An Act to further amend section five hundred forty-five of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" increasing the pay of auditors

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

BILL PASSED OVER

There being no objection

Senate Bill No. 114, Printer's No. 21,

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 293, entitled:

An Act to further amend sections one thousand three one thousand one hundred three one thousand one hundred seven and one thousand eight hundred two of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning twonships of the first class amending revising consolidating and changing the law relating thereto" further regulating the powers and duties of township auditors and controllers and the letting of contracts

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

QUESTION OF PARLIAMENTARY INQUIRY

Mr. CHUDOFF. Mr. Speaker, I rise to a question of parliamentary inquiry.

The SPEAKER. The gentleman from Philadelphia will state it.

Mr. CHUDOFF. Mr. Speaker, is there any limit of time in which a Senate Bill must be called up when it appears on the second reading calendar?

The SPEAKER. There is no limit. The Rule only applies to House Bills.

Mr. CHUDOFF. I thank you, Mr. Speaker.

BILL ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 313, entitled:

An Act to reenact, amend and revise the act approved the first day of May one thousand nine hundred and thirty-three (P. L. 103), as amended, entitled "An act concerning townships of the second class; and amending, revising, consolidating, and changing the law relating thereto."

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

QUESTION OF PARLIAMENTARY INQUIRY

Mr. ANDREWS. I rise to a question of parliamentary inquiry.

The SPEAKER. The gentleman from Cambria will state it.

Mr. ANDREWS. Mr. Speaker, I would like to know whether there is actually any Member on the floor of this House who has read Senate Bill 313, either in whole or in part.

The SPEAKER. The Chair might suggest anyone who has read this bill in whole or in part will please rise, while they receive applause. The Chair recognizes the gentlemen from Delaware, Mr. Layer and Mr. Sproul.

Mr. ANDREWS. I wouldn't have believed it possible, Mr. Speaker.

The SPEAKER. Also the gentleman from Allegheny, Mr. Yester. The Chair does not wish to slight any of the minority members.

Mr. SPROUL. Mr. Speaker, I desire to interrogate the Minority Leader, the gentleman from Cambria, Mr. Andrews.

The SPEAKER. Will the gentleman from Cambria permit himself to be interrogated?

Mr. ANDREWS. I shall Mr. Speaker.

Mr. SPROUL. Mr. Speaker, I was wondering if the gentleman from Cambria, Mr. Andrews, will tell this House how much he has read of this bill.

Mr. ANDREWS. Mr. Speaker, I got as far as the 63rd page.

Mr. SPROUL. Mr. Speaker, the gentleman from Cambria got a little farther than I did. I got to page 55. I thank the gentleman from Cambria.

BILL ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 641, as follows:

An Act fixing the salary of county controllers in counties of the second, third, fourth, fifth and sixth, classes and repealing parts of acts inconsistent therewith.

On the question,

Shall the bill pass finally?

BILL POSTPONED

Mr. SORG. Mr. Speaker, I move that this bill be placed on the final passage postponed calendar.

The motion was agreed to.

PHILADELPHIA COMMITTEE ON PUBLIC EDUCATION WELCOMED

The SPEAKER. The Chair is happy to welcome a delegation of the Citizens Committee on Public Education of Philadelphia, who are the guests of the Members from Philadelphia.

The SPEAKER. The Chair would request the gentleman from Cambria, Mr. Andrews, to preside at this time during the third reading calendar. The Chair might say that this is an excellent manner to subdue the opposition. The Chair might also state that if any of the bills are controversial they will be passed over.

Mr. ANDREWS IN THE CHAIR

QUESTION OF INQUIRY

Mr. TURNER. Mr. Sepaker, I rise to a question of inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. TURNER. Mr. Speaker, I want to know where is the opposition.

The SPEAKER pro tempore. If the gentleman from Delaware wants to stir up anything we will inform him very soon where the opposition rests.

Mr. TURNER. Mr. Speaker, it seems to me that they are doing nothing else but resting.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 364, as follows:

An Act to further amend subsection (a) of section two hundred ten of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" increasing the salary of the Commissioner of Fisheries

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (a) of section two hundred ten of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" as last amended by the act approved the sixth day of June one thousand nine hundred forty-five (P. L. 1398) is hereby further amended to read as follows

Section 210 Compensation of Members of Administrative Boards and Commissions (a) Annual salaries shall be payable in equal semi-monthly installments as follows

To the Commissioner of Fisheries [six thousand dollars] seven thousand five hundred dollars ($7500)

To the Chairman of the Pennsylvania Public Utility Commission ten thousand five hundred dollars as provided by law

To the members of the Pennsylvania Public Utility Commission other than the chairman each ten thousand dollars as provided by law

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202.

Aaronson,	Getchey,	McDonald,	Scanlon,
Andrews,	Gibson,	McKinney,	Schuster,
Bane,	Goff,	McMillen,	Scott,
Barrett,	Goodling,	Mihm,	Serrill,
Baumunk,	Gorman,	Mikula,	Shoemaker,
Beech,	Graybill,	Miller,	Simons,
Bender,	Greenwood,	Mills,	Smith, C. C.,
Bentzel,	Greer,	Mintess,	Smith, C. M.,
Bloom,	Griffiths,	Mohr,	Snider,
Boies,	Guthrie,	Mooney,	Sollenberger,
Bonawitz,	Gyger,	Moore, C. E.,	Sorg,
Boorse,	Haller,	Moore, H. A.,	Sproul,
Bower,	Haudenshield,	Morrison,	Stank,
Breisch,	Helm,	Murray,	Stimmel,
Brice,	Henry,	Myers,	Stuart,
Brown,	Hewitt,	Najaka,	Swope,
Brunner,	Hocker,	Naumann,	Stockham,
Bucchin,	Hoffman,	Needham,	Stonier,
Cadwalader,	Hoopes,	Neff,	Tahl,
Capano,	Horan,	Nelson,	Thomassy,
Cassidy,	Imbt,	O'Connor,	Thompson,
Chervenak,	Jennings,	O'Dare,	Tittle,
Chudoff,	Johnson,	O'Donnell,	Tompkins,
Clevenger,	Johnston,	O'Neill,	Toomey,
Cochran,	Jones,	Orban,	Turner,
Cole,	Jump,	Patten,	Upshur,
Cook,	Kean,	Petrosky,	Vaughan,
Cordier,	Kelley,	Pichney,	Verona,
Costa,	Kemp,	Pickens,	Wachhaus,
Crowley,	Kent,	Polaski,	Wagner,
Dague,	Kirley,	Powers,	Waldron,
Dalrymple,	Kline,	Price,	Wallin,
Davison,	Kohl,	Propert,	Walton,
De Long,	Kratz,	Ragot,	Waterhouse,
Demech,	Krise,	Readinger,	Watkins,
Dennison,	Kurtz,	Reagan,	Watson,
Depuy,	Laughner,	Reese, D. P.,	Weidner,
Dix,	Layer,	Reese, R. E.,	Weiss,
Dye,	Lee,	Reilly, J. M.,	Wescott,
Efenberg,	Leisey,	Reilly, W. J.,	West,
Elder,	Livingston,	Richter,	Wheeler,
Erb,	Livingstone,	Riley,	Wolf,
Evans,	Loftus,	Robbins,	Wood,
Ewing,	Lovett,	Robertson,	Worley,
Feola,	Lyons,	Root,	Yeakel,
Fish,	Madden,	Rose,	Yester,
Fiss,	Madigan,	Rowen,	Yetzer,
Flack,	Mazza,	Royer,	Young,
Fleming,	McCormack,	Sarraf,	Lichtenwalter,
Foor,	McCosker,	Sax,	Speaker.
Frost,	McCullough,		
Gallagher,			

NAYS—0.

NOT VOTING—3.

Cooper,	Hall,	Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS PASSED OVER

There being no objection

House Bill No. 388, Printer's No. 331,

was passed over at the request of Mr. SORG.

There being no objection

House Bill No. 537, Printer's No. 334,

was passed over at the request of Mr. FLEMING.

Agreeably to order.

The House proceeded to the third reading and consideration of House Bill No. 586, as follows:

An Act relating to the public practice of certified public accountants providing for the certification of persons desiring to practice and the listing of persons engaged in practicing as certified public accountants and for the suspension and revocation of such certificates subject to appeal and for their reinstatement prescribing the powers and duties of the State Board of Examiners of Public Accountants and the Department of Public Instruction providing for ownership of working papers defining unlawful acts and acts not unlawful providing penalties and repealing existing laws

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Short Title This act shall be known and may be cited as "The CPA Law"

Section 2 Definitions The following words and phrases when used in this act shall have the meanings ascribed to them in this section

(1) "Board" The State Board of Examiners of Public Accountants as constituted by The Administrative Code of 1929 and its amendments

(2) "Departments" The Department of Public Lnstruction of this Commonwealth as constituted by The Administrative Code of 1929 and its amendments

Section 3 General Powers of the Board The board shall have the power

(1) To provide for and to regulate the issuance of certificates to certified public accountants and to issue upon passing the examination required by the board except as otherwise provided herein a certificate of certified public accountant to any person of good character and repute if such persons resides in this Commonwealth is a citizen of the United States is at least twenty-one

years of age speaks and writes the English language and meets any of the experience requirements hereinafter specified

(2) To prescribe the subject manner time and place of examination for the certificate of certified public accountant to collect fees for such examination and to issue certificates to such persons as pass examinations Provided That an examination shall be held at least once in each calendar year and simultaneously in at least two counties of the Commonwealth and shall be a written examination in commercial law as affecting public accounting and in general accounting including theory of accounts accounting practice auditing and taxation The board may use the examination service of the American Institute of Accountants

(3) To keep a roster showing the names and the places of business of persons to whom the certificate of certified public accountant has been issued under this act and under prior laws The department shall publish such roster biennially in booklet form and shall mail copies thereof to each certified public accountant listed and shall furnish the same to other persons upon request

(4) To suspend for a fixed term or revoke the certificate of any certified public accountant who is found guilty by the board by a unanimous vote of all its members of the practice of any fraud deceit or wilful misrepresentation in obtaining his certificate or of wilful gross neglect fraud deceit or wilful misrepresentation in practice as a certified public accountant or who has under any state or Federal law pleaded guilty entered a plea of nolo contendere or has been found guilty by a judge or jury of a felony and to reinstate certificates in all cases where a majority vote of the board shall determine the same to be just and proper

(5) To submit biennially to the department an estimate of the financial requirements of the board for the administrative investigative legal and miscellaneous expenses

(6) To arrange for assistance in the performance of its duties and to administer and enforce the laws of the Commonwealth relating to practice by certified public accountants and to instruct and require its agents to seek an injunction or bring a prosecution for a violation of this act

(7) To keep minutes and records of all its transactions and proceedings Copies thereof duly certified by the Secretary of the board shall be received as evidence in all courts and elsewhere

(8) To become a member of the Association of Certified Public Accountant Examiners or a similar organiation and to pay such dues as said association shall establish and to send delegates to the annual meeting of the association and to defray their expenses

(9) To adopt promulgate and enforce such administrative rules and regulations not inconsistent with this act or other acts as are necessary and proper to carry into effect the provisions of this act

Section 4 Experience Requirements A certificate of certified public accountant shall not be issued to any person until the board shall be satisfied that he has complied with one of the following by serving experience requirements

(1) At least two years in the office of a certified public accountant or an accountant in public practice

(2) At least two years in public practice as an accountant or as a member of a firm of accountants so engaged

Nothing contained in this section shall be construed to prevent any person from taking an examination before he has complied with either of the experience requirements prescribed herein

Section 5 Reciprocal Certificates Without written examination upon application to and upon the recommendation of the board but subject to the payment of a fee to be fixed by the department which fee is to accompany the application the board shall issue a certificate of certified public accountant to a holder of a certificate of certified public accountant issued as the result of a written examination by any other state or political subdivision of the United States provided that the applicant shall submit evidence satisfactory to the board that

(1) He is twenty-one years of age or over and of good moral character

(2) He is a citizen of the United States.

(3) He resides within this Commonwealth and therein engages in public practice as an accountant or he is a nonresident of this Commonwealth but maintains a bona fide office within this Commonwealth as an accountant in public practice or is employed within this Commonwealth in the office of a certified public accountant or an accountant in public practice

(4) He has been engaged in public practice as an accountant in one or more of the states or political subdivisions of the United States for at least two years since the issuance of the certificate upon which said reciprocal action is to be based

(5) His certificate as a certified public accountant issued by any state or political subdivision of the United States is not revoked or suspended for improper conduct and

(6) His accounting experience is substantially equivalent to the requirements of this act for issuance of a certificate as a certified public accountant in this Commonwealth

Section 6 Fees The fee for an applicant for a certificate as a certified public accountant shall be fixed by the department in accordance with existing law All fees collected under the provisions of this act shall be received by the department and shall be paid into the State Treasury through the Department of Revenue for the use of the General Fund of the Commonwealth

Section 7 Status of Existing Certificates of Certified Public Accountants Preserved Any person legally authorized to practice as a certified public accountant in this Commonwealth at the time this act takes effect shall thereafter possess the same rights and privileges as persons to whom certificates of certified public accountant shall be issued pursuant to this act subject however to the power of the board as provided in this act to suspend or revoke the certificate of any such person for any of the causes set forth in this act

Section 8 Rights of Candidates heretofore Accepted by the Board Servicemen (a) Any person who prior to the date of the enactment of this act shall have been accepted by the board as a candidate for examination shall for a period of three years from the date of enactment of this act be entitled to the privileges of sitting for subsequent examinations regardless of any changes in the qualifications of candidates from those in force at the time of his original application and shall receive credit for passing grades obtained in any examinations conducted three years prior to the effective date of this act

(b) Any person who on the effective date of this act has served or is serving in the armed forces of the United States or any of the United Nations or in the merchant marine of the United States or in actual service with the armed forces of the United States as an officer or member of the American National Red Cross or American Field Service shall for a period of five years subsequent to the enactment of this act be entitled to the privilege of sitting for examinations regardless of any change in the qualifications of candidates from those in force at the time of his entry into said service

Section 9 Procedure for the Suspension and Revocation of Certificates Appeals The procedure to be followed in the suspension and and revocation of certificates and in appeals taken from actions of the board shall be that prescribed by the act approved the fourth day of June one thousand nine hundred forty-five (P. L. 1388) known as the Administrative Agency Law and its amendments

Section 10 Employes and Assistants The departments shall assign to the board such agents clerks stenographers assistants and investigators as may be deemed necessary to carry out and enforce the provisions of this act

Section 11 Ownership of Working Papers All statements records schedules working papers and memoranda made by a certified public accountant incident to or in the course of professional service to clients by such certified public accountant except reports submitted by a certified

accountant to a client shall be and remain the property of such certified public accountant in the absence of an express agreement between the certified public accountant and the client to the contrary

Section 12 Unlawful Acts (a) It is unlawful for any person to use the title "certified public accountant" or any abbreviation thereof or the letters "CPA" in connection with his name unless he shall hold a certificate as a certified public accountant issued by this Commonwealth

(b) It is unlawful for any person to use the title "certified public accountant" or any abbreviation thereof or the letters "CPA" by virtue of any certificate illegally or fraudulently obtained by such person or issued unlawfully or through any fraudulent representation or deceit or misstatement of material fact or fraudulent concealment of a material fact made or induced or aided or abetted by such person

(c) It is unlawful for any person to use the title "certified public accountant" or any abbreviation thereof or the letters "CPA" while his certificate as a certified public accountant shall be void revoked or suspended pursuant to this act

(d) It is unlawful for any member of a partnership to use the title "certified public accountant" or any abbreviation thereof in connection with the partnership name unless (1) each partner resident or engaged within the United States in the performance of accounting work is in good standing as a certified public accountant of a state or political subdivision of the United States and (2) each partner resident or personally active in the performance of accounting work within the State is a certified public accountant of this Commonwealth and (3) there is at least one such partner

(e) It is unlawful for any person to sell or offer to sell or fraudulent obtain furnish or procure any certificate under the provisions of this act or cause or aid or abet another person so to do

(f) It is unlawful for any person to sign or affix a corporate name with any wording indicating that it is a corporation performing services as certified public accountants or composed of certified public accountants to any accounting or financial statement or to any report on or certificate to any accounting or financial statement

Section 13 Acts not Unlawful Nothing contained in this act shall be construed to prohibit any holder of a certified public accountant certificate of another state or political subdivision of the United States from temporary rendering services in this Commonwealth incident to his regular practice in such other state or political subdivision of the United States

Section 14 Injunction Against Unlawful Act Whenever in the unanimous judgment of all the members of the board any person has engaged or is about to engage in any acts or practices which constitute or will constitute a violation of this act the board or its agents may make application to the appropriate court for an order enjoining such acts or practices and upon a showing by the board that such person has engaged or is about to engage in any such acts or practices an injunction restraining order or such other order as may be appropriate shall be granted by such court without bond

Section 15 Single Act Evidence of Practice The wilful or knowing display or uttering by a person of a card sign advertisement or other printed engraved or written instrument or device bearing a person's name in conjunction with the words "certified public accountant" or any abbreviation thereof or any designation prohibited by this act shall be prima facie evidence in any prosecution proceeding or hearing that the person whose name is so displayed caused or procured the display or uttering of such card sign advertisement or other printed engraved or written instrument or device and that such person is holding himself out to be a certified public accountant In any prosecution or proceeding under this act evidence of the commission of a single act prohibited by this act shall be sufficient to justify a conviction without evidence of a general course of conduct

Section 16 Penalties (a) Any person violating any of the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars ($500) or suffer imprisonment not exceeding one (1) year or both

(b) The right of the board to suspend and revoke certificates issued under this act shall be in addition to the penalties set forth in this section

Section 17 Repeals The act approved the twenty-ninth day of March one thousand eight hundred ninety-nine (P. L. 21) entitled "An act to establish a board for the examination of accountants to provide for the granting of certificates to accountants and to provide a punishment for the violation of this act" and its amendments are hereby repealed

All other acts or parts of acts inconsistent herewith are hereby repealed

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. TURNER. Mr. Speaker, this is the bill that we discussed yesterday under a motion to recommit. At that time I was of the opinion that the bill should be recommitted to Committee on Professional Licensure for further study and possible hearing. I felt that this bill did not meet the requirements either of the accountants or the certified public accountants. As I have seen in the print of the bill that was before us yesterday, there was so much stricken out that I was inclined to think that it did not meet the approval of at least some of the certified public accountants who had contacted me to support House Bill 586 without any amendments. I know that it does not meet the approval of those public accountants who have been laboring with this question.

As I see the bill, it does not, therefore, give to either of these groups what they want, and as I further see the bill, in fact the only practical thing that it does grant is an internship, if you want to call it that, of a period of service of two years on the part of a person who desires to become a certified public accountant before he can receive a certificate. The objection to that, as it has been given to me, is this, that if, for instance, a man might be a professor of accounting in the University of Pennsylvania, or he might have, served for ten years in the Revenue Department of the state of Pennsylvania or in the Internal Revenue Department or some other taxing unit of the United States Government, yet before he could become a certified public accountant he would have to surrender his job and spend two years at a very low salary in the office of a certified public accountant.

That is about all that this bill, as it seems to me, actually covers, a period of what I said would be an internship or a period of service in the office of a certified public accountant.

I am therefore, Mr. Speaker, of the opinion as I said yesterday, that this is a matter that ought to have gone back to Committee. It is a matter that ought to be compromised between these groups. I have friends from both groups who have gotten in contact with me. I have told them that I felt this measure was one that they should get together on and compromise on. I have heard from both groups that they have tried to compromise and could not get together, but in these days when we are talking about the need of concilation in other fields, I feel that this perhaps is one field in which they should

get together. Therefore I say again that I am of the opinion, and I am more confirmed than I was yesterday, when I said that it should have gone to Committee. This House felt otherwise. I have nothing further that I can do about it except to call to your attention the fact that I don't feel that it meets the desires of either group.

Mr. O'DONNELL. Mr. Speaker, I have listened to the gentleman from Delaware, Mr. Turner, and I would like to reassure him that both sides, public accountant and certified public accountant groups—their positions were carefully considered, their arguments were weighed and given due deliberation and consideration, and this is the bill that was produced.

With respect to the clerkship to be served afterwards, that is not the way I read the act. If a man has the ability he can go into business for himself or form a partnership with another, or else have a two year clerkship working for himself in public practice is sufficient to meet the requirements of the act.

I might say with respect to professors who are in school, it may seem to be a hardship to them, but if they want to go into public practice it is only fair to the people who are looking for a person with the title of C. P. A. to know that that individual must have some public experience and practice. I might say that from my experience most of the professors teaching public accounting in these schools consider their teaching positions as only temporary, and it is no hardship with respect to them.

I also might say with respect to the Revenue Department employes', that each and every one, unless they happen to be superior officers are waiting the day when they can go into business for themselves. I don't know any person who came to me with respect to their positions who felt they were going to be legislated against by this bill.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—130.

Aaronson,	Greer,	McKinney,	Simons,
Andrews,	Guthrie,	Mikula,	Smith, C. C.,
Barrett,	Haller,	Miller,	Smith, C. M.,
Baumunk,	Haudenshield,	Mills,	Sorg,
Beech,	Henry,	Mintess,	Sproul,
Bloom,	Horan,	Mohr,	Stimmel,
Boorse,	Jennings,	Mooney,	Stockham,
Bower,	Johnson,	Moore, C. E.,	Stonier,
Breisch,	Johnston,	Moore, H. A.,	Swope,
Brice,	Jones,	Myers,	Thomassy,
Brown,	Jump,	Najaka,	Thompson,
Brunner,	Kean,	Neff,	Tompkins,
Cadwalader,	Kelley,	Nelson,	Toomey,
Cassidy,	Kemp,	O'Dare,	Upshur,
Clevenger,	Kent,	O'Donnell,	Vaughan,
Cook,	Kirley,	Pichney,	Verona,
Crowley,	Kline,	Pickens,	Wachhaus,
Dague,	Kohl,	Powers,	Waldron,
De Long,	Kratz,	Propert,	Wallin,
Dennison,	Krise,	Ragot,	Walton,
Depuy,	Laughner,	Reagan,	Waterhouse,
Dye,	Layer,	Reilly, J. M.,	Watson,
Efenberg,	Lee,	Reilly, W. J.,	Weidner,
Elder,	Leisey,	Richter,	Wescott,
Ewing,	Livingston,	Robbins,	West,
Feola,	Livingstone,	Robertson,	Wood,
Fleming,	Loftus,	Root,	Worley,
Gallagher,	Lyons,	Royer,	Yeakel,
Getchey,	Madden,	Sarraf,	Yester,
Gibson,	McCormack,	Schuster,	Young,
Goff,	McCosker,	Scott,	Lichtenwalter,
Gorman,	McCullough,	Serrill,	Speaker.
Greenwood,	McDonald,	Shoemaker,	

NAYS—36.

Bane,	Davison,	Needham,	Scanlon,
Bentzel,	Evans,	O'Neill,	Snider,
Boies,	Fish,	Petrosky,	Stank,
Bonawitz,	Flack,	Price,	Tittle,
Bucchin,	Graybill,	Reese, D. P.,	Turner,
Cochran,	Hewitt,	Reese, R. E.,	Wagner,
Cole,	Hocker,	Rose,	Wheeler,
Cordier,	Lovett,	Rowen,	Wolf,
Costa,	Mazza,	Sax,	Yetzer,

NOT VOTING—39.

Bender,	Foor,	Kurtz,	Polaski,
Capano,	Frost,	Madigan,	Readinger,
Chervenak,	Goodling,	McMillen,	Riley,
Chudoff,	Griffiths,	Mihm,	Sollenberger,
Cooper,	Gyger,	Morrison,	Stuart,
Dalrymple,	Hall,	Murray,	Tahl,
Demech,	Helm,	Naumann,	Trout,
Dix,	Hoffman,	O'Connor,	Watkins,
Erb,	Hoopes,	Orban,	Weiss,
Fiss,	Imbt,	Patten,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 652, as follows:

An Act to amend sub-section (g) of section nine hundred forty-two and clause (f) of section nine hundred forty-three of Article IX of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild animals and amending revising consolidating and changing the law relating thereto" by regulating the use of posters comparable to those used by the Game Commission and providing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sub-section (g) of section nine hundred forty-two of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals revising consolidating and changing the law relating thereto" is hereby amended to read as follows

(g) It is unlawful for any person to post the commission's State Game Refuge or Auxiliary State Game Propagation Area or other preserve signs or notices on any other lands than those herein provided

It is also unlawful for any person to post or display any poster or sign upon privately or corporately owned lands similar in wording or appearance to the official posters used by the Commission to designate State Game Refuges Auxiliary State Game Refuges State Game Propagation Areas or other areas established under the provisions of the Game Law upon which hunting is unlawful under the guise of its being an area set aside by the Commonwealth as a refuge sanctuary or preserve for game for the obvious purpose of keeping hunters from trespassing or entering thereon unless the wording and style of type of the sign so used shall have been approved in advance by the Commission This restriction shall not be construed to apply to safety zone posters so long as the name of the Commission is not used thereon nor to the customary posters used to prevent trespassing on private lands

Section 2 Clause (f) of section nine hundred forty-three of said act is hereby amended to read as follows

(f) For violating any of the provisions of [paragraph] paragraphs (d) and (g) of section 942 of this article ten dollars ($10.00) for each poster

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—196

Aaronson,	Getchey,	McCullough,	Scanlon,
Andrews,	Gibson,	McDonald,	Schuster,
Bane,	Goff,	McKinney,	Scott,
Barrett,	Goodling,	McMillen,	Serrill,
Baumunk,	Gorman,	Mihm,	Shoemaker,
Beech,	Graybill,	Mikula,	Simons,
Bender,	Greenwood,	Miller,	Smith, C. C.,
Bentzel,	Greer,	Mills,	Smith, C. M.,
Bloom,	Griffiths,	Mintess,	Snider,
Boies,	Guthrie,	Mohr,	Sollenberger,
Bonawitz,	Gyger,	Mooney,	Sorg,
Boorse,	Haller,	Moore, C. E.,	Sproul,
Bower,	Haudenshield,	Moore, H. A.,	Stank,
Breisch,	Helm,	Morrison,	Stimmel,
Brice,	Henry,	Murray,	Stockham,
Brown,	Hewitt,	Myers,	Stonier,
Brunner,	Hocker,	Najaka,	Stuart,
Bucchin,	Hoffman,	Naumann,	Swope,
Cadwalader,	Hoopes,	Needham,	Tahl,
Cassidy,	Horan,	Neff,	Thomassy,
Chervenak,	Imbt,	Nelson,	Thompson,
Chudoff,	Jennings,	O'Connor,	Tittle,
Clevenger,	Johnson,	O'Dare,	Tompkins,
Cochran,	Johnston,	O'Donnell,	Toomey,
Cook	Jones,	O'Neill,	Turner,
Cordier,	Jump,	Orban,	Upshur,
Costa,	Kean,	Patten,	Vaughan,
Crowley,	Kelley,	Pichney,	Verona,
Dague,	Kemp,	Pickens,	Wachhaus,
Dalrymple,	Kent,	Polaski,	Wagner,
Davison,	Kirley,	Powers,	Waldron,
De Long,	Kline,	Price,	Wallin,
Demech,	Kohl,	Propert,	Walton,
Dennison,	Kratz,	Ragot,	Waterhouse,
Depuy,	Krise,	Readinger,	Watkins,
Dix,	Kurtz,	Reagan,	Watson,
Dye,	Laughner,	Reese, D. P.,	Weidner,
Efenberg,	Layer,	Reilly, J. M.,	Weiss,
Elder,	Lee,	Reilly, W. J.,	Wescott,
Erb,	Leisey,	Richter,	West,
Ewing,	Livingston,	Riley,	Wheeler,
Feola,	Livingstone,	Robbins,	Wolf,
Fish,	Loftus,	Robertson,	Wood,
Fiss,	Lyons,	Root,	Worley,
Flack,	Madden,	Rose,	Yeakel,
Fleming,	Madigan,	Rowen,	Yester,
Foor,	Mazza,	Royer,	Yetzer,
Frost,	McCormack,	Sarraf,	Young,
Gallagher,	McCosker,	Sax,	Lichtenwalter, Speaker.

NAYS—6

Capano,	Evans,	Petrosky,	Reese, R. E.,
Cole,	Lovett,		

NOT VOTING—3

Cooper,	Hall,	Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 670, as follows

An Act to amend section four hundred two of the act approved the twenty-fifth day of June one thousand nine hundred forty-one (P. L. 159) entitled "An act amending revising consolidating and changing the law relating to the borrowing of money by certain political subdivisions the authorization issuance and sale of general obligation bonds as herein defined of bonds imposing no general obligation of debt and of bonds not deemed to constitute a debt for certain purposes and to the funding of debt and the refunding of bonds regulating the keeping and use of sinking funds powers and duties upon the Department of Internal Affairs and upon corporate bodies and officers of political subdivisions imposing penalties and repealing existing laws" providing that in certain cases moneys assessed and collected from property owners adjoining or abutting improvements may be paid into a revolving fund and not in a sinking fund

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section four hundred two of the act approved the twenty-fifth day of June one thousand nine hundred forty-one (P. L. 159) entitled "An act amending revising consolidating and changing the law relating to the borrowing of money by certain political subdivisions the authorization issuance and sale of general obligation bonds as herein defined of bonds imposing no general obligation of debt and of bonds not deemed to constitute a debt for certain purposes and to the funding of debt and the refunding of bonds regulating the keeping and use of sinking funds imposing powers and duties upon the Department of Internal Affairs and upon corporate bodies and officers of political subdivisions imposing penalties and repealing existing laws" is hereby amended to read as follows

Section 402 Payment of Moneys into Sinking Fund It shall be the duty of the treasurer of each municipality to deposit into each sinking fund during each fiscal year not less than the portion of taxes collected and moneys received during such year for such sinking fund and to credit to each sinking fund the earnings and other income appertaining thereto But nothing in this section or this act shall be deemed to limit the power of the corporate authorities (a) to appropriate moneys from the general fund for the payment of principal interest or taxes on any bonds through a sinking fund or otherwise or (b) to direct the treasurer or other fiscal officers to pay into a sinking fund the amount required for interest principal taxes or any of them out of any moneys in their hands not irrevocably pledged to any other purpose When the full requirement for debt service on account of any issue of bonds for any year and all prior years has been paid into the sinking fund or otherwise discharged the annual tax of such year levied for and in conjunction with the issue of bonds shall no longer be dedicated to the payment of interest principal and taxes on account of such bonds and need not be deposited in the sinking fund for said bonds anything in this act to the contrary notwithstanding and when any municipality shall have issued bonds for the purpose of creating a revolving fund under authority of any act of assembly and the money in such revolving fund or any part thereof has been used to pay costs or expenses of making permanent street sidewalk or sewer improvements as provided by law in such cases the moneys assessed and collected from adjoining or abutting property owners may be applied to the credit of the revolving fund where provided by said law to the extent of the moneys paid out of such fund for the aid of such improvements and such moneys collected from said property assessments need not be deposited in the sinking fund for said bonds anything in this act to the contrary notwithstanding

Section 2 All acts and parts of acts inconsistent herewith are hereby repealed

Section 3 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Aaronson,	Gallagher,	McCullough,	Scanlon,
Andrews,	Getchey,	McDonald,	Schuster,
Bane,	Gibson,	McKinney,	Scott,
Barrett,	Goff,	McMillen,	Serrill,
Baumunk,	Goodling,	Mihm,	Shoemaker,
Beech,	Gorman,	Mikula,	Simons,
Bender,	Graybill,	Miller,	Smith, C. C.,
Bentzel,	Greenwood,	Mills,	Smith, C. M.,
Bloom,	Greer,	Mintess,	Snider,
Boies,	Griffiths,	Mohr,	Sollenberger,
Bonawitz,	Guthrie,	Mooney,	Sorg,
Boorse,	Gyger,	Moore, C. E.,	Sproul,
Bower,	Haller,	Moore, H. A.,	Stank,
Breisch,	Haudenshield,	Morrison,	Stimmel,
Brice,	Helm,	Murray,	Stockham,
Brown,	Henry,	Myers,	Stonier,
Brunner,	Hewitt,	Najaka,	Stuart,
Bucchin,	Hocker,	Naumann,	Swope,
Cadwalader,	Hoffman,	Needham,	Tahl,
Capano,	Hoopes,	Neff,	Thomassy,
Cassidy,	Horan,	Nelson,	Thompson,
Chervenak,	Imbt,	O'Connor,	Tittle,
Chudoff,	Jennings,	O'Dare,	Tompkins,
Clevenger,	Johnson,	O'Donnell,	Toomey,
Cochran,	Johnston,	O'Neill,	Turner,
Cole,	Jones,	Orban,	Upshur,
Cook,	Jump,	Patten,	Vaughan,
Cordier,	Kean,	Petrosky,	Verona,
Costa,	Kelley,	Pichney,	Wachhaus,
Crowley,	Kemp,	Pickens,	Wagner,
Dague,	Kent,	Polaski,	Waldron,
Dalrymple,	Kirley,	Powers,	Wallin,
Davison,	Kline,	Price,	Walton,
De Long,	Kohl,	Propert,	Waterhouse,
Demech,	Kratz,	Ragot,	Watkins,
Dennison,	Krise,	Readinger,	Watson,
Depuy,	Kurtz,	Reagan,	Weidner,
Dix,	Laughner,	Reese, D. P.,	Weiss,
Dye,	Layer,	Reese, R. E.,	Wescott,
Efenberg,	Lee,	Reilly, J. M.,	West,
Elder,	Leisey,	Reilly, W. J.,	Wheeler,
Erb,	Livingston,	Richter,	Wolf,
Evans,	Livingstone,	Riley,	Wood,
Feola,	Loftus,	Robbins,	Worley,
Fish,	Lovett,	Robertson,	Yeakel,
Ewing,	Lyons,	Root,	Yester,
Fiss,	Madden,	Rose,	Yetzer,
Flack,	Madigan,	Rowen,	Young,
Fleming,	Mazza,	Royer,	Lichtenwalter,
Foor,	McCormack,	Sarraf,	Speaker.
Frost,	McCosker,	Sax,	

NAYS—0

NOT VOTING—3

Cooper,	Hall,	Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 678, entitled:

An Act to amend, or further amend, Sections five hundred six, seven hundred one, seven hundred sixteen, and clause (q) of Section seven hundred thirty-one of the act approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," by reducing the penalty for the unlawful possession of live fawn deer; requiring the payment of a fee for raccoon possession permits; and making it unlawful to aid or assist in the purchase or sale of wild game.

On the question,

Will the House agree to the bill on third reading?

Mr. GIBSON. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend sec. 4, page 8, line 10, by striking out the words "fifteenth day of May" and inserting in lieu thereof twenty-fourth day of June.

Amend sec. 4, page 8, line 11, by striking out the words "forty-five (Pamphlet Laws 517)" and inserting in lieu thereof "thirty-nine (P. L. 810)".

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for pr.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 703, as follows:

An Act for the protection of the public and the prevention of fraud by prohibiting any person individually or in association or partnership with another person or persons to practice as an accountant auditor certified public accountant under a false assumed fictitious or trade name prohibiting any corporation organized or registered after the effective date of this act from engaging in the practice as such and fixing the time when such practice by existing corporations shall entirely cease in this Commonwealth and providing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 For the protection of the public and the prevention of fraud it shall hereafter be unlawful for any person individually or in association or partnership with another person or persons to practice or hold himself or herself out of the public as engaged or legally authorized to engage in practice as an accountant certified public accountant auditor or public accountant under a false fictitious or assumed name or under the name of a former associate associates partner or partners of such business or profession who is no longer actually associated with such practice by reason of death or otherwise Nothing contained in this act shall be construed as prohibiting the use of a trade partnership association or company name if such name includes only the name or names of associates or partners actually engaged in practice under such name

Section 2 In the case of the dissolution of a partnership caused by the death of a partner and in the case of the death of an individual the name of the deceased partner or of such individual may be used by the surviving partner or partners of the employes of such individual for a period not exceeding three years in order to assist in the orderly liquidation of the estate of such deceased partner or individual

Section 3 No corporation shall hereafter be organized or registered in this Commonwealth to engage in practice as an accountant certified public accountant auditor or public accountant nor shall any person permit or aid any corporation in the doing of any act in violation of the provisions of this act

Section 4 Any corporation organized or registered in this Commonwealth to engage in the practice as an ac-

countant certified public accountant auditor or public accountant prior to the time when this act was finally enacted may continue to engage in such practice until the first day of January one thousand nine hundred forty-nine but no such corporation so organized or registered shall be permitted to engage in such practice after said first day of January one thousand nine hundred forty-nine

Section 5 Any person firm or corporation violating the provisions of this act shall be guilty of a misdemeanor and on conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars ($500) or imprisonment not exceeding three months or both at the discretion of the court

Section 6 The provisions of this act shall be severable and if any of its provisions shall be held to be unconstitutional the decision so holding shall not be construed to affect the validity of any of the remaining provisions of this act It is hereby declared as the legislative intent that this act would have been adopted had such unconstitutional provisions not been included therein

Section 7 This act shall become effective immediately upon final enactment except sections one and two thereof which shall become effective the first day of January one thousand nine hundred forty-nine

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—76

Aaronson,	Feola,	Loftus,	Scanlon,
Barrett,	Fleming,	McCormack,	Serrill,
Baumunk,	Frost,	McCosker,	Shoemaker,
Bentzel,	Getchey,	McDonald,	Simons,
Boies,	Gibson,	Mikula,	Smith, C. C.,
Breisch,	Goodling,	Mohr,	Smith, C. M.,
Brunner,	Gorman,	Myers,	Thompson,
Cassidy,	Greer,	O'Dare,	Turner,
Chervenak,	Hoffman,	O'Donnell,	Upshur,
Chudoff,	Horan,	Orban,	Vaughan,
Cordier,	Kean,	Patten,	Wachhaus,
Crowley,	Kemp,	Pichney,	Wallin,
Dague,	Kent,	Powers,	Walton,
Davison,	Kirley,	Reilly, J. M.,	Watson,
De Long,	Kline,	Reilly, W. J.,	Weidner,
Dennison,	Krise,	Root,	Weiss,
Depuy,	Lee,	Rowen,	Wescott,
Dye,	Leisey,	Sarraf,	Yester,
Ewing,	Livingstone,	Sax,	Lichtenwalter, Speaker.

NAYS—73

Andrews,	Imbt,	Needham,	Sproul,
Bane,	Jennings,	Nelson,	Stank,
Bender,	Johnson,	O'Neill,	Stimmel,
Bloom,	Jones,	Petrosky,	Stockham,
Bonawitz,	Kelley,	Pickens,	Stonier,
Bower,	Kohl,	Polaski,	Swope,
Cadwalader,	Kratz,	Price,	Thomassy,
Capano,	Laughner,	Propert,	Tittle,
Cook,	Layer,	Ragot,	Tompkins,
Costa,	Lovett,	Reagan,	Wagner,
Dalrymple,	Madden,	Reese, D. P.,	Waldron,
Evans,	Mazza,	Reese, R. E.,	Waterhouse,
Graybill,	McCullough,	Richter,	West,
Guthrie,	McKinney,	Riley,	Wheeler,
Gyger,	Miller,	Robbins,	Wolf,
Haller,	Mills,	Royer,	Wood,
Hewitt,	Mooney,	Snider,	Yeakel,
Hocker,	Najaka,	Sorg,	Yetzer,
			Young,

NOT VOTING—56

Beech,	Fish,	Jump,	O'Connor,
Boorse,	Fiss,	Kurtz,	Readinger,
Brice,	Flack,	Livingston,	Robertson,
Brown,	Foor,	Lyons,	Rose,
Bucchin,	Gallagher,	Madigan,	Schuster,
Clevenger,	Goff,	McMillen,	Scott,
Cochran,	Greenwood,	Mihm,	Sollenberger,
Cole,	Griffiths,	Mintess,	Stuart,
Cooper,	Hall,	Moore, C. E.,	Tahl,
Demech,	Haudenshield,	Moore, H. A.,	Toomey,
Dix,	Helm,	Morrison,	Trout,
Efenberg,	Henry,	Murray,	Verona,
Elder,	Hoopes,	Naumann,	Watkins,
Erb,	Johnston,	Neff,	Worley,

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 752, entitled:

An Act to authorize the revival of judgments entered in favor of the Commonwealth of Pennsylvania by filing a suggestion of non-payment

On the question,

Will the House agree to the bill on third reading?

Mr. SORG. Mr. Speaker, it just occurred to me that possibly several of the members who were interested in this bill yesterday are now in attendance at the public hearing in the Committee on Education. Out of courtesy to them I will ask it be passed over.

BILLS PASSED OVER

There being no objection

House Bill No. 752, Printer's No. 345, and

House Bill No. 758, Printer's No. 386,

were passed over at the request of Mr. SORG.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 825, as follows:

An Act to further amend the act approved the twenty-fourth day of July one thousand nine hundred thirteen (P. L. 965) entitled "An act defining commodities regulating the sale thereof and providing penalties for violation hereof" by further providing penalties for violations thereof

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section eight of the act approved the twenty-fourth day of July one thousand nine hundred thirteen (P. L. 965) entitled "An act defining commodities regulating the sale thereof and providing penalties for violation hereof" as amended by the act approved the eighteenth day of May one thousand nine hundred forty-five (P. L. 788) is hereby further amended to read as follows

Section 8 Any person who shall violate or knowingly permit the violation of any of the provisions of this act shall upon summary conviction thereof before any alderman magistrate or justice of the peace of the proper county be sentenced for the first offense to pay a fine of not less than [twenty-five dollars ($25.00) or more than fifty dollars ($50.00) and costs of prosecution and in default of payment thereof shall undergo imprisonment for ten (10) days and for the second offense be sentenced to pay a fine of not less than fifty dollars ($50.00) or more than one hundred dollars ($100.00) and costs of prosecution and in default of payment thereof shall undergo imprisonment for twenty (20) days and for the thir offense shall be sentenced to pay a fine of not less than one hundred dollars ($100.00) or more than two hundred dollars ($200.00) and cost of prosecution and in default thereof shall undergo imprisonment for thirty (30) days and for a fourth or subsequent offense shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than two

hundred dollars ($200.00) or more than three hundred dollars ($300.00) or suffer imprisonment for not more than six (6) months or both] fifty dollars ($50.00) nor more than one hundred dollars ($100.00) and costs of prosection and in default of payment thereof shall undergo imprisonment for twenty (20) days an dfor the second offense be sentenced to pay a fine of not less than one hundred dollars ($100.00) nor more than two hundred dollars ($200.00) and costs of prosecution and in default of payment thereof shall undergo imprisonment for fotry (40) days and for the third offense shall be sentenced to pay a fine of not less than two hundred dollars ($200.00) nor more than four hundred dollars ($400.00) and costs of prosecution and in default thereof shall undergo imprisonment for sixty (60) days and for a fourth or subsequent offense shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than two hundred dollars ($200.00) nor more than four hundred dollars ($400.00) and shall suffer imprisonment for not less than six (6) months nor more than one (1) year All fines collected under the provisions of this act shall be paid to the treasurer or the respective city or county in which the offense was committed.

Section 2 Said act is hereby amended by adding between sections eight and nine thereof a new section to read as follows

Section 8.1 If the violation shall be a second or subsequent offense by an agent or reprsentative of any individual corporation association or partnership the responsible officer of such corporation or association or said individual of the members of said partnership shall be equally guilty Provided there is actual knowledge and on conviction thereof shall be sentenced as aforesaid

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constiution and yeas and nays were taken and were taken as follows:

YEAS—202

Aaronson,	Gallagher,	McCullough,	Scanlon,
Andrews,	Getchey,	McDonald,	Schuster,
Bane,	Gibson,	McKinney,	Scott,
Barrett,	Goff,	McMillen,	Serrill,
Baumunk,	Goodling,	Mihm,	Shoemaker,
Beech,	Gorman,	Mikula,	Simons,
Bender,	Graybill,	Miller,	Smith, C. C.,
Bentzel,	Greenwood,	Mills,	Smith, C. M.,
Bloom,	Greer,	Mintess,	Snider,
Boies,	Griffiths,	Mohr,	Sollenberger,
Bonawitz,	Guthrie,	Mooney,	Sorg,
Boorse,	Gyger,	Moore, C. E.,	Sproul,
Bower,	Haller,	Moore, H. A.,	Stank,
Breisch,	Haudenshield,	Morrison,	Stimmel,
Brice,	Helm,	Murray,	Stockham,
Brown,	Henry,	Myers,	Stonier,
Brunner,	Hewitt,	Najaka,	Stuart,
Bucchin,	Hocker,	Naumann,	Swope,
Cadwalader,	Hoffman,	Needham,	Tahl,
Capano,	Hoopes,	Neff,	Thomassy,
Cassidy,	Horan,	Nelson,	Thompson,
Chervenak,	Imbt,	O'Connor,	Tittle,
Chudoff,	Jennings,	O'Dare,	Tompkins,
Clevenger,	Johnson,	O'Donnell,	Toomey,
Cochran,	Johnston,	O'Neill,	Turner,
Cole,	Jones,	Orban,	Upshur,
Cook,	Jump,	Patten,	Vaughan,
Cordier,	Kean,	Petrosky,	Verona,
Costa,	Kelley,	Pichney,	Wachhaus,
Crowley,	Kemp,	Pickens,	Wagner,
Dague,	Kent,	Polaski,	Waldron,
Dalrymple,	Kirley,	Powers,	Wallin,
Davison,	Kline,	Price,	Walton,
De Long,	Kohl,	Propert,	Waterhouse,
Demech,	Krise,	Ragot,	Watkins,
Dennison,	Kratz,	Readinger,	Watson,
Depuy,	Kurtz,	Reagan,	Weidner,
Dix,	Laughner,	Reese, D. F.,	Weiss,
Dye,	Layer,	Reese, R. E.,	Wescott,
Efenberg,	Lee,	Reilly, J. M.,	West,
Elder,	Leisey,	Reilly, W. J.,	Wheeler,
Erb,	Livingston,	Richter,	Wolf,
Evans,	Livingstone,	Riley,	Wood,
Ewing	Loftus,	Robbins,	Worley,
Feola,	Lovett,	Robertson,	Yeakel,
Fish,	Lyons,	Root,	Yester,
Fiss,	Madden	Rose,	Yetzer,
Flack,	Madigan,	Rowen,	Young,
Fleming,	Mazza,	Royer,	Lichtenwalter, Speaker.
Foor,	McCormack,	Sarraf,	
Frost,	McCosker,	Sax,	

NAYS—0

NOT VOTING—3

Cooper,	Hall,	Trout,

The majority required by the Constiution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 839, entitled:

An Act to amend the act approved the thirteenth day of May one thousand nine hundred twenty-seven (P. L. 988) entitled "An act providing for and regulating the State registration of nurses and licensed attendants the annual recording of registration certificates and regulating the profession of nursing and repealing certain existing laws" providing for the registration and licensing of practical nurses and the biennial recording of certificates

On the question,

Will the House agree to the bill on third reading?

Mr. SORG. Mr. Speaker, I desire to interrogate the sponsor of this bill, the lady from Mercer, Mrs. Dye.

The SPEAKER pro tempore. Will the lady from Mercer permit herself to be interrogated?

Mrs. DYE. I shall, Mr. Speaker.

Mr. SORG. Mr. Speaker, I desire to inquire of the sponsor of this bill whether I understand correctly that she desires that this bill be assed over in order.

Mrs. DYE. That is correct, Mr. Speaker.

BILL PASSED OVER

There being no objection

House Bill No. 839, Printer's No. 389,

was passed over at the request of Mrs. DYE.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 850, as follows:

An Act to further amend paragraph six of section one of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employes' retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by further

defining State employe to include certain employes of the Department of Highways

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Paragraph six of section one of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes serve excepting annuities allowances returns benefits and right from taxation and judicial process and providing penalties" as last amended by the act approved the twenty-fifth day of June one thousand nine hundred forty-one (P. L. 202) is hereby further amended to read as follows

Section 1 Be it enacted &c That the following words and phrases as used in this act unless a different meaning is plainly required by the context shall have the following meanings

* * * * *

6 "State employe" shall mean any person holding a State office or position under the Commonwealth of Pennsylvania employed and paid on a yearly or monthly basis by the State Government of the Commonwealth of Pennsylvania in any capacity whatsoever and shall include also any attorney solicitor investigator appraiser and clerk employed by the year or by the month in the office of any register of wills howsoever appointed whose compensation is actually paid from Commonwealth moneys and shall also include all judges of the several courts of this Commonwealth whose salaries are paid by the Commonwealth and also all clerks and secretaries employed by judges and paid on a yearly or monthly basis by such judges from moneys appropriated by the Commonwealth for such purposes and also all officers and employes of the Pennsylvania State College paid on a yearly or monthly basis other than those paid wholly from Federal funds and also all officers and employes of the Delaware River Joint Commission and of the Delaware River Joint Toll Bridge Commission paid on a yearly or monthly basis if the Delaware River Joint Commission and the Delaware River Joint Toll Bidge Commission shall agree to contribute and contributes to the State Employes' Retirment Fund from time to time the moneys required to build up the reserves necessary for the payment of the State annuities of such officers and employes without any liability on the part of the Commonwealth to make appropriations for such purposes and also but only for the purposes of this act all officers and employes of any separate independent public corporation created by act of Assembly (not including however any municipal or quasi-municipal corporation) who immediately prior to their employment by such public corporation were employes of the Commonwealth so long as they remain officers or employes of such public corporation if such public corporation shall agree to contribute and contributes to the State Employes' Retirement Fund from time to time the moneys required to build up the reserve necessary for the payment of the State annuities of such officers and employes without any liability on the part of the Commonwealth to make appropriations for such purposes But the term "State employe" shall not include those persons defined as employes in section one paragraph seven of the act approved the eighteenth day of July one thousand nine hundred and seventeen (P. L. 1043) entitled "An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" as amended by section one paragraph seven of the act approved the twenty-first day of April one thousand nine hundred and twenty-one (P. L. 245) excepting such officers and employes of the Department of Public Instruction as are not members of or who may withdraw from the public school employes' retirement association provided by said act and no member shall be deprived of credit for prior service as a State employe because of the fact that such service was rendered while he or she was a member of the public school employes' retirement association

The term "State employe" shall also include all State officers and employes regularly employed by the year or by the month at a fixed annual or monthly compensation when the General Assembly is not in session but who during a legislative session instead of a fixed annual or monthly salary or compensation are paid upon a per diem basis or by a fixed salary or compensation from the legislative session

The term "State employe" shall also include all persons regularly employed by the Department of Highways at an hourly or per diem rate of compensation

In all cases of doubt the retirement board shall determine whether any person is a State employe as defined in this paragraph and its decision shall be final

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Aaronson,	Gallagher,	McCullough,	Scanlon,
Andrews,	Getchey,	McDonald,	Schuster,
Bane,	Gibson,	McKinney,	Scott,
Baumunk,	Goff,	McMillen,	Serrill,
Barrett,	Goodling,	Mihm,	Shoemaker,
Beech,	Gorman,	Mikula,	Simons,
Bender,	Graybill,	Miller,	Smith, C. C.,
Bentzel,	Greenwood,	Mills,	Smith, C. M.,
Bloom,	Greer,	Mintess,	Snider,
Boies,	Griffiths,	Mohr,	Sollenberger,
Bonawitz,	Guthrie,	Mooney,	Sorg,
Boorse,	Gyger,	Moore, C. E.,	Sproul,
Bower,	Haller,	Moore, H. A.,	Stank,
Breisch,	Haudenshield,	Morrison,	Stimmel,
Brice,	Helm,	Murray,	Stockham,
Brown,	Henry,	Myers,	Stonier,
Brunner,	Hewitt,	Najaka,	Stuart,
Bucchin,	Hocker,	Naumann,	Swope,
Cadwalader,	Hoffman,	Needham,	Tahl,
Capano,	Hoopes,	Nelson,	Thomassy,
Cassidy,	Horan,	Neff,	Thompson,
Chervenak,	Imbt,	O'Connor,	Tittle,
Chudoff,	Jennings,	O'Dare,	Tompkins,
Clevenger,	Jones,	O'Donnell,	Toomey,
Cochran,	Johnson,	O'Neill,	Turner,
Cole,	Johnston,	Orban,	Upshur,
Cook,	Jump,	Patten,	Vaughan,
Cordier,	Kean,	Petrosky,	Verona,
Costa,	Kelley,	Pickens,	Wachhaus,
Crowley,	Kemp,	Pichney,	Wagner,
Dague,	Kent,	Polaski,	Waldron,
Dalrymple	Kirley,	Powers,	Wallin,
Davison,	Kline,	Price,	Watkins,
De Long,	Kohl,	Propert,	Walton,
Demech,	Kratz,	Ragot,	Waterhouse,
Dennison,	Krise,	Readinger,	Watson,
Depuy,	Kurtz,	Reagan,	Weidner,
Dix,	Laughner,	Reese, D. P.,	Weiss,
Dye,	Layer,	Reese, R. E.,	West,
Efenberg,	Lee,	Reilly, J. M.,	Wescott,
Elder,	Leisey,	Reilly, W. J.,	Wheeler,
Erb,	Livingston,	Richter,	Wolf,
Evans,	Livingstone,	Riley,	Wood,
Ewing,	Loftus,	Robbins,	Worley,

Feola,	Lovett,	Robertson,	Yeakel,
Fish,	Lyons,	Root,	Yester,
Fiss,	Madden,	Rose,	Yetzer,
Flack,	Madigan,	Rowen,	Young,
Fleming,	Mazza,	Royer,	Lichtenwalter,
Foor,	McCormack,	Sarraf,	Speaker.
Frost,	McCosker,	Sax,	

NAYS—0

NOT VOTING—3

Cooper,	Hall,	Trout,

The majority required by the Constiution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 851, as follows:

An Act to further amend section two hundred twenty-two of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by providing for leaves of absence with pay for certain employes who receive an hourly or per diem wage

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two hundred twenty-two of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" as amended by the act approved the twenty-first day of June one thousand nine hundred thirty-seven (P. L. 1865) is hereby further amended to read as follows

Section 222 Work-Hours and Vacations Each employe of an administrative department of an independent administrative board or commission or of a departmental administrative board or commission if employed for continuous service shall work during such hours as the head of the department or the board or commission shall require but not less than thirty-five hours per week Such employe shall be entitled during each calendar year to fifteen days' leave of absence with full pay and in special and meritorious cases where to limit the annual leave to fifteen days in any one calendar year would work peculiar hardships the exten of such leave with pay may in the discretion of the head of the department or of the board or commission be extended but any such extension shall not be for more than firteen days except with the approval of the Executive Board in the case of employes of departments or of independent administrative boards or commissions and in the case of employes of departmental administrative boards or commissions of the departments with which such boards or commissions are respectively connected Each employe of an administrative department of an independent administrative board or commission or of a departmental administrative board or commission who receives an hourly or per diem wage shall be entitled to one day's leave of absence with pay for each two hundred (200) hours such employe shall work This section shall be construed to mean that the pay of such employe shall cease upon the expiration of the granted leave regardless of his or her continuation thereafter upon the rolls of the department board or commission The annual leave of absence with pay shall be exclusive of Saturdays and legal holidays

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Aaronson,	Gallagher,	McCullough,	Scanlon,
Andrews,	Getchey,	McDonald,	Schuster,
Bane,	Gibson,	McKinney,	Scott,
Barrett,	Goff,	McMillen,	Serrill,
Baumunk,	Goodling,	Mihm,	Shoemaker,
Beech,	Gorman,	Mikula,	Simons,
Bender,	Graybill,	Miller,	Smith, C. C.,
Bentzel,	Greer,	Mills,	Smith, C. M.,
Bloom,	Greenwood,	Minter,	Snider,
Boies,	Griffiths,	Mohr,	Sollenberger,
Bonawitz,	Guthrie,	Moore, C. E.,	Sorg,
Boorse,	Gyger,	Moore, H. A.,	Sproul,
Bower,	Haller,	Mooney,	Stank,
Breisch,	Haudenshield,	Morrison,	Stimmel,
Brice,	Helm,	Murray,	Stockham,
Brown,	Henry,	Myers,	Stonier,
Brunner,	Hewitt,	Najaka,	Stuart,
Bucchin,	Hocker,	Naumann,	Swope,
Cadwalader,	Hoffman,	Needham,	Tahl,
Capano,	Hoopes,	Neff,	Thomassy,
Cassidy,	Horan,	Nelson,	Thompson,
Chervenak,	Imbt,	O'Connor,	Tittle,
Chudoff,	Jennings,	O'Dare,	Tompkins,
Clevenger,	Johnson,	O'Donnell,	Toomey,
Cochran,	Johnston,	O'Neill,	Turner,
Cole,	Jones,	Orban,	Upshur,
Cook,	Jump,	Patten,	Vaughan,
Cordier,	Kelley,	Petrosky,	Verona,
Costa,	Kean,	Pichney,	Wachhaus,
Crowley,	Kemp,	Pickens,	Wagner,
Dague,	Kent,	Polaski,	Waldron,
Dalrymple,	Kirley,	Powers,	Wallin,
Davison,	Kline,	Price,	Watkins,
De Long,	Kohl,	Propert,	Walton,
Demech,	Kratz,	Rago,	Waterhouse,
Dennison,	Krise,	Readinger,	Watson,
Depuy,	Kurtz,	Reagan,	Weidner,
Dix,	Laughner,	Reese, D. P.,	Weiss,
Dye,	Layer,	Reese, R. E.,	Wescott,
Efenberg,	Lee,	Reilly, J. M.,	West,
Elder,	Leisey,	Reilly, W. J.,	Wheeler,
Erb,	Livingston,	Richter,	Wolf,
Evans,	Livingstone,	Riley,	Wood,

Ewing,	Loftus,	Robbins,	Worley,
Feola,	Lyons,	Robertson.	Yeakel,
Fish,	Lovett,	Root,	Yester,
Fiss,	Madden,	Rose,	Yetzer,
Flack,	Madigan,	Rowen,	Young,
Fleming,	Mazza,	Royer,	Lichtenwalter,
Foor,	McCormack,	Sarraf,	Speaker.
Frost.	McCosker,	Sax,	

NAYS—0

NOT VOTING—3

Cooper,	Hall,	Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS PASSED OVER

There being no objection

House Bill No. 914, Printer's No. 353 and

House Bill No. 949, Printer's No. 354,

were passed over at the request of Mr. SORG.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 951, as follows:

An Act to add article Seven-A to the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" for the protection of the public health providing for the appointment powers and duties of boards of health and health officers

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act consolidating and changing the law relating thereto" is hereby amended by adding immediately following article seven thereof a new article to read as follows

Article VII-A

Public Health

Section 721 Appointment of Boards of Health and Health Officers The township supervisors may by resolution provide for the enforcement of the health laws in the township either (1) by a board of health or (2) by a health officer or officers

Where township supervisors elect to appoint a health officer or officers the said health officer or officers shall have the same powers and duties and exercise the same authority prescribed for boards of health in townships All health officers whether appointed by boards of health or township supervisors shall have had some experience or training in public health work in accordance with rules and regulations established by the advisory health board of the State Department of Health Such health officers shall not enter upon the performance of their duties until they are certified so to do by the Secretary of Health of the State Department of Health

Section 722 Members of Board Terms Secretary Where the township supervisors decide to appoint a board of health said board shall be composed of five members at least one of whom shall be a reputable physician of not less than two years' experience in the practice of his profession if one resides within the township The members of the board shall be appointed by the township supervisors At the first appointment one member shall be appointed to serve for one year one for two years one for three years and one for four years and one for five years and thereafter one member shall in like manner be appointed each year to serve for five years The members of the board of health shall serve without compensation Provided however If any member of the board shall be elected to the office of secretary he shall be entitled to receive a salary fixed by the board for that office

Section 723 Organization of Board Salary of Secretary Bonds of Members Fees and Penalties Power to Administer Oaths The members of the board shall severally take and subscribe to the oath prescribed for township offices and shall annually organize by electing a president from among the members of the board a secretary who may or may not be a member of the board and a health officer who shall not be a member of the boad The secretary and the health officer shall receive such salary as may be fixed by the board and ratified by the board of supervisors of the township and shall serve for a period of one year or until such time thereafter as their successors may be elected and qualified They shall severally give bond to the township in such sums as may be fixed by ordinance for the faithful discharge of their duties and shall also take and subscribe to the oath required by members of the board

All fees which shall be collected or received by the board or by any officer thereof in his official capacity shall be paid over into the township treasury monthly together with all penalties which shall be recovered for the violation of any regulation of the board The president and secretary shall have full power to administer oaths or affirmations in any proceeding or investigation touching the regulations of the board but shall not be entitled to receive any fee therefor

Section 724 Duties of Secretary The secretary of the board shall keep the minutes of its proceedings shall keep accurate accounts of the expenditures of the board shall transmit all bills to the board of township supervisors for payment in the same manner as other bills of the township are paid shall render statements of the expenditures to the board at each stated meeting or as frequently as the board may require shall prepare under the directions of the board the annual report to the township supervisors together with the estimate of appropriation needed for the ensuing year shall report to the State Department of Health at the end of each week and for the fraction of each week occurring at the end of each month the cases of communicable disease reported to the board of health on the form provided for that purpose by the State Department of Health shall also make an annual report to the State Department of Health and shall make such other reports and perform such other duties as the board of health may require

Section 725 Duties of Health Officer It shall be the duty of the health officer to attend all stated and special meetings of the board of health and at all times be ready and available for the prompt performance of his official duties He shall placard and quarantine all premises upon which cases of communicable disease exist which have been reported to the board of health or of which he or the board of health may have knowledge wich are required by law or by regulation of the State Department of Health or of the local board of health to be placarded and quarantined and shall disinfect such premises upon the expiration of the quarantine period and the recovery of the last person therein suffering from such disease He shall serve written notice on teachers and persons in charge of public parochial Sunday and other schools requiring the exclusion from school of children who are suffering from or who reside in the same premises with other persons who are suffering from communicable diseases shall make sanitary inspection shall execute the orders of the board of health and shall in the performance of his duties have the power and authority of a policeman

Section 726 Powers of Board of Health The said board of health shall have the power and it shall be its duty to enforce the laws of the Commonwealth the regulations of the State Department of Health and any ordinances of the township relating to health work and to make and enforce such additional rules and regulations to prevent the introduction and spread of infectious or contagious diseases by the regulation of intercourse with infected

places by the separation of infected persons and persons who shall have been exposed to any infectious or contagious disease and by abating and removing all nuisances which it shall deem prejudicial to the public health to mark infected houses or places to prescribe rules for the construction and maintenance of house drains wash pipes and cesspools and make all such other rules and regulations as it shall deem necessary for the preservation of the public health and such other powers relating to health work as may be delegated by the township supervisors The board shall also have power with the consent of the township supervisors in case of a prevalence or apprehended prevalence of any contagious or infectious diseases in its township to establish one or more emergency hospitals and to make provisions and regulations for the maintenance and management of the same

The board shall also have the power to make enforce and cause to be published all necessary rules and regulations for carrying into effect the powers and functions with which it is invested by law and the power and authority relating to the public health conferred on townships Such rules and regulations when aproved by the township supervisors and when advertised in the same manner as other ordinances shall have the force of ordinances of the township All penalties or punishments prescrebed for the violation thereof as well as the expenses actually and necessarily incurred in carrying such rules and regulations into effect shall be recoverable for the use of the township in the same manner as penalties for violation of the ordinances of the township and subject to the like limitations as to the amount thereof

Section 727 Entry of Premises The board of health shall have the power as a body or by committee as well as the health officer together with their assistants subordinates and workmen under and by order of the said board to enter at any time upon any premises in the township upon which there is suspected to be any infectious or contagious disease or nuisance detrimental to the public health for the purpose of examining and abating the same and for any other purpose arising in connection with or in the performance of their duties

Section 728 Inspections The board of health may inspect house drains waste and soil pipes cesspools water-closets slaughterhouses hogpens stables stable yards and any conditions or places whatsoever in the township which may constitute a nuisance or a menace to public health Whenever any condition or place in the township is found by it to be a nuisance or a menace to the health of the people of the township it shall issue a written order of abatement directed to the owner or agent of the owner of the premises or to the occupant thereof stating that the conditions specified therein constitute a nuisance or a menace to health and ordering an abatement thereof within such time as may be specified by it in such order In case such order of abatement is not obeyed within the time specified therein it shall thereupon issue a further written order to the health officer directing him to remove or abate the same which order shall be executed by him and his subordinates and workmen and the expense thereof shall be recoverable from the owner of the premises upon or from which the nuisance or menace to health is abated or removed in the same manner as debts of like character are now collected by law or the said board of health may proceed to enforce such other remedy or inflict such penalty as may by ordinance of the township be provided

Section 729 Budget Appropriations It shall be the duty of the board of health or appointed health officer or officers to submit annually to the township supervisors before the commencement of the fiscal year an estimate of the probable expenditures of the board during the ensuing year and the township supervisors shall then proceed to make such appropriations as may be deemed necessary and the said board of health health officer or officers shall in the month of January of each year submit a report in writing to the township supervisors of its appropriation and expenditures for the preceding year together with such other information on subjects relative to the sanitary conditions or requirements of the township as may be necessary and council or township supervisors shall publish the same in their official journal

Section 730 Cooperation in Health Work Any township may cooperate with the county or with any city borough township or school district as well as with the State Department of Health in the administration and enforcement of health laws

Section 731 Powers of Secretary of Health Whenever in the opinion of the Secretary of Health of the Commonwealth conditions found by him to exist in any township shall constitute a menace to the lives and health of people living outside the corporate limits of such township or if it be known to him that any township is without an existing or efficient board of health or health officer or officers the Secretary of Health may enter and take full charge of and administer the health laws regulations and ordinances in such township and may continue in charge thereof until he shall decide that a competent and efficient board of health or health officer or officers has been appointed and qualified for such township and is ready able and willing to assume and carry into effect the duties imposed upon it by law

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Aaronson,	Gallagher,	McCullough,	Scanlon,
Andrews,	Getchey,	McDonald,	Schuster,
Bane,	Gibson,	McKinney,	Scott,
Barrett,	Goff,	McMillen,	Serrill,
Baumunk,	Goodling,	Mihm,	Shoemaker,
Beech,	Gorman,	Mikula,	Simons,
Bender,	Graybill,	Miller,	Smith, C. C.,
Bentzel,	Greenwood,	Mills,	Smith, C. M.,
Bloom,	Greer,	Mintess,	Snider,
Boies,	Griffiths,	Mohr,	Sollenberger,
Bonawitz,	Guthrie,	Mooney,	Sorg,
Boorse,	Gyger,	Moore, C. E.,	Sproul,
Bower,	Haller,	Moore, H. A.,	Stank,
Breisch,	Haudenshield,	Morrison,	Stimmel,
Brice,	Helm,	Murray,	Stockham,
Brown,	Henry,	Myers,	Stonier,
Brunner,	Hewitt,	Najaka,	Stuart,
Bucchin,	Hocker,	Naumann,	Swope,
Cadwalader,	Hoffman,	Needham,	Tahl,
Capano,	Hoopes,	Neff,	Thomassy,
Cassidy,	Horan,	Nelson,	Thompson,
Chervenak,	Imbt,	O'Connor,	Tittle,
Chudoff,	Jennings,	O'Dare,	Tompkins,
Clevenger,	Johnson,	O'Donnell,	Toomey,
Cochran,	Johnston,	O'Neill,	Turner,
Cole,	Jones,	Orban,	Upshur,
Cook,	Jump,	Patten,	Vaughan,
Cordier,	Kean,	Petrosky,	Verona,
Costa,	Kelley,	Pichney,	Wachhaus,
Crowley,	Kemp,	Pickens,	Wagner,
Dague,	Kent,	Polaski,	Waldron,
Dalrymple,	Kirley,	Powers,	Wallin,
Davison,	Kline,	Price,	Walton,
De Long,	Kohl,	Propert,	Waterhouse,
Demech,	Kratz,	Ragot,	Watkins,
Dennison,	Krise,	Readinger,	Watson,
Depuy,	Kurtz,	Reagan,	Weidner,
Dix,	Laughner,	Reese, D. P.,	Weiss,
Dye,	Layer,	Reese, R. E.,	Wescott,
Efenberg,	Lee,	Reilly, J. M.,	West,
Elder,	Leisey,	Reilly, W. J.,	Wheeler,
Erb,	Livingston,	Richter,	Wolf,
Evans,	Livingstone,	Riley,	Wood,
Ewing,	Loftus,	Robbins,	Worley,
Feola,	Lovett,	Robertson,	Yeakel,
Fish,	Lyons,	Root,	Yester,
Fiss,	Madden,	Rose,	Yetzer,
Flack,	Madigan,	Rowen,	Young,
Fleming,	Mazza,	Royer,	Lichtenwalter, Speaker.
Foor	McCormack,	Sarraf,	
Frost,	McCosker,	Sax,	

NAYS—0

NOT VOTING—3

Cooper, Hall, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

THE SPEAKER (Franklin H. Lichtenwalter) IN THE CHAIR

The SPEAKER. The Chair thanks the gentleman from Cambria for his very able presiding over the deliberations of the House.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 954, as follows:

An Act to amend section six hundred four of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L.289) entitled "An act relating to nonprofit corporations defining and providing for the organization merger consolidation and dissolution of such corporations conferring certain rights powers duties and immunities upon them and thier officers and members prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the first class within the provisions of this act prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas prothonotaries of such courts recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" allowing cemetery companies to give notice of meetings by advertising in newspapers and posting of notices

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section six hundred four of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 289) entitled "An act relating to nonprofit corporations defining and providing for the organization merger consolidation and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and members prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the first class within the provisions of this act prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas prothonotaries of such courts recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" is hereby amended to read as follows

Section 604 Notice of Meetings of Members Written notice of every meeting of the members shall be given by or at the direction of the person authorized to call the meeting to each member of record entitled to vote at the meeting at least five days prior to the day named for the meeting unless a greater period of notice is required elsewhere in this act in a particular case Provided That cemetery companies may provide in their by-laws that in lieu of written notice they shall give at least five (5) days' notice of such meeting by advertising once in one newspaper of general circulation within the city borough or township where the cemetery is located and once in the legal journal published in the county if any and by posting a copy of the notice at least five (5) days prior to the day named for such meeting on the cemetery gates In all such cases where cemetery companies provide for notice by publication and posting it shall be unnecessary to give written notice of meetings to members of record entitled to vote at meetings and such notices by advertising and posting shall be effective as actual and not merely constructive notice of meetings When a meeting is adjourned it shall not be necessary to give any notice of the adjourned meeting or of the business to be transacted at an adjourned meeting other than by announcement at the meeting at which such adjournment is taken unless otherwise provided in the by-laws

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Aaronson,	Gallagher,	McCullough,	Scanlon,
Andrews,	Getchey,	McDonald,	Schuster,
Bane,	Gibson,	McKinney,	Scott,
Barrett,	Goff,	McMillen,	Serrill,
Baumunk,	Goodling,	Mihm,	Shoemaker,
Beech,	Gorman,	Mikula,	Simons,
Bender,	Graybill,	Miller,	Smith, C. C.,
Bentzel,	Greenwood,	Mills,	Smith, C. M.,
Bloom,	Greer,	Mintess,	Snider,
Boies,	Griffiths,	Mohr,	Sollenberger,
Bonawitz,	Guthrie,	Mooney,	Sorg,
Boorse,	Gyger,	Moore, C. E.,	Sproul,
Bower,	Haller,	Moore, H. A.,	Stank,
Breisch,	Haudenshield,	Morrison,	Stimmel,
Brice,	Helm,	Murray,	Stockham,
Brown,	Henry,	Myers,	Stonier,
Brunner,	Hewitt,	Najaka,	Stuart,
Bucchin,	Hocker,	Naumann,	Swope,
Cadwalader,	Hoffman,	Needham,	Tahl,
Capano,	Hoopes,	Neff,	Thomassy,
Cassidy,	Horan,	Nelson,	Thompson,
Chervenak,	Imbt,	O'Connor,	Tittle,
Chudoff,	Jennings,	O'Dare,	Tompkins,
Clevenger,	Johnson,	O'Donnell,	Toomey,
Cochran,	Johnston,	O'Neill,	Turner,
Cole,	Jones,	Orban,	Upshur,
Cook,	Jump,	Patten,	Vaughan,
Cordier,	Kean,	Petrosky,	Verona,
Costa,	Kelley,	Pichney,	Wachhaus,
Crowley,	Kemp,	Pickens,	Wagner,
Dague,	Kent,	Polaski,	Waldron,
Dalrymple,	Kirley,	Powers,	Wallin,
Davison,	Kline,	Price,	Walton,
De Long,	Kohl,	Propert,	Waterhouse,
Demech,	Kratz,	Ragot,	Watkins,
Dennison,	Krise,	Readinger,	Watson,
Depuy,	Kurtz,	Reagan,	Weidner,
Dix,	Laughner,	Reese, D. P.,	Weiss,
Dye,	Layer,	Reese, R. E.,	Wescott,
Efenberg,	Lee,	Reilly, J. M.,	West,
Elder,	Leisey,	Reilly, W. J.,	Wheeler,
Erb,	Livingston,	Richter,	Wolf,
Evans,	Livingstone,	Riley,	Wood,
Ewing,	Loftus,	Robbins,	Worley,
Feola,	Lovett,	Robertson,	Yeakel,
Fish,	Lyons,	Root,	Yester,
Fiss,	Madden,	Rose,	Yetzer,
Flack,	Madigan,	Rowen,	Young,
Fleming,	Mazza,	Royer,	Lichtenwalter, Speaker
Foor,	McCormack,	Sarraf,	
Frost,	McCosker,	Sax,	

NAYS—1

NOT VOTING—3

Cooper, Hall, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection

House Bill No. 955, Printer's No. 356,

was passed over at the request of Mr. SORG.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 964, as follows:

An Act to further amend sections thirty-four and thirty-eight of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 869) entitled "An act providing for the organization government discipline maintenance and regulation of the armed land forces of this Commonwealth" changing the basic annual allowance for all troops and decreasing the minimum allowance and providing for expenses of headquarters

The General Assembly of the Comonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections thirty-four and thirty-eight of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 869) entitled "An act providing for the organization government discipline maintenance and regulation of the armed land forces of this Commonwealth" as last amended by the act approved the second day of June one thousand nine hundred thirty-seven (P. L. 1213) are hereby further amended to read as follows

Section 34 Annual appropriations Companies troops batteries detachments or similar organizations of the Pennsylvania National Guard except those of the Air Corps found upon examination of the reports made by an inspecting officer duly detailed for that purpose to be up to the standard requirements in strength discipline and efficiency shall receive in annual allowance the following money per annum which shall be used and expended solely for military purposes and for the use and benefit of the organization For all troops at the rate of ten dollars ($10) per man per year Provided That no company troop battery detachment or similar organization shall receive more than a maximum sum of one thousand dollars ($1,000) per year regradless of the actual strength of the organization and Provided That no company troop battery detachment or similar organization shall receive less than a minimum sum of [three] two hundred dollars per year Such allowances shall be computed by the Adjutant General from the [allotted] actual strength of the unit as of June first of each year Newly organized units shall receive a pro rata share of the above named allowance for the portion of the fiscal year based on the actual strength of the organization at the time of its entrance into the service The said allowances shall be paid in the usual manner on the usual lawful vouchers to that effect certified or approved by the unit and regimental or similar commanders but it shall be the duty of the Adjutant General before paying any of the said allowances to procure by purchase or otherwise and issue for each enlisted man not already provided therewith such articles of uniform supplies and equipment as are required for field service not furnished and paid for out of Federal funds and charge the cost of the same to the said annual allowance and the balance if any to be paid and disbursed as hereinafter provided Provided however That any regiment battalion squadron or company may at its own expense provided itself with other uniforms of such style and pattern as a majority of its officers may select and the Governor as Commander-in-Chief approve which uniform shall be the property of the organization or the individual members thereof No portion of any allowance made by the Commonwealth to any organization shall be expended in procuring such special uniforms or in repairing or caring for the same No part of the annual allowances paid under the provisions of this act to the several organizations of the Pennsylvania National Guard shall be used in the purchase erection or construction of any armory unless the title thereto be vested in the Commonwealth The Adjutant General shall publish to all organizations a list of authorized expenditures and his decision as to whether any item shall be properly chargeable against these funds shall be final

Section 38 Necessary Expenses of Headquarters The necessary military expenses of division brigade regimental and separate battallion or similar headquarters including clerk hire and other actual outlays shall be paid in the usual manner on the usual lawful vouchers to that effect certified or approved by the comanding officer or the officer charged with the payment of the same such annual expenses except as hereinafter provided in no event to exceed [nine thousand dollars ($9,000) for a division headquarters seven thousand dollars ($7000) for an observation squadron one thousand dollars ($1000) fo reach brigade headquarters two thousand dollars ($2000) for each regimental headquarters and one thousand dollars ($1000) for each headquarters of special troops These allowances shall be augmented in the amount of ten thousand dollars per year which sum shall be apportioned by the Adjutant General to the various headquarters in proportion to the distance travelled between the respective headquarters and their subordinate units or between the respective regimental brigade and division headquarters for official attendance at military conferences]

Five thousand dollars ($5000) for a State Staff

Ten thousand dolars ($10,000) for a Division Headquarters

Five thousand dollars ($5000) for an Anti Aircraft Artillery Brigade

Five thousand dollars ($5000) for an Air Wing National Guard

Two thousand dollars ($2000) for a Regimental Headquarters

One thousand dollars ($1000) for a Headquarters 166th Field Artillery Battalion

One thousand dollars ($1000) for a Headquarters Field Artillery Brigade

One thousand dollars ($1000) for a Headquarters of each Separate Battalion

One thousand dolars ($1000) for Headquarters Corps Field Artillery

One thousand dollars ($1000) for Headquarters Cavalry Reconnaissance Squadron

Five hundred dollars ($500) for each Headquarters AA Searchlight Battalion

Two hundred fifty dollars ($250) for each Headquarters Antiaircraft Artillery Group

Two hundred fifty dollars ($250) for Headquarters Aircraft Control and Warning Group

Two hundred fifty dollars ($250) for Headquarters Aircraft Control Squadron

Two hundred fifty dollars ($250) for Headquarters Aircraft Communication Squadron

Two hundred fifty dollars ($250) for Headquarters Light Bombardment Group

Two hundred fifty dollars ($250) for Headquarters Light Bombardment Squadron

Two hundred fifty dollars ($250) for Headquarters Engineer Aviation Battalion

Two hundred fifty dollars ($250) for Headquarters Fighter Group

The Adjutant General shall publish to all organizations a list of authorized expenditures and his decision as to

whether any item shall be properly chargeable against these funds shall be final

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Aaronson,	Gallagher,	McCullough,	Scanlon,
Andrews,	Getchey,	McDonald,	Schuster,
Bane,	Gibson,	McKinney,	Scott,
Barrett,	Goff,	McMillen,	Serrill,
Baumunk,	Goodling,	Mihm,	Shoemaker,
Beech,	Gorman,	Mikula,	Simons,
Bender,	Graybill,	Miller,	Smith, C. C.,
Bentzel,	Greenwood,	Mills,	Smith, C. M.,
Bloom,	Greer,	Mintess,	Snider,
Boies,	Griffiths,	Mohr,	Sollenberger,
Bonawitz,	Guthrie,	Mooney,	Sorg,
Boorse,	Gyger,	Moore, C. E.,	Sproul,
Bower,	Haller,	Moore, H. A.,	Stank,
Breisch,	Haudenshield,	Morrison,	Stimmel,
Brice,	Helm,	Murray,	Stockham,
Brown,	Henry,	Myers,	Stonier,
Brunner,	Hewitt,	Najaka,	Stuart,
Bucchin,	Hocker,	Naumann,	Swope,
Cadwalader,	Hoffman,	Needham,	Tahl,
Capano,	Hoopes,	Neff,	Thomassy,
Cassidy,	Horan,	Nelson,	Thompson,
Chervenak,	Imbt,	O'Connor,	Tittle,
Chudoff,	Jennings,	O'Dare,	Tompkins,
Clevenger,	Johnson,	O'Donnell,	Toomey,
Cochran,	Johnston,	O'Neill,	Turner,
Cole,	Jones,	Orban,	Upshur,
Cook	Jump,	Patten,	Vaughan,
Cordier,	Kean,	Petrosky,	Verona,
Costa,	Kelley,	Pichney,	Wachhaus,
Crowley,	Kemp,	Pickens,	Wagner,
Dague,	Kent,	Polaski,	Waldron,
Dalrymple,	Kirley,	Powers,	Wallin,
Davison,	Kline,	Price,	Walton,
De Long,	Kohl,	Propert,	Waterhouse,
Demech,	Kratz,	Ragot,	Watkins,
Dennison,	Krise,	Readinger,	Watson,
Depuy,	Kurtz,	Reagan,	Weidner,
Dix,	Laughner,	Reese, D. P.,	Weiss,
Dye,	Layer,	Reese, R. E.,	Wescott,
Efenberg,	Lee,	Reilly, J. M.,	West,
Elder,	Leisey,	Reilly, W. J.,	Wheeler,
Erb,	Livingston,	Richter,	Wolf,
Evans,	Livingstone,	Riley,	Wood,
Ewing,	Loftus,	Robbins,	Worley,
Feola,	Lovett,	Robertson,	Yeakel,
Fish,	Lyons,	Root,	Yester,
Fiss,	Madden,	Rose,	Yetzer,
Flack,	Madigan,	Rowen,	Young,
Fleming,	Mazza,	Royer,	Lichtenwalter,
Foor,	McCormack,	Sarraf,	Speaker.
Frost,	McCosker,	Sax,	

NAYS—0

NOT VOTING—3

Cooper,	Hall,	Trout,

The majority required by the Constiution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection

House Bill No. 1020, Printer's No. 339,

was passed over at the request of Mr. WAGNER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1021, as follows:

An Act to further amend section two hundred eleven of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 789) entitled as amended "An act relating to insurance establishing an insurance department and amending revising and consonsolidating the law relating to the licensing qualification regulation examination suspension and dissolution of insurance companies Lloyds associations reciprocal and inter-insurance exchanges and certain societies and orders the examination and regulation of fire insurance rating bureaus and the licensing and regulation of insurance agents and brokers the service of legal process upon foreign insurance companies associations or exchanges providing penalties and repealing existing laws" increasing fees for agents' licenses and imposing a fee for written examinations to applicants for certain licenses

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two hundred eleven of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 789) entitled as amended "An act relating to insurance establishing an insurance department and amending revising and consolidating the law relating to the licensing qualification regulation examination suspension and dissolution of insuranee companies Lloyds associations reciprocal and inter-insurance exchanges and certain societies and orders the examination and regulation of fire insurance rating bureaus and the licensing and regulation of insurance agents and brokers the service of legal process upon foreign insurance companies associations or exchanges providing penalties and repealing existing laws" as last amended by the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 936) is hereby further amended to read as follows

Section 211 Fees The Insurance Commissioner shall charge and collect fees as follows For valuation of lifepolicies not exceeding one cent for each thousand dollars of insurance valued but in no case shall the minimum fee be less than ten dollars ($10) for filing copy of charter twenty-five dollars for the filing annual or other statement twenty dollars for license to company association or exchange or certified copy or duplicate thereof two dollars for license as excess insurance broker one hundred dolars for each written examination of an applicant for license as an agent broker excess insurance broker public adjuster or public adjuster's solicitor five dollars for license as insurance broker ten dollars for individual and twenty-five dollars for each license in the name of a copartnership or corporation including individual licenses for any duly qualified individuals without extra charge for officers or solicitors not exceeding three [for agents' license for each domestic company association and exchange fifty cents] for agents' license for each domestic and foreign company association and exchange two dollars for each copy of any paper filed in the department twenty cents per folio and one dollar for certifying the same for any other certificate required two dollars for making examinations the expense of the examination All fees collected shall be daily covered into the State Treasury

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bil pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Aaronson,	Gallagher,	McCullough,	Scanlon,
Andrews,	Getchey,	McDonald,	Schuster,
Bane,	Gibson,	McKinney,	Scott,
Barrett,	Goff,	McMillen,	Serrill,
Baumunk,	Goodling,	Mihm,	Shoemaker,
Beech,	Gorman,	Mikula,	Simons,
Bender,	Graybill,	Miller,	Smith, C. C.,
Benizel,	Greenwood,	Mills,	Smith, C. M.,
Bloom,	Greer,	Mintess,	Snider,
Boles,	Griffiths,	Mohr,	Sollenberger,
Bonawitz,	Guthrie,	Mooney,	Sorg,
Boorse,	Gyger,	Moore, C. E.,	Sproul,
Bower,	Haller,	Moore, H. A.,	Stank,
Breisch,	Haudenshield,	Morrison,	Stimmel,
Brice,	Helm,	Murray,	Stockham,
Brown,	Henry,	Myers,	Stonier,
Brunner,	Hewitt,	Najeka,	Stuart,
Bucchin,	Hocker,	Naumann,	Swope,
Cadwalader,	Hoffman,	Needham,	Tahl,
Capano,	Hoopes,	Neff,	Thomassy,
Cassidy,	Horan,	Nelson,	Thompson,
Chervenak,	Imbt,	O'Connor,	Tittle,
Chudoff,	Jennings,	O'Dare,	Tompkins,
Clevenger,	Johnson,	O'Donnell,	Toomey,
Cochran,	Johnston,	O'Neill,	Turner,
Cole,	Jones,	Orban,	Upshur,
Cook	Jump,	Patten,	Vaughan,
Cordier,	Kean,	Petrosky,	Verona,
Costa,	Kelley,	Pichney,	Wachhaus,
Crowley,	Kemp,	Pickens,	Wagner,
Dague,	Kent,	Polaski,	Waldron,
Dalrymple,	Kirley,	Powers,	Wallin,
Davison,	Kline,	Price,	Walton,
De Long,	Kohl,	Propert,	Waterhouse,
Demech,	Kratz,	Ragot,	Watkins,
Dennison,	Krise,	Readinger,	Watson,
Depuy,	Kurtz,	Reagan,	Weidner,
Dix,	Laughner,	Reese, D P.,	Weiss,
Dye,	Layer,	Reese, R E.,	Wescott,
Ehrenberg,	Lee,	Reilly, J. M.,	West,
Elder,	Leisey,	Reilly, W. J.,	Wheeler,
Erb,	Livingston,	Richter,	Wolf,
Evans,	Livingstone,	Riley,	W od,
Ewing,	Loftus,	Robbins,	Worley,
Feola,	Lovett,	Robertson,	Yeakel,
Fish,	Lyons,	Root,	Yester,
Fiss,	Madden,	Rose,	Yetzer,
Flack,	Madigan,	Rowen,	Young,
Fleming,	Mazza,	Royer,	Lichtenwalter,
Foor,	McCormack,	Sarraf,	Speaker.
Frost,	McCosker,	Sax,	

NAYS—0

NOT VOTING—3

Cooper,	Hall,	Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection

House Bill No. 1022, Printer's No. 360,

was passed over at the request of Mr. SORG.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1050, as follows:

An Act to protect consumers in the purchase for fuel purpose of the hard coal known as anthracite providing for and regulating the sale offering for sale resale delivery and shipment of anthracite according to a standard provided for in this act requiring producers and dealers and persons engaged in the sale and resale of anthracite from storage yards or otherwise to consumers to keep certain records conferring powers on the Anthracite Committee and its agents and providing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Legislative Purpose Short Title This act is enacted by the General Assembly in the exercise of the police power of the Commonwealth for the protection of consumers and purchasers for resale wherever located in the purchase for fuel purposes of the hard coal known as anthracite. This act shall be known and may be cited as the Anthracite Standards Law

Section 2 Definitions The following words and phrases as used in this act shall be construed to mean

(a) "Anthracite" the hard coal mined in the Commonwealth of Pennsylvania

(b) "Anthracite Committee" the Anthracite Committee of the Department of Commerce of the Commonwealth of Pennsylvania constituted and organized in accordance with the provisions of the Commerce Law approved May 10 1939 (P. L. 111) as amended May 5 1945 (P. L. 432) to administer the Production Control Plan for the Anthracite Industry

(c) "Producer" a person association partnership or corporation or his or its legal representative engaged in operating a preparation plant and in the sale delivery or shipment to market therefrom of anthracite for fuel purposes

(d) "Dealer" a person association partnership or corporation or his or its legal representative purchasing anthracite for resale to consumers for fuel purposes and who maintains a place for the storage of anthracite

(e) "Preparation Plant" a breaker washery or other plant where run-of-mine anthracite from mine and strippings or anthracite from refuse banks is processed by crushing washing screening and the removal of impurities to make the same suitable as a fuel

(f) "Sizes" include the sizes of anthracite commonly known as broken egg stove nut pea buckwheat and rice the sizings for which are set forth in the definition of "Standard Anthracite" "Sizes" does not include and this act shall not be construed to apply to anthracite of smaller sizes than those herein enumerated

(g) "Standard Anthracite" anthracite which does not exceed the following specifications as to undersize and ash or slate and bone content

Size of Anthracite	Test Mesh Round		Undersize Maximum	Ash Content Maximum	Maximum Percentage	
	Though	Over			Slate	Bone
Broken	4⅜"	3¼"-3"	15%	11%	or 1½%	2%
Egg	3¼"-3"	2 7/16"	15%	11%	or 1½%	2%
Stove	2 7/16"	1 5/8"	15%	11%	or 2%	3%
Nut	1 5/8"	13/16"	15%	11%	or 3%	4%
Pea	13/16"	9/16"	15%	12%	or 4%	5%
Buckwheat	9/16"	5/16"	15%	13%		
Rice	5/16"	7/16"	17%	13%		

As to the maximum percentage of undersize and the maximum percentage of ash content a tolerance of 1% shall be allowed When slate content in the sizes from broken to nut inclusive is less than above standards bone content may be increased by one and one-half times the decrease in the slate content under the allowable limits but slate content specified above shall not be exceeded in any event The maximum percentage of undersize shall be applicable only to anthracite as it is produced at the preparation plant Anthracite which conforms to the sizing herein fixed and conforms also to either the specification for ash content or the specification for slate and bone content shall be deemed to be "Standard Anthracite"

(h) "Ash Content" the percentage which the weight of the ash from anthracite resulting from burning bears to the weight of the anthracite before burning after the anthracite has been dried for one hour at 105 degrees centigrade

(i) "Slate" any material which has less than 40% of fixed carbon

(j) "Bone" any material which has 40% or more but less than 75% of fixed carbon

Section 3 Statements by Producers as to Quality of Anthracite Every producer may issue with each sale and delivery at railroad car or motor vehicle snipment of anthracite from his preparation plant to the operator of the vehicle or to the dealer or person to whom delivery is made or to be made a written or printed statement attesting that the anthracite so sold delivered or shipped is "Standard Anthracite" if such anthracite conforms to the standard provided for in this act Such statement may be shown on the weighmaster's certificate if the certificate issues at the preparation plant otherwise a separate statement may issue

In the case of anthracite hauled from a preparation plant directly to the consumer if a statement is issued by the producer that the anthracite sold and delivered is standard anthracite it shall be the duty of the operator of the motor vehicle to deliver such producer's statement to the consumer at the time the anthracite is delivered to him In all other cases it shall be delivered to the dealer or person to whom delivery or shipment of the anthracite is made

It shall be unlawful for an operator of a motor vehicle to fail to deliver any such producer's statement to the consumer or to deliver any substituted or forged statement to a consumer

Section 4 Statements by Dealers and Others As to Qualify of Anthracite Unlawful Acts Any dealer operating a place of storage or person hauling anthracite direct from a railroad car to a consumer who has had issued to him by a producer a statement attesting that anthracite purchased by him is standard anthracite may in the resale of such anthracite so purchased issue on the weighmaster's certificate a written or printed statement and deliver the same to the consumer attesting that the anthracite so sold is standard anthracite in so far as concerns the ash or slate and bone content thereof

It is unlawful for any dealer or his or its agent or employee to mix for sale or resale purposes in or at his place of storage or elsewhere anthracite attested by the producer by written or printed statement to be standard anthracite with another anthracite of the same or different size as to which no such producer's statement has been issued or to issue any statement attesting that anthracite as to which no such producer's statement was issued in standard anthracite

A dealer or a person engaged in hauling anthracite from a railroad car direct to the consumer who has preserved his records as required by this act and who has not been guilty of making mixtures prohibited by this act shall be entitled to rely upon the statement issued to him by a producer and shall not be subject to prosecution under this act for issuing a statement in accordance with the statement issued to him by the producer for the particular anthracite purchased by him under such statement

Section 5 Contents of Statements Statements issued by producers dealers and persons hauling anthracite from a railroad car direct to the consumer attesting that anthracite being sold resold delivered shipped or marketed is standard anthracite shall set forth in ink or indelible pencil the date of the sale resale or shipment of the antracite to whom sol ddelivered or shipped and the size of the anthracite Each statement shall have thereon the signature of the producer dealer or other person which may be a facsimile signature

Section 6 Preservation of Records It shall be the duty of every producer to keep a record of all sales deliveries and shipments of anthracite as to which statements were issued attesting such anthracite to be standard anthracite showing the name of the person to whom sold or delivered the date thereof the weight and the paint of edlivery

It shall be the duty of every dealer and of every person engaged in hauling anthracite from a railroad car direct to a consumer to keep a record of all statements issued to him by producers of anthracite attesting that the anthracite sold shipped or marketed was standard anthracite and also a duplicate record of the weighmaster's certificate issued by the dealer or other person for anthracite sold or resold and delivered to consumers attesting the same to be standard anthracite

All such records shall be preserved for a period of two years and shall be open to inspection by the agents of the Commonwealth and of the Anthracite Committee during business hours

Section 7 Powers of Agents of Anthracite Committee Any agent of the Anthracite Committee shall have full access to every preparation plant and premises of a producer and the storage yard and premises of every dealer and to any railroad car or motor vehicle transporting anthracite wherever the same may be and shall have the legal right to take samples of anthracite thereat or therefrom for the purpose of testing the same upon paying or tendering where demanded the value of the sample so taken They shall have the right to inspect the books and records of every producer and dealer relating to the sale resale shipment and delivery of anthracite as standard anthracite Such agents shall make report of all inspections to the Anthracite Committee which shall be open to public inspection

Section 8 Penalty Any producer dealer or other person who shall issue any written or printed statement attesting that anthracite sold or resold shipped delivered or mraketed by him is standard anthracite when the same does not conform to the standard fixed by this act or who shall sell resell ship deliver or market anthracite as grade A or premium anthracite or use any other similar designation leading or tending to lead the public to believe that the anthracite being sold resold shipped delivered or marketed is standard anthracite or who shall otherwise violate any of the provisions of this act shall upon conviction thereof in a summary proceeding be sentenced for a first offense to pay a fine of not more than $300 and in default of the payment of such fine and costs of prosecution shall be imprisoned for not less than 10 days or more than 20 days

Any producer leader or other person guilty of a second or subsequent violation of this act shall be guilty of a misdemeanor and upon conviction thereof the producer dealer person or the member or officer of any association partnership or corporation responsible for such violation shall upon conviction thereof be sentenced to pay a fine of not more than $1000 or suffer imprisonment for not more than 6 months or both in the discretion of the court

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Aaronson,	Gallagher,	McCullough,	Scanlon,
Andrews,	Getchey,	McDonald,	Schuster,
Bane,	Gibson,	McKinney,	Scott,
Barrett,	Goff,	McMillen,	Serrill,
Baumunk,	Goodling,	Mihm,	Shoemaker,
Beech,	Gorman,	Mikula,	Simone,
Bender,	Graybill,	Miller,	Smith, C. C.,
Bentzel,	Greenwood,	Mills,	Smith, C. M.,
Bloom,	Greer,	Mintess,	Snider,
Boies,	Griffiths,	Mohr,	Sollenberger,
Bonawitz,	Guthrie,	Mooney,	Sorg,
Boorse,	Gyger,	Moore, C. E.,	Sproul,
Bower,	Haller,	Moore, H. A.,	Stank,
Breisch,	Haudenshield,	Morrison,	Stimmel,
Brice,	Helm,	Murray,	Stockham,
Brown,	Henry,	Myers,	Stonier,
Brunner,	Hewitt,	Najaka,	Stuart,
Bucchin,	Hocker,	Naumann,	Swope,
Cadwalader,	Hoffman,	Needham,	Tahl,
Capano,	Hoopes,	Neff,	Thomas,
Cassidy,	Horan,	Nelson,	Thompson,

Chervenak,	Imbt,	O'Connor,	Tittle,
Chudoff.	Jennings,	O'Dare,	Tompkins,
Clevenger,	Johnson,	O'Donnell,	Toomey,
Cochran,	Johnston,	O'Neill,	Turner,
Cole,	Jones,	Orban,	Upshur,
Cook.	Jump,	Patten,	Vaughan,
Cordier,	Kean,	Petrosky,	Verona.
Costa,	Kelley,	Pichney,	Wachhaus,
Crowley,	Kemp,	Pickens,	Wagner,
Dague,	Kent,	Polaski,	Waldron,
Dalrymple,	Kirley,	Powers,	Wallin,
Davison,	Kline,	Price,	Walton,
De Long,	Kohl,	Propert,	Waterhouse,
Demech,	Kratz,	Ragot,	Watkins,
Dennison,	Krise,	Readinger,	Watson,
Depuy,	Kurtz,	Reagan,	Weidner,
Dix,	Laughner,	Reese, D. P.,	Weiss,
Dye,	Layer,	Reese, R. E.,	Wescott,
Efenberg,	Lee,	Reilly, J. M.,	West,
Elder.	Leisey,	Reilly, W. J.,	Wheeler,
Erb,	Livingston,	Richter,	Wolf,
Evans,	Livingstone,	Riley,	Wood,
Ewing,	Loftus,	Robbins,	Worley,
Feola,	Lovett,	Robertson,	Yeakel,
Fish,	Lyons,	Root,	Yester.
Fiss.	Madden,	Rose,	Yetzer,
Flack,	Madigan,	Rowen,	Young,
Fleming,	Mazza,	Royer,	Lichtenwalter,
Foor.	McCormack,	Sarraf,	Speaker.
Frost,	McCosker,	Sax,	

NAYS—0

NOT VOTING—3

Cooper,	Hall,	Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1067, as follows:

An Act to amend section one thousand two hundred six of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by further providing for leaves of absence of professional employes because of illness or physical disability

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one thousand two hundred six of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as last amended by the act approved the twentieth day of May one thousand nine hundred twenty-one (P. L. 1012) is hereby further amended to read as follows

Section 1206 When a board of school directors is compelled to close any school or schools on account of contagious disease the destruction or damage of the school building by fire or other causes the school district shall be liable for the salaries of the teachers of said school or schools for the terms for which they were engaged Whenever a teacher is prevented from following his or her occupation as a teacher during any period of the school term for any of the reasons in this section specified the school district shall be liable for the salary of such teacher for such period at the rate of compensation stipulated in the contract between the district and the teacher in addition to the time actually occupied in teaching by such teacher

Whenever a teacher is prevented by sickness or some other unavoidable circumstance from following his or her occupation the school district may at the discretion of the directors make such payments of compensation during the period of absence from duty as the exigencies of the case may seem to warrant Provided That in the case of sickness no payments shall be made unless such teacher shall have furnished to the board of school directors a certificate from a physician stating the nature of the sickness and certifying that he or she was unable to perform duties as a teacher

No professional employe who is absent from duty because of illness or physical disability shall be dismissed nor shall the contract of any such professional employe be terminated because of said illness or physical disability providing such balance from duty does not exceed a period of one calendar year from the first day of absence

[All contracts with teachers shall hereafter contain a covenant providing for their payment in cases arising under the circumstances described in this section and at the same rate as is specified for the time actually engaged in teaching]

[Payments of salaries heretofore or hereafter made for the school year ending June thirtieth one thousand nine hundred and nineteen or any portion thereof in conformity with the provisions of this act are hereby declared to be valid and effectual in law and binding upon the school district]

Section 2 The provisions of this act are severable and if any of its provisions shall be held unconstitutional the decision of the court shall not affect or impair any of the remaining provisions of this act It is hereby declared to be the legislative intent that this act would have been adopted had such unconstitutional provisions not been included herein

Section 3 This act shall become effective on the first Monday of July one thousand nine hundred forty-seven

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Aaronson,	Gallagher,	McCullough,	Scanlon,
Andrews,	Getchey,	McDonald,	Schuster,
Bane,	Gibson,	McKinney,	Scott,
Barrett.	Goff,	McMillen,	Serrill.
Baumunk,	Goodling,	Mihm,	Shoemaker,
Beech,	Gorman,	Mikula,	Simons,
Bender,	Graybill,	Miller,	Smith, C. C.,
Bentzel,	Greenwood,	Mills,	Smith, C. M.,
Bloom,	Greer,	Mintess,	Snider,
Boles,	Griffiths,	Mohr,	Sollenberger,
Bonawitz,	Guthrie,	Mooney,	Sorg,
Boorse,	Gyger,	Moore, C. E.,	Sproul,
Bower,	Haller,	Moore, H. A.,	Stank,
Breisch,	Haudenshield,	Morrison,	Stimmel,
Brice,	Helm,	Murray,	Stockham,
Brown,	Henry,	Myers,	Stonier,
Brunner,	Hewitt,	Najaka,	Stuart,
Bucchin,	Hocker,	Naumann,	Swope,
Cadwalader,	Hoffman,	Needham,	Tahl,
Capano,	Hoopes,	Neff,	Thomassy,
Cassidy,	Horan,	Nelson,	Thompson,
Chervenak,	Imbt,	O'Connor,	Tittle,
Chudoff.	Jennings,	O'Dare,	Tompkins,
Clevenger,	Johnson,	O'Donnell,	Toomey,
Cochran,	Johnston,	O'Neill,	Turner,
Cole,	Jones,	Orban,	Upshur,

Cook,	Jump,	Patten,	Vaughan,
Cordier,	Kean,	Petrosky,	Verona,
Costa,	Kelley,	Pichney,	Wachhaus,
Crowley,	Kemp,	Pickens,	Wagner,
Dague,	Kent,	Polaski,	Waldron,
Dalrymple,	Kirley,	Powers,	Wallin,
Davison,	Kline,	Price,	Walton,
De Long,	Kohl,	Propert,	Waterhouse,
Demech,	Kratz,	Ragot,	Watkins,
Dennison,	Krise,	Readinger,	Watson,
Depuy,	Kurtz,	Reagan,	Weidner,
Dix,	Laughner,	Reese, D P.,	Weiss,
Dye,	Layer,	Reese, R E.,	Wescott,
Efenberg,	Lee,	Reilly, J. M.,	West,
Elder,	Leisey,	Reilly, W. J.,	Wheeler,
Erb,	Livingston,	Richter,	Wolf,
Evans,	Livingstone,	Riley,	Wood,
Ewing,	Loftus,	Robbins,	Worley,
Feola,	Lovett,	Robertson,	Yeakel,
Fish,	Lyons,	Rose,	Yester,
Fiss,	Madden,	Root,	Yetzer,
Flack,	Madigan,	Rowen,	Young,
Fleming	Mazza,	Royer,	Lichtenwalter,
Foor,	McCormack,	Sarraf,	Speaker,
Frost,	McCosker,	Sax,	

NAYS—0

NOT VOTING—3

Cooper,	Hall,	Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS PASSED OVER

There being no objection

House Bill No. 1090, Printer's No. 407 and

House Bill No. 1122, Printer's No. 369.

passed over at the request of the SPEAKER.

There being no objection

House Bill No. 1209, Printer's No. 372.

was passed over at the request of Mrs. DYE.

There being no objection

Senate Bill No. 38, Printer's No. 145,

passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 360, as follows:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to convey to the Borough of Bristol certain real property located in said Borough

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Department of Property and Supplies with the approval of the Governor is hereby specifically authorized and empowered on behalf of the Commonwealth of Pennsylvania to grant and convey to the Borough of Bristol all those certain parcels of land situate in the said Borough of Bristol County of Bucks Commonwealth of Pennsylvania consisting of two tracts more fully described in accordance with a survey thereof dated July 28 1944 made by C Howard Hazard Registered Pennsylvania Surveyor as follows

Tract No 1 Beginning at a stone monument a corner of land now or late of the Dorrance Estate and land of the Borough of Bristol said beginning point being also the beginning point of a parcel of land conveyed to the said Borough of Bristol by a deed from Otto Haas and Phoebe W his wife dated the sixteenth day of August A D 1935 and recorded in the Office for the Recording of Deed &c in and for the said County of Bucks at Doylestown Pennsylvania in Deed Book No 624 page 194 &c thence extending from said beginning point along said lands now or late of the Dorrance Estate the four next following courses and distances to wit N 50° 00′ 30″ W 170.00 feet to a slate monument in the lane entrance to the lock house S 38° 58′ 30″ W 160.00 feet to a slate stone monument N 55° 31′ 30″ W 57 feet to a broken slate stone N 30° 58′ 30″ E 137 feet to a point a corner of the old lock house lot thence crossing the canal N 60° 17′ E 57.86 feet to a post by the northerly side of the canal thence along the northerly side of lock No 1 S 70° 44′ 30″ E 144.40 feet to a slate stone monument thence N 51° 52′ 30″ E 135.20 feet to a corner of the old Grist Mill thence S 34° 34′ E 57 feet to a stone monument thence N 61° 43′ E 21 feet to a stone monument thence S 45° 53′ 30″ E 484.44 feet passing over a stone monument at the easterly side of Wood Street to an iron rod set for a corner of lot now or late of C W Winters thence along the same N 41° 23′ 30″ E 43.60 feet to a point thence S 53° 15′ 00″ E 65.20 feet to a point thence N 44° 16′ 30″ E 18.00 feet to a stone monument thence S 50° 43′ 30″ E 366.00 feet to a pipe thence N 57° 07′ 00″ E 29.71 feet to a point thence N 65° 25′ 10″ E 112.25 feet to a point thence N 53° 10′ 50″ E 56.40 feet to a stone monument in the southwesterly side of Mill Street thence along the said southwesterly line of Mill Street S 40° 35′ 10″ E 110.92 feet to a stone monument in the bulkhead along the westerly side of the Delaware River thence down the Delaware River along the outer side of said bulkhead the five next following courses and distances to wit S 38° 22′ 30″ W 63.59 feet to a point S 51° 44′ 30″ E 74.00 feet to a point S 40° 53′ 30″ W 114.77 feet to a point N 52° 00′ W 70.30 feet to a point S 39° 54′ 30″ W 376.50 feet to the end of the bulkhead thence crossing the old canal entrance to the tide lock S 70° 24′ 30″ W 84.63 feet to a stone monument set for a corner of lands of Rohm and Haas Company thence along the same N 36° 21′ 30° W 417.00 feet to a stone monument at an angle thence still along the same and land conveyed to the Borough of Bristol by the aforesaid deed recorded in Deed Book No 642 Page 194 N 38° 43′ 30″ W 643.80 feet to the stone monument the first mentioned point and place of beginning

Containing 9.55 acres be the same more or less

Tract No 2 Beginning at a stone monument in the corner of the Bristol Borough Pumping Station property on the westerly bank of the canal thence crossing the said canal S 64° 28′ E 97.50 feet to a spike in the towing path of the canal thence S 17° 13′ 30″ E 138.00 feet to a post by the northerly side of the canal thence crossing the canal S 60° 17′ W 57.86 feet to a point a corner of the old Lock House lot thence along lands now or late of the Dorrance Estate N 73° 46′ 30″ W 142.85 feet to an iron pipe in line of Bristol Borough Pumping Station property thence along the same N 13° 07′ 30″ E 141.30 feet to a stone monument thence N 46° 38′ 30″ E 36.4 feet to a stone monument the first mentioned point and place of beginning

Containing 0.57 acre be the same more or less

Being a part of the same premises which were acquired under the authority of the Act approved the twenty-first day of June one thousand nine hundred thirty-nine (P. L. 622) for State park purposes by the Commonwealth as a gift from The Delaware Division Canal Co of Penna by deed dated October 31 1940 and recorded on January 21 1941 in the Office for the Recording of Deeds etc of Bucks County in Deed Book No 692 page 496 etc said deed being now on file in the Office of the Secretary of Internal Affairs

Section 2 The grant or conveyance herein authorized is made notwithstanding the fact that the authority for taking was for State park purposes in consideration nevertheless of the Borough of Bristol perpetually maintaining the said tracts of land only for a park and parking facilities connected therewith Said grant or conveyance shall be effected by execution of a deed in regular form from the Commonwealth executed and delivered by the Secretary of

Property and Supplies in the name of the Commonwealth of Pennsylvania to the Borough of Bristol

Section 3 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Aaronson,	Gallagher,	McCullough,	Scanlon,
Andrews,	Getchey,	McDonald,	Schuster,
Bane,	Gibson,	McKinney,	Scott,
Barrett,	Goff,	McMillen,	Serrill,
Baumunk,	Goodling,	Mihm,	Shoemaker,
Beech,	Gorman,	Mikula,	Simons,
Bender,	Graybill,	Miller,	Smith, C. C.,
Bentzel,	Greenwood,	Mills,	Smith, C. M.,
Bloom,	Greer,	Mintess,	Snider,
Boies,	Griffiths,	Mohr,	Sollenberger,
Bonawitz,	Guthrie,	Mooney,	Sorg,
Boorse,	Gyger,	Moore, C. E.,	Sproul,
Bower,	Haller,	Moore, H. A.,	Stank,
Breisch,	Haudenshield,	Morrison,	Stimmel,
Brice,	Helm,	Murray,	Stockham,
Brown,	Henry,	Myers,	Stonier,
Brunner,	Hewitt,	Najaka,	Stuart,
Bucchin,	Hocker,	Naumann,	Swope,
Cadwalader,	Hoffman,	Needham,	Tahl,
Capano,	Hoopes,	Neff,	Thomassy,
Cassidy,	Horan,	Nelson,	Thompson,
Chervenak,	Imbt,	O'Connor,	Tittle,
Chudoff,	Jennings,	O'Dare,	Tompkins,
Clevenger,	Johnson,	O'Donnell,	Toomey,
Cochran,	Johnston,	O'Neill,	Turner,
Cole,	Jones,	Orban,	Upshur,
Cook,	Jump,	Patten,	Vaughan,
Cordier,	Kean,	Petrosky,	Verona,
Costa,	Kelley,	Pichney,	Wachhaus,
Crowley,	Kemp,	Pickens,	Wagner,
Dague,	Kent,	Polaski,	Waldron,
Dalrymple,	Kirley,	Powers,	Wallin,
Davison,	Kline,	Price,	Walton,
De Long,	Kohl,	Propert,	Waterhouse,
Demech,	Kratz,	Ragot,	Watkins,
Dennison,	Krise,	Readinger,	Watson,
Depuy,	Kurtz,	Reagan,	Weidner,
Dix,	Laughner,	Reese, D. P.,	Weiss,
Dye,	Layer,	Reese, R. E.,	Wescott,
Efenberg,	Lee,	Reilly, J. M.,	West,
Elder,	Leisey,	Reilly, W. J.,	Wheeler,
Erb,	Livingston,	Richter,	Wolf,
Evans,	Livingstone,	Riley,	Wood,
Ewing,	Loftus,	Robbins,	Worley,
Feola,	Lovett,	Robertson,	Yeakel,
Fish,	Lyons,	Root,	Yester,
Fiss,	Madden,	Rose,	Yetzer,
Flack,	Madigan,	Rowen,	Young,
Fleming,	Mazza,	Royer,	Lightenwalter, Speaker.
Foor,	McCormack,	Sarraf,	
Frost,	McCosker,	Sax,	

NAYS—0

NOT VOTING—3

Cooper,	Hall,	Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

REPUBLICAN CAUCUS

The SPEAKER. The Chair wishes to announce that there will be a Republican Caucus in the New House Caucus Room immediately upon adjournment. It is very important, all Republican Members take note.

QUESTION OF INFORMATION

Mr. CHUDOFF. Mr. Speaker, I rise to a question of information.

The SPEAKER. The gentleman from Philadelphia will state it.

Mr. CHUDOFF. Mr. Speaker, the Chair having announced a Republican Caucus after the Session, does that mean that the meeting of the Committee on Judiciary will be postponed?

The SPEAKER. The Chair thanks the gentleman for calling that matter to his attention. The Chair will confer with the Chairman of the Judiciary Committee.

FORMER MEMBERS WELCOMED

The SPEAKER. The Chair is very pleased this afternoon to welcome a former Member of the House from Philadelphia, Mr. Skale.

The Chair also welcomes another former Member from Philadelphia, Mr. Ominsky.

The Chair welcomes another former Member of the House, the gentleman from Blair, Mr. Brumbaugh.

PERMISSION GRANTED COMMITTEES TO MEET DURING SESSION

Mr. McKINNEY asked and obtained permission for the Committee on Judiciary to meet during the session of the House.

Mr. FLEMING asked and obtained permission for the Committee on Cities and County—Second Class to meet during the session of the House.

REPORTS FROM COMMITTEES

Mr. O'NEILL from the Committee on Appropriations, reported as committed, House Bill No. 932, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor and the Board of Trustees of the Harrisburg State Hospital, to acquire by purchase or condemnation proceedings certain tracts of land for the use of said hospital; and making an appropriation therefor.

Mr. ELDER from the Committee on Boroughs, reported as committed, House Bill No. 958, entitled:

An Act to amend the act, approved the twenty-sixth day of April, one thousand nine hundred twenty-nine (P. L. 823), entitled "An act permitting boroughs to provide a method of assessment for borough taxes," by changing the method of compensation and designating the borough council as the board of revision, and providing that any tax levied for any borough purpose shall be based on the assessments hereunder, and prohibiting the use of borough assessment under this act, for county purposes.

Mr. RAGOT from the Committee on Elections and Apportionment, reported as committed, House Bill No. 1298, entitled:

An Act to amend subsection (a) of section thirtv of the act, approved the twenty-fifth day of May, one thousand nine hundred thirty-seven (P. L. 814), entitled "An act to provide for the permanent personal registration of electors in cities of the second class as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; and imposing penalties," providing that reports of nonresidents' deaths be made to the registration commission of the county or city in which they resided.

RESOLUTION No. 39

Mr. WEST. Mr. Speaker, I desire to call up at this time Resolution No. 39, Printer's No. 326, on page 18 of Today's calendar.

The resolution was read, considered and adopted as follows:

In the House of Representatives, April 10, 1947.

Whereas, The Colonel Joseph H Thompson Post Beaver Falls American Legion Basketball Team has won the State Championship of the American Legion Basketball Tournament by reason of their superior skill and able coaching therefore be it

Resolved That the House of Representatives extend to the Beaver Falls Post of the American Legion its team coaches and managers its hearty congratulations on the success already achieved by their combined efforts and its wishes for continued success in the future and be it further

Resolved That in token of the feelings of the Members of the House of Representatives the Chief Clerk of the House of Representatives is hereby directed to transmit a copy of this resolution to the Commander of the Beaver Falls American Legion Beaver Falls Pennsylvania

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicity read as follows:

HOUSE BILL No. 462.

An Act relating to Federal aid to political subdivision or municipality authority for the development of public airports

HOUSE BILL No. 532.

An Act regulating the sale and resale for profit and the carrying on of the business of selling or reselling tickets or other devices for admission to places of amusement providing for the licensing of persons reselling such tickets for profit providing for the suspension and revocation of such licenses imposing duties on licensees and owners or operators of places of amusement imposing powers and duties on the Department of Revenue county treasurers district attorneys and the receiver of taxes and city solicitors in cities of the first class making disposition of moneys collected and providing penalties

SENATE BILL No. 244.

An Act providing for the establishment of temporary college centers in cooperation with certain accredited colleges and universities to meet certain educational needs of veterans and others creating the Area College Center Commission a temporary departmental administrative commission in the Department of Public Instruction and defining its powers and duties providing for the creation of certain local committees and defining their powers and duties and making certain appropriations

SENATE BILL No. 245.

An Act making certain appropriations to the Department of Public Instruction for the payment of the cost of conducting certain college courses and classes for the fiscal biennium ending May thirty-first one thousand nine hundred forty-seven

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

RESOLUTION No. 43

Mr. HELM. Mr. Speaker, I desire to call up at this time Resolution No. 43, Printer's No. 413, on page 18 of today's calendar.

The resolution was read, considered and adopted as follows:

In the House of Representatives, April 17, 1947.

Whereas The dictates of common sense require and experience has proven that where large numbers of persons are in daily attendance within a given area first-aid facilities for the treatment and comfort to persons suffering minor accidents or illness should be maintained and

Whereas Hundreds of persons particularly during the legislative sessions are in daily attendance in the capitol biuldings as visitors interested parties and guests and

Whereas Frequently among such persons there are those who meet with a minor accident or suffer an illness and no facilities presently exist where such persons may seek emergency aid or comfort therefore be it

Resolved (if the Senate concur) That the Department of Property and Supplies be directed to establish and maintain at a central location in the main capitol building a first-aid room with adequate first-aid equipment supplies and comfort facilities and that during the sessions of the General Assembly the services of a registered nurse in daily attendance be supplied

Ordered, That the Clerk present the same to the Senate for concurrence.

PICTURES OF STATE COLLEGE

The SPEAKER. The Chair announces that a moving picture entitled "Pennsylvania State College" will be shown in the Old House Caucus Room before the Members of the House. These pictures will be run a number of times for the benefit of the Members who are interested in them. The Minority Members can go there immediately after adjournment; the Republican Members after the Caucus, if they so desire, can go to the old House Caucus Room and witness the picture "Pennsylvania State College."

COMMITTEE MEETINGS

City and County—First Class, Room No. 521, Wednesday, April 23, 1947, at 12 o'clock noon.

Education, Room No. 324, Wednesday, April 23, 1947, at 10 a. m.

Municipal Corporations, Room No. 521, Wednesday, April 23, 1947, at 9:30 a. m., at breakfast in the Capitol Building Cafeteria.

Welfare, Room No. 330, Wednesday, April 23, 1947, at 10:30 a. m.

ADJOURNMENT

Mr. WHEELER. Mr. Speaker, I move that this House do now adjourn until Wednesday, April 23, 1947 at 1:00 p. m.

The motion was agreed to, and (at 3:10 p. m.) the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1947. 137th of the General Assembly.

Vol. 30. HARRISBURG, PA., WEDNESDAY, APRIL 23, 1947. No. 44.

SENATE

WEDNESDAY, April 23, 1947

The Senate met at 2:00 o'clock, p. m., Eastern Standard Time.

The PRESIDENT pro tempore (M. Harvey Taylor) in the Chair.

PRAYER

The PRESIDENT pro tempore. In the absence of the Chaplain, today's session will be opened with prayer by the Reverend George E. Johnson, Pastor of the Reverend Benjamin F. Stevens Memorial Methodist Church, of Harrisburg.

REVEREND JOHNSON. Our Heavenly Father, we reverently pause in Thy presence, with gratitude in our hearts for the many evidences of Thy loving kindness and tender mercies all around us. We are grateful for the high privilege of living and serving in an age of obvious needs. Help us to sense our personal and individual responsibility as law-maker and citizen, that we may give a good account of our stewardship. Give us convictions that are born of the heart, and seasoned with reason and justice, tempered with kindness and mercy, that we may not fail man nor God. Give us a sense of high courage to stand for that which is right, as Thou dost lead us to see the right. May our faith in God be unfaltering. May our lives find their supreme example in Him who is himself "The Way, The Truth, and The Life," and who has promised the abundance of life to those who put their trust in Him.

May Thy Blessing rest upon this Commonwealth, the Governor, this Senate, and all who share authority and responsibility with him, upon our Nation and the nations of the world, that together we may forge an enduring peace and prosperity for all peoples, with the mercy and justice of Our Lord at its heart. All of which we ask in His name. Amen!

JOURNAL APPROVED

The PRESIDENT pro tempore. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. TALLMAN and Mr. HEYBURN, further reading was dispensed with, and the Journal was approved.

The PRESIDENT pro tempore. At this time the Chair calls to the rostrum the gentleman from Allegheny, Mr. Walker, to preside.

The PRESIDING OFFICER (John M. Walker) in the Chair.

LEAVES OF ABSENCE

Mr. Becker asked and obtained leave of absence for Mr. WADE, for today and tomorrow, on account of a death in his organization.

Mr. Kephart asked and obtained leave of absence for Mr. FRAZIER.

MEMBERS OF SHADE TOWNSHIP SENIOR HIGH SCHOOL CLASS INTRODUCED TO THE SENATE

Mr. HARE. Mr. President and members of the Senate, I should like to call to attention of the members of the Senate some of the products of Somerset County, one of the three outstanding counties in the state of Pennsylvania.

We have present with us this afternoon ninety members of the Shade Township Senior High School Class. They are present in the gallery and are led by their instructress, Miss Mauer, Professor Danko and Professor Swartzwelder.

The PRESIDING OFFICER. On behalf of the Senate, the Chair welcomes to this session of the Senate the students of the Shade Township High School of Somerset county and trusts their visit to the Senate will not only be informative but entertaining.

MEMBERS OF GAMMA DELPHIAN SOCIETY OF ALLENTOWN INTRODUCED TO SENATE

Mr. TALLMAN. Mr. President, I take very great pleasure in presenting to the Senate this afternoon this very lovely-looking group of ladies on the right, who are members of Gamma Delphian Society of Allentown and are here under the direction of their Presiednt, Mrs. Russell Stein.

The PRESIDING OFFICER. The Chair welcomes to this session of the Senate the group of very lovely ladies from Senator Tallman's home county.

LABOR GROUP INTRODUCED TO SENATE

Mr. HALUSKA. Mr. President, I take great pleasure in presenting to this body a group of gentlemen representing labor, who are here to oppose the anti-labor bills now in the Senate.

The PRESIDING OFFICER. The Chair, on behalf of the Senate, welcomes to the Senate the gentlemen who are here to express their opinions on legislation now pending before this body.

MEMBERS OF UPPER LEACOCK HIGH SCHOOL, LEOLA, PA., INTRODUCED TO THE SENATE

Mr. HOMSHER. Mr. President, we have with us this afternoon in the gallery the Senior Class of the Upper Leacock High School, from Leola, Lancaster County, a very fine group of boys and girls.

The PRESIDING OFFICER. On behalf of the Senate the Chair welcomes to this session of the Senate the students from the Upper Leacock High School.

HOUSE MESSAGES

HOUSE CONCURRENT RESOLUTION

The Clerk of the House of Representatives being introduced, presented an extract from the Journal of the House of Representatives which was twice read as follows and referred to the Committee on Public Health and Welfare:

DEPARTMENT, PROPERTY AND SUPPLIES TO MAINTAIN FIRST-AID ROOM IN MAIN CAPITOL BUILDING

In the House of Representatives, April 17, 1947.

Whereas, The dictates of common sense require, and experience has proven, that where large numbers of persons are in daily attendance within a given area, first-aid facilities for the treatment and comfort of persons suffering minor accidents or illness should be maintained; and

Whereas, Hundreds of persons, particularly during the legislative sessions, are in daily attendance in the capitol buildings as visitors, interested parties and guests; and

Whereas, Frequently among such persons there are those who meet with a minor accident or suffer an illness, and no facilities presently exist where such persons may seek emergency aid or comfort, therefore be it

Resolved (if the Senate concur), That the Department of Property and Supplies be directed to establish and maintain at a central location in the main capitol building a first-aid room with adequate first-aid equipment, supplies and comfort facilities, and that during the sessions of the General Assembly the services of a registered nurse in daily attendance be supplied.

SENATE BILL No. 360 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 360, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor, to convey to the Borough of Bristol certain real property located in said Borough.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDING OFFICER. The bill will as amended, appear on tomorrow's Calendar.

HOUSE BILLS FOR CONCURRENCE

He also presented for concurrence bills of the House, as follows:

House Bill No. 364, entitled:

An Act to further amend subsection (a) of section two hundred ten of the act approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "Administrative Code of 1929," increasing the salary of the Commissioner of Fisheries.

Which was committed to the Committee on State Government.

House Bill No. 586, entitled:

An Act relating to the public practice of certified public accountants; providing for the certification of persons desiring to practice, and the listing of persons engaged in practicing, as certified public accountants; and for the suspension and revocation of such certificates, subject to appeal, and for their reinstatement; prescribing the powers and duties of the State Board of Examiners of Public Accountants and the Department of Public Instruction; providing for ownership of working papers; defining unlawful acts and acts not unlawful; providing penalties; and repealing existing laws.

Which was committed to the Committee on Finance.

House Bill No. 652, entitled:

An Act to amend sub-section (g) of section nine hundred forty-two and clause (f) of section nine hundred forty-three of Article IX of the act approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "The Game Law," by regulating the use of posters comparable to those used by the Game Commission, and providing penalties.

Which was committed to the Committee on Forests and Waters, Game and Fish.

House Bill No. 670, entitled:

An Act to amend section four hundred two of the act approved the twenty-fifth day of June, one thousand nine hundred forty-one, (P. L. 159), entitled "Municipal Borrowing Law," providing that in certain cases moneys assessed and collected from property owners adjoining or abutting improvements, may be paid into a revolving fund and not in the sinking fund.

Which was committed to the Committee on Local Government.

House Bill No. 825, entitled:

An Act to further amend the act, approved the twenty-fourth day of July, one thousand nine hundred thirteen (P. L. 965), entitled "Commodities Weight and Measure Law" by further providing penalties for violations thereof.

Which was committed to the Committee on Local Government.

House Bill No. 850, entitled:

An Act to further amend paragraph six of section one of the act approved the tweny-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "State Employes Retirement Law," by further defining State employe to include certain employes of the Department of Highways.

Which was committed to the Committee on State Government.

House Bill No. 851, entitled:

An Act to further amend section two hundred twenty-two of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "Administrative Code of 1929," by providing for leaves of absence with pay for certain employes who receive an hourly or per diem wage.

Which was committed to the Committee on State Government.

House Bill No. 951, entitled:

An Act to add article Seven-A to the act, approved the first day of May, one thousand nine hundred thirty-three (P. L. 103), entitled "The Second Class Township Law," for the protection of the public health providing for the appointment, powers and duties of boards of health and health officers.

Which was committed to the Committee on Public Health and Welfare.

House Bill No. 954, entitled:

An Act to amend section six hundred four of the act, approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 289) entitled "Nonprofit Corporation Law," allowing cemetery companies to give notice of meetings by advertising in newspapers and posting of notices.

Which was committed to the Committee on Judiciary General.

House Bill No. 964, entitled:

An Act to further amend sections thirty-four and thirty-eight of the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 869), entitled "Pennsylvania National Guard Act," changing the basic annual allowance for all troops and decreasing the minimum allowance; and providing for expenses of headquarters.

Which was committed to the Committee on Military Affairs and Aeronautics.

House Bill No. 1021, entitled

An Act to further amend section two hundred eleven of the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 789), entitled, as amended "Insurance Department Act of 1921," increasing fees for agents' licenses, and imposing a fee for written examinations to applicants for certain licenses.

Which was committed to the Committee on Insurance.

House Bill No. 1050, entitled

An Act to protect consumers in the purchase for fuel purposes of the hard coal known as anthracite; providing for and regulating the sale, offering for sale, resale, delivery and shipment of anthracite according to a standard provided for in this act; requiring producers and dealers and persons engaged in the sale and resale of anthracite from storage yards or otherwise to consumers, to keep certain records; conferring powers on the Anthracite Committee and its agents; and providing penalties.

Which was committed to the Committee on Mines and Mining.

House Bill No. 1067, entitled:

An Act to amend section one thousand two hundred six of the act approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "Public School Code," by further providing for leaves of absence of professional employes because of illness or physical disability.

Which was committed to the Committee on Education.

REPORTS FROM COMMITTEES

Mr. HEYBURN on behalf of Mr. WALKER, from the Committee on Mines and Mining reported as amended House Bill No. 7, entitled:

An Act to amend sections one and four of the act approved the twenty-eighth day of May one thousand nine hundred forty-three (P. L. 793) entitled "An act authorizing counties of the second class to regulate the production of smoke from chimneys smokestacks or other source including provisions for the payment of inspection and certificates of compliance fees incident thereto authorizing the expenditure of money for the employment of persons and the acquisition of property for effectuating such regulations and providing penalties for the violation thereof" removing exemption regarding railroad locomotives and changing the effective date

Mr. LETZLER, from the Committee on Mines and Mining reported as committed, Senate Bill No. 601, entitled:

An Act to further amend section five of article three of the act, approved the ninth day of June, one thousand nine hundred eleven (P. L. 756), entitled "An act to provide for the health and safety of persons employed in and about the bituminous coal mines of Pennsylvania, and for the protection and preservation of property connected therewith," by further regulating barrier pillars.

Mr. WAGNER, from the Committee on Public Health and Welfare, reported as committed, House Bill No. 780, entitled:

An Act requiring public assistance milk orders to be presented for payment within a certain period otherwise to be canceled and the monies appropriated for their payment to be escheated to the Commonwealth and credited to the current appropriation for public assistance purposes.

Mr. CROWE, from the Committee on Mines and Mining reported as committed, Senate Bill No. 609, entitled:

An Act to further amend the act approved the ninth day of June, one thousand nine hundred eleven (P. L. 756), entitled "An act to provide for the health and safety of persons employed in and about bituminous coal mines of Pennsylvania and for the protection and preservation of property connected therewith," by further providing for the health and safety of persons employed in and about the bituminous coal mines of Pennsylvania.

Mr. MAHANY, from the Committee on Mines and Mining reported as committed, House Bill No. 358, entitled:

An Act to further amend the act approved the nineteenth day of July one thousand nine hundred thirty-five (P. L. 1356) entitled "An act to regulate the sale and delivery of solid fuel as herein defined providing for appointment of licensed weighmasters prescribing their powers and duties authorizing substitute licensed weighmasters imposing certain duties on the Department of Internal Affairs and providing penalties" providing for transportation of solid fuel over a public highway making exceptions to necessity of a weighmaster's certificate and designating certain acts as prima facie evidence of short weight.

BILL RE-REFERRED

Mr. HOMSHER, from the Committee on Public Health and Welfare, reported as committed, Senate Bill No. 594, entitled:

An Act to further amend the act, approved the third day of June, one thousand nine hundred eleven (P. L. 639), entitled, "An act relating to the right to practice medicine and surgery in the Commonwealth of Pennsylvania; and providing a Bureau of Medical Education and Licensure as a bureau of the Department of Public Instruction, and

means and methods whereby the right to practice medicine and surgery and any of its branches may be obtained, and exemptions therefrom; and providing for an appropriation to carry out the provisions of said act, and providing for revocation and suspension of licenses by said bureau; and providing penalties for violation thereof, and repealing all acts or parts of acts inconsistent therewith," as amended, by bringing the practice of osteopathy and osteopathic surgery within the provisions of this act; providing for the admission into the practice of osteopathy of all students now enrolled in colleges of osteopathy who successfully complete their studies therein; protecting the rights of osteopaths and osteopathic surgeons to continue their respective practices; and making provision for osteopaths and osteopathic surgeons to become licensed practioners in medicine and surgery under this act.

which was re-referred to the Committee on Education.

Mr. MALLERY, from the Committee on Mines and Mining reported as committed, House Bill No. 327, entitled:

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" transferring from the Department of Public Instruction to the Department of Mines and Anthracite Mine Inspectors' Examining Board and the Mine Inspectors' Examining Board for the Bituminous Coal Mines of Pennsylvania and providing reimbursement for certain expenses to members of such boards.

BILLS INTRODUCED AND REFERRED

Mr. HOMSHER read in his place and presented to the Chair Senate Bill No. 632, entitled:

An Act to amend section nine of the act, approved the first day of July, one thousand nine hundred thirty-seven (P. L. 2681), Entitled "An act relating to, and regulating the manufacture, storing and possession of explosives; requiring permits for magazines, and prescribing permit fees; and providing penalties," increasing the minimum and maximum limits of license fees.

Which was committed to the Committee on Mines and and Mining.

He also (by request) read in his place and presented to the Chair Senate Bill No. 633, entitled:

An Act to further amend subsection (c) of section two of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 1216), entitled "An act to define real estate brokers and real estate salesmen; and providing for the licensing, regulation, and supervision of resident and nonresident real estate brokers and real estate salesmen and their business," excluding certain persons engaged in selling cemetery plots from the provisions of the act.

Which was committed to the Committee on Education.

Mr. CROWE read in his place and presented to the Chair Senate Bill No. 634, entitled:

An Act to further amend sections ten and eleven of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1518), entitled as amended "An act regulating the construction, equipment, maintenance, operation and inspection of elevators; granting certain authority to and imposing certain duties upon the Department of Labor and Industry; providing fees for inspection of elevators, certificates of operation, and approval of plans; providing penalties for violations of this act; and repealing all acts or parts of acts inconsistent with this act," increasing fees for inspection.

Which was committed to the Committee on Labor and Industry.

Mr. LETZLER read in his place and presented to the Chair Senate Bill No. 635, entitled:

An Act to further amend section eleven of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. one thousand five hundred thirteen), entitled "An act regulating the construction, equipment, maintenance, operation and inspection of boilers; granting certain authority to and imposing certain duties upon the Department of Labor and Industry; providing penalties for violations of this act; and repealing all acts or parts of acts inconsistent with this act," increasing fees for inspection and certificates.

Which was committed to the Committee on Labor and Industry.

Mr. WAGNER read in his place and presented to the Chair Senate Bill No. 636, entitled:

An Act to further amend section eight of the act, approved the twenty-seventh day of April, one thousand nine hundred twenty-seven (P. L. 465), entitled "An act to provide for the safety of persons employed, housed, or assembled in certain buildings and structures not in cities of the first class, second class, and second class A, by requiring certain construction and ways of egress, equipment, and maintenance; providing for the licensing of projectionists; requiring the submission of plans for examination and approval; providing for the promulgation of rules and regulations for the enforcement of this act; providing for the enforcement of this act by the Department of Labor and Industry and, in certain cases, by the chiefs of fire departments in cities of the third class; providing penalties for violations of the provisions of this act; and repealing certain acts," increasing the amount which may be charged by the department for making the necessary examination for approval of architectural drawings, specifications, or other data.

Which was committed to the Committee on Labor and Industry.

Mr. LORD read in his place and presented to the Chair Senate Bill No. 637, entitled:

An Act authorizing the creation of mosquito control districts in or among the political subdivisions of the Commonwealth; defining their powers and duties; providing for the membership thereof; providing for cooperation with the Department of Agriculture and other State agencies and requiring certain reports.

Which was committed to the Committee on State Government.

Mr. DONLAN read in his place and presented to the Chair Senate Bill No. 638, entitled:

An Act authorizing the Pennsylvania Historical and Museum Commission to release certain historic documents to the Attorney General of the United States for exhibition on the "Freedom Train."

Which was committed to the Committee on State Government.

Mr. LLOYD H. WOOD read in his place and presented to the Chair Senate Bill No. 639, entitled:

A Further supplement to the act, approved the twenty-ninth day of April, one thousand eight hundred seventy-four (P. L. 73), entitled "An act to provide for the incorporation and regulation of certain corporations," granting to every corporation heretofore or hereafter incorporated for the purpose of engaging in the telephone or telegraph business, the power to appropriate private property in certain cases and subject to approval by the Public Utility Commission for the construction, maintenance and operation of its lines and facilities, and providing for the assessment of damages arising from such appropriation and the method of appropriation.

Which was committed to the Committee on Corporations.

He also read in his place and presented to the Chair Senate Bill No. 640, entitled:

An Act to amend subsection (c) of section eight of the act, approved the twenty-seventh day of May, one thousand nine hundred thirty-seven (P. L. 926), entitled "An act relating to the manufacture, repair, renovating, cleansing, sterilizing, and disinfecting of mattresses, pillows, bolsters, feather beds, and other filled bedding, cushions and upholstered furniture intended for sale or lease, and to the sale or lease thereof; requiring the placing of tag and adhesive stamp on such material; providing for the sale of adhesive stamps; authorizing and requiring the Department of Labor and Industry to adopt rules and regulations; providing penalties; and repealing certain acts," increasing payment for adhesive stamps.

Which was committed to the Committee on Labor and Industry.

Mr. CHAPMAN read in his place and presented to the Chair Senate Bill No. 641, entitled:

An Act to further amend the act, approved the ninth day of April, one thousand nine hundred and twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant-Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by abolishing the State Board of Osteopathic Examiners and the Osteopathic Surgeons' Examining Board.

Which was committed to the Committee on Education.

Mr. BARR read in his place and presented to the Chair Senate Bill No. 642, entitled:

An Act to amend sections two and three of the act, approved the first day of July, one thousand nine hundred thirty-seven (P. L. 2629), entitled "A supplement to the act, approved the seventh day of March, one thousand nine hundred and one (P. L. 20), entitled 'An act for the government of the cities of the second class,' establishing a department of lands and buildings in said cities; providing for its officers and employes; defining the powers, duties and jurisdiction of said department, and in certain cases transferring the same from existing departments," by providing that the said department may have jurisdiction over the supervision of contract work in connection with the construction of all city buildings, and that such jurisdiction may be alternative to the jurisdiction of the department of public works, as shall be determined by the council of such cities.

Which was committed to the Committee on Local Government.

Mr. TARR read in his place and presented to the Chair Senate Bill No. 643, entitled:

An Act to further amend section two of the act, approved the first day of June, one thousand nine hundred thirty-three (P. L. 1172), entitled "An act establishing certain streets in boroughs and incorporated towns as State highways, and providing for their construction and maintenance at the expense of the Commonwealth," adding a new route in Fayette County.

Which was committed to the Committee on Highways.

Mr. HEYBURN read in his place and presented to the Chair Senate Bill No. 644, entitled:

An Act to prohibit the manufacture and sale of oleomargarine, or butterine, and other similar products, when colored in imitation of yellow butter; to provide for license fees to be paid by manufacturers, wholesale and retail dealers, and by proprietors of hotels, restaurants, dining-rooms, and boarding-houses, for the manufacture or sale of oleomargarine, butterine, or other similar products, not colored in imitation of yellow butter; to regulate the manufacture, sale and advertising of oleomargarine, butterine, or other similar products, not colored in imitation of yellow butter, and prevent and punish fraud and deception in such manufacture, sale and advertising as an imitation butter; to prescribe penalties and punishment for violation of this Act, and the means and method of procedure for its enforcement; to regulate certain matters of evidence in such procedure, and to prescribe certain powers and duties of the Department of Agriculture.

Which was committed to the Committee on Agriculture.

REPORTS FROM COMMITTEES

Mr. DiSILVESTRO. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. DiSILVESTRO, from the Committee on Public Health and Welfare, reported as committed, House Bill No. 1046, entitled:

An Act to amend section two of the act approved the twenty-sixth day of May one thousand nine hundred twenty-one (P. L. 1172) entitled "A Supplement to the act approved the seventeenth day of May one thousand nine hundred seventeen (P. L. 208) entitled An act to regulate the practice of pharmacy and sale of poisons and drugs and providing penalties for the violation thereof

defining the words 'drugs' and 'poison' and providing for the appointment of a board which shall have in charge the enforcement of said law and the power to make rules and regulations for the enforcement of said law and providing for the purchase of samples of drugs for determining their quality strength and purity" requiring permits to conduct pharmacies providing for the revocation thereof and prescribing penalties regulating the use of a corporate title in applying for a pharmacy permit and its use on labels signs and advertisements.

He also, from the Committee on Public Health and Welfare, reported as committed, House Bill No. 905, entitled:

An Act to amend and reenact section one of the act, approved the twenty-first day of May, one thousand nine hundred forty-three (P. L. 491), entitled "An act reducing for a limited period of time, the training period of internship, in osteopathic hospitals, in order to qualify for examination for license by the Osteopathic Surgeons" Examining Board to practice major surgery, and suspending inconsistent laws," further regulating the training period of internship in osteopathic hospitals.

He also, from the Committee on Public Health and Welfare, reported as committed, Senate Bill No. 570, entitled:

An Act to further amend sections one, four, five, and six of the act, approved the seventh day of May, one thousand nine hundred twenty-three (P. L. 151) entitled "An act defining and regulating the business of dry cleaning and dyeing; providing for the maintenance, construction, and inspection of dry cleaning and dyeing buildings and establishments; providing for enforcing the act, and penalties for violation thereof" by repealing exemptions from certain provisions of said act and providing for regulation of Class 1 and Class II dry cleaning and dyeing plants.

Mr. WILSON. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WILSON, from the Committee on Constitutional Changes and Federal Relations, reported as committed, House Bill No. 1215, entitled:

A Joint Resolution ratifying the proposed amendment to the Constitution of the United States relative to the terms of the President of the United States.

RESOLUTION

TIME OF NEXT MEETING

Mr. WATSON, offered the following resolution, which was twice read, considered and agreed to:

In the Senate, April 23, 1947.

Resolved (if the House of Representatives concur) That when the Senate adjourns this week it reconvene on Monday, April 28, 1947, at three o'clock p. m., Eastern Standard Time, and when the House of Representatives adjourns this week it reconvene on Monday, April 28, 1947, at three-thirty o'clock p. m., Eastern Standard Time.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

CALENDAR

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 148, entitled:

An Act to amend the act approved the fifth day of June one thousand nine hundred thirty-seven (P. L. 1703) entitled "An act relating to criminal prosecutions; limiting the effect of demurrers by defendants at the close of the cases of the Commonwealth" providing for the disposition of cases where evidence has been improperly admitted and the court has failed to sustain the demurrer at the close of the Commonwealth's case

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 148

Mr. TALLMAN. Mr. President, I move that the Senate concur in the amendments made by the House to Senate Bill No. 148.

Mr. DONLAN. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	Geltz,	Lord,	Tarr,
Becker,	Haluska,	Mahany,	Taylor,
Berger,	Hare,	Mallery,	Tyler,
Blass,	Heyburn,	Margie,	Wagner,
Carr,	Holland,	Rahauser,	Watson,
Chapman,	Homsher	Rosenfeld,	Wilson,
Crider,	Jaspan,	Ruth,	Wolfe,
Crowe,	Kephart,	Scarlett,	Wood, L. H.,
Dent,	Klein,	Snowden,	Wood, T. N.,
DiSilvestro,	Lane,	Stevenson,	Woodring,
Doehla,	Leader,	Stiefel,	Walker,
Donlan,	Letzler,	Tallman,	Presiding Officer
Farrell,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILLS ON FINAL PASSAGE

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 284, as follows:

An Act to further amend the act approved the thirteth day of March one thousand nine hundred thirty-seven (P. L. 115) entitled "An act to provide for the permanent personal registration of electors in cities of the first class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties bodies of electors registration commissions commissioners registrars inspectors of registration and other appointees of registration commission election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics real estate brokers rental agents certain public service companies persons firms and corporations operating vehicles for moving furniture

and household goods and boards of school directors and imposing penalties" by imposing an additional penalty

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section forty-five of said act is hereby amended by adding at the end thereof a new subsection to read as follows

Section 45 Crimes and Penalties

* * * * *

(p) Any person who shall falsely represent himself to be and falsely assume to act as a registrar agent or employe of the commission shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding two hundred dollars ($200) or to undergo an imprisonment of not more than six months or both in the discretion of the court

Section 2 The provisions of this act shall become effective immediately upon final enactment

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	Geltz,	Lord,	Tarr,
Becker,	Haluska,	Mahany,	Taylor,
Berger,	Hare,	Mallery,	Tyler,
Blass,	Heyburn,	Margie,	Wagner,
Carr,	Holland,	Rahauser,	Watson,
Chapman,	Homsher	Rosenfeld,	Wilson,
Crider,	Jaspan,	Ruth,	Wolfe,
Crowe,	Kephart,	Scarlett,	Wood, L. H.,
Dent,	Klein,	Snowden,	Wood, T. N.,
DiSilvestro,	Lane,	Stevenson,	Woodring,
Doehla,	Leader,	Stiefel,	Walker,
Donlan,	Letzler,	Tallman,	Presiding Officer
Farrell,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeable to order,

The Senate resumed the consideration of Senate Bill No. 428, as follows:

An Act to further amend clause (17) of subdivision (4) of subsection (L) of section four of the act approved the fifth day of December one thousand nine hundred thirty-six (1937 P. L. 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" by expressly excluding from the definition of "employment" services of certain solicitors agents and salesmen who are compensated on a commission basis

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause (17) of subdivision (4) of subsection (L) of section four of the act approved the fifth day of December one thousand nine hundred thirty-six (1937 P. L. 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" as last amended by the act approved the twenty-ninth day of May one thousand nine hundred forty-five (P. L. 1145) is hereby further amended to read as follows

Section 4 Definitions The following words and phrases as used in this act shall have the following meanings unless the context clearly requires otherwise

* * * * *

(L) * * * *

(4) The word "employment" shall not include

* * * * *

(17) Service performed by an individual for an employer as an insurance agent or real estate salesman or as an insurance solicitor or as a real estate broker or as a solicitor of applications for or salesman of shares of or certificates issued by an investment company or as an agent of an investment company if all such service performed by such individual for such employer is performed for remuneration solely by way of commission or services performed by an individual as an unsalaried correspondent for a newspaper who receives no compensation or compensation only for copy accepted for publication

Section 2 Nothing contained in this amendatory act shall be construed as a legislative declaration that the services of the solicitors agents or salesmen mentioned herein were heretofore within the scope of the definition of "employment" contained in the Unemployment Compensation Law

Section 3 The provisions of this act shall become effective immediately upon final enactment and shall be retroactive to the first day of January one thousand nine hundred forty-seven

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—40.

Barr,	Doehla,	Leader,	Tallman,
Becker,	Donlan,	Letzler,	Taylor,
Berger,	Farrell,	Lord,	Tyler,
Blass,	Geltz,	Mahany,	Wagner,
Carr,	Hare,	Mallery,	Watson,
Chapman,	Heyburn,	Rahauser,	Wilson,
Crider,	Holland,	Ruth,	Wolfe,
Crowe,	Homsher	Scarlett,	Wood, T. N.,
Dent,	Kephart,	Snowden,	Woodring,
DiSilvestro,	Lane,	Stevenson,	Walker,
			Presiding Officer

NAYS—6.

Haluska,	Klein,	Stiefel,	Tarr,
Jaspan,	Rosenfeld,		

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 478, as follows:

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards and commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by extending the wartime purchasing powers of the Department of Property and Supplies for a period of not longer than two years after the state of war ceases and by further prescribing the methods of making purchases and entering into contracts by the Department of Property and Supplies

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section five hundred seven of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" as last amended by the act approved the seventh day of May one thousand nine hundred forty-three (P. L. 248) which added two new paragraphs at the end thereof is hereby further amended so that the said two paragraphs read as follows

Section 507 Purchases

* * * * *

Whenever a state of war exists between the United States and any other nation or nations and for a period of not longer than two years thereafter and brings about commercial conditions which make it impossible because of continually changing prices to obtain contracts for the furnishing of commodities supplies and equipment necessary for the proper functioning of the departments boards or commissions the Department of Property and Supplies is hereby empowered to purchase and to authorize in writing any department board or commission to purchase within reasonable limits in any locality in the open market at the lowest and most advantageous prices commodities supplies and equipment necessary for the proper operation of the State Government without advertising or inviting bids when commercial conditions are such that make it impossible to secure competitive bids until such time as the state of war shall cease and normal market conditions shall be restored

Nothwithstanding any of the foregoing provisions of this section any department board or commission may

(1) Purchase repairs or repair parts for its equipment from the manufacturer of such equipment or from the manufacturer's authorized dealer

(2) Contract for services of the public utility companies

(3) Rent machinery and other equipment and devices

(4) Employ professional or skilled labor on a temporary basis in instances where the Department of Property and Supplies does not have an applicable contract but all such employment shall be approved by the Governor except in the case of a State institution when it shall be approved by the head of the department having supervision over the institution

(5) Subscribe to periodicals magazines or newspapers or purchase books or take memberships in independent organizations or societies having related functions but all such memberships shall be approved by the Governor

Section 2 Subsection (c) of section two thousand four hundred three of said act as last amended by the act approved the twenty-first day of June one thousand nine hundred thirty-seven (P. L. 1865) and the last paragraph of said section as added by the act approved the seventh day of May one thousand nine hundred forty-three (P. L. 248) are hereby further amended to read as follows

Section 2403 Standards and Purchases

* * * * *

[(c) To purchase in like manner (exclusive of the requirement as to maximum price) all other furniture materials or supplies required by the legislative and other departments of the State Government except as otherwise provided in this act]

(c) To enter into contracts with the lowest responsible bidder for the purchase of all other furniture materials or supplies requested by the Legislative and other departments of the State Government except as otherwise provided by this act All such contracts shall be approved by the Governor or his designated representative and signed on behalf of the Commonwealth by the Secretary of Property and Supplies who shall also with the approval of the Department of Justice prescribe rules and regulations for the submission of bids awards forms of contracts and other matters related thereto

* * * * *

Whenever a state of war exists between the United States and any other nation or nations and for a period of not longer than two years thereafter and brings about commercial conditions which make it impossible because of continually changing prices to obtain contracts for the furnishing of commodities supplies and equipment necessary for the proper functioning of the departments boards or commissions the Department of Property and Supplies is hereby empowered to purchase and to authorize in writing and department board or commission to purchase within reasonable limits in any locality in the open market at the lowest and most advantageous prices commodities supplies and equipment necessary for the proper operation of the State Government without advertising or inviting bids for the same when commercial conditions are such that make it impossible to secure competitive bids until such time as the state of war shall cease and normal market conditions shall be restored

Section 3 The provisions of this act shall ecome effect-immediately upon final enactment

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48.

Barr,	Geltz,	Lord,	Tarr,

Becker,	Haluska,	Mahany,	Taylor,
Berger,	Hare,	Mallery,	Tyler,
Blass,	Heyburn,	Margie,	Wagner,
Carr,	Holland,	Rahauser,	Watson,
Chapman,	Hornsher	Rosenfeld,	Wilson,
Crider,	Jaspan,	Ruth,	Wolfe,
Crowe,	Kephart,	Scarlett,	Wood, L. H.,
Dent,	Klein,	Snowden,	Wood, T. N.,
DiSilvestro,	Lane,	Stevenson,	Woodring,
Doehla,	Leader,	Stiefel,	Walker,
Donlan,	Letzler,	Tallman,	Presiding Officer
Farrell,			

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 506, entitled:

An Act to further amend the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" providing for fixing the number and compensation of all appointed officers deputies assistants clerks and other persons whose compensation is paid out of the county treasury whether employed by the county the courts or by any judge thereof creating a salary board in each county defining its powers and duties providing for appeals and repealing inconsistent acts

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

(During the calling of the roll the following occurred:)

Mr. ROSENFELD. I desire to be recorded as voting "no."

The PRESIDING OFFICER. The vote of the gentleman from Philadelphia will be so recorded.

Mr. JASPAN. Mr. President, I desire to make my position clear with respect to Senate Bill 506. Yesterday I voted "no" on Senate Bill 317, which more or less parallels this bill; having voted "no" on that bill, I wish to be recorded as voting "no" on this bill.

The PRESIDING OFFICER. The gentleman from Philadelphia will be so recorded.

Mr. STIEFEL. Mr. President. Senate Bill 506 lacks uniformity, because it excludes Philadelphia from its provisions, and for that reason I cast my vote in the negative.

The PRESIDING OFFICER. The vote of the gentleman from Philadelphia will be so recorded.

Mr. BARR. Mr. President, I did not realize we were acting on Senate Bill 506. I have a statement I wanted to make on that bill.

The PRESIDING OFFICER. There is nothing before the Senate now excepting announcement of the roll call.

Mr. BARR. Then, Mr. President, I would ask that the roll be called again, if there is any parliamentary way of doing it.

The PRESIDING OFFICER. Until the gentleman from Allegheny finds such a method and so advises the Chair, the only matter before the Senate is announcement of the roll call.

Mr. BARR. Just a minute, don't give me that bum's rush. May we be at ease?

The PRESIDING OFFICER. The Chair recognized the gentleman from Allegheny and asked for what reason he wished to be recognized. At the present time there is nothing before the Senate excepting—

Mr. DENT. Mr. President—

The PRESIDING OFFICER. May I finish my sentence? There is nothing before the Senate excepting announcement of the roll call.

The Chair recognizes the gentleman from Westmoreland.

Mr. DENT. Mr. President, I desire to know how I am recorded as voting.

The PRESIDING OFFICER. The gentleman is not recorded as voting on the measure.

Mr. DENT. Mr. President, I desire to be recorded as voting "no", for the following reason:

On page 35 of this bill, Senate Bill 506, Printer's No. 198, you will find Section 307, and I wish the members of the Senate would read that section, or follow me while I read it:

Section 307 deals with appeals and states, "If after decision is made any officer or his deputy or any judge of any court is of the opinion that the number of his deputies, assistants clerks, or other employes is too few, or the compensation provided for any of them is too low, he may appeal from the action of the board to the court of Common Pleas of the county, which will hear and determine such appeal as promptly as possible. The decision of the court shall be final."

This bill starts out to create a uniform salary board. It ends up by giving into the hands of the court the absolute power to set salaries and wages and numbers of employes for any of the several elective offices and it puts into the hands of the court the final decision as to the compensation or the number of employes of the court itself, if you please. The court can very easily take the position that its employes are not being paid the compensation that the court feels they ought to be paid or the court may say that it does not have the number of employes that the court feels it ought to have. And who hears the appeal—the court itself. Who makes the final decision—the court itself.

I say to the gentleman of the Senate that this vote may have been taken a little hastily, and perhaps all the members do not realize exactly what the bill does; it starts out to do one thing but, unfortunately, it ends up doing exactly the opposite, because it gives into the hands of the Court of Common Please a power never intended to be put there and it makes the court, in the final analysis, the salary board of the county.

Mr. BARR. Mr. President, I want to explain my vote, and in so doing I am going to insist, as long as you are in the Chair, that every name be called, the names of all fifty Senators, because I do not like steam-roller tactics.

The PRESIDING OFFICER. The gentleman has a right to ask for a roll call at any time.

Mr. BARR. Just a few moments ago, I was called to the phone by the Chairman of the Board of County Commissioners of our county, he called my attention to Section 307, and he told me that this bill first started out to be a uniform act for the counties, but everything good that

was done on every other page is removed by section 307 on page 35. There is no salary board left in any county of this Commonwealth with this provision in the bill. In other words, the court is the dictator of all the salaries in each and every office in every county of this state, with the exception of Philadelphia county, which has a different type of salary board and which, as I understand it, is in the hands of city council.

Mr. President and members of the Senate, the courts have always been the worst offenders before each and every salary board. They seem, with their robes, to think that they need and should have more employes and at higher salaries than any other elective office in any county.

This provision, in which you say the decision of the court shall be final, in my opinion, makes the President Judge of the Common Pleas court in each of the various counties the entire salary board.

I want my vote recorded as "no" and I would ask my colleagues on this side to check and see how their votes have been recorded and I ask that they each be recorded as voting "no."

And again I reiterate, Mr. President, I do not like the steam-roller tactics employed by the gentleman who is in the Chair.

PARLIAMENTARY INQUIRY

Mr. TALLMAN. Mr. President, I rise on a parliamentary inquiry.

The PRESIDING OFFICER. The gentleman from Lehigh will state his parliamentary inquiry.

Mr. TALLMAN. Mr. President, has the vote been announced.

The PRESIDING OFFCIER. The vote has not yet been announced.

RECONSIDERATION OF SENATE BILL No. 506

Mr. TALLMAN. Mr. President, I move that the Senate do now reconsider the vote by which Senate Bill No. 506 passed third reading.

The PRESIDING OFFICER. How did the Senator vote?

Mr. TALLMAN. Mr. President, I voted "aye."

Mr. HEYBURN. Mr. President, I second the motion

The PRESIDING OFFICER How did the Senator vote?

Mr. HEYBURN. Mr. President, I voted "aye."

And the question recurring,

Will the Senate agree to the bill on third reading?

BILLS OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 506, on third reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

The PRESIDING OFFICER. The Chair at this time wishes to advise the gentleman from Allegheny, Senator Barr, that if he is obliged to leave the Senate floor and desires the Senate to be at ease during his absence, the Chair will be very glad to have the Senate at ease during his absence.

The Presiding Officer further reminds the gentleman from Allegheny, Senator Barr, that there are no steam-roller tactics adopted; the procedure we have used has been in force for a number of years.

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 35, on third reading, entitled:

An Act to further amend the act approved the twenty-fifth day of July one thousand nine hundred thirteen (P. L. 1024) entitled "An act to protect the public health and welfare by regulating the employment of females in certain establishments with respect to their hours of labor and the conditions of their employment by establishing certain sanitary regulations in the establishments in which they work by requiring certain abstracts and notices to be posted by providing for the enforcement of this act by the Commissioner of Labor and Industry and others by prescribing penalties for violations thereof by defining the procedure in prosecutions and by repealing all acts and parts of acts inconsistent with the provisions thereof" providing for payment of time and one-half for overtime changing hours of labor and restrictions relative to age in certain employments and extending provisions to include additional persons.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 72, on third reading, entitled:

An Act to further amend section three hundred twenty of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by providing for the payment of retirement allowances to widows of deceased county employes and for crediting employes with time spent in military service in counties of the second class.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 218, on third reading, entitled:

An Act to further amend the first paragraph of section nine hundred seventy-six of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by further providing procedure for rejection of nomination petitions papers or certificates.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 263, as follows:

An Act to further amend section two and amend sections three and five of the act approved the eighteenth day of July one thousand nine hundred thirty-five (P. L. 1303)

entitled "An act to regulate the sale of certain hypnotic analygesic and body-weight reduction drugs in the interest of public health" extending requirements as to contents of labels and increasing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two of the act approved the eighteenth day of July one thousand nine hundred thirty-five (P. L. 1303) entitled "An act to regulate the sale of certain hypnotic analgesic and body-weight reduction drugs in the interest of public health" as amended by the act approved the second day of May one thousand nine hundred forty-five (P. L. 380) is hereby further amended to read as follows

Section 2 No hypnotic drug or analgesic or body-weight reduction drug as defined herein shall be sold at retail or dispensed to any person except upon the written prescription of a duly licensed physician dentist or veterinarian compounded or dispensed by a registered pharmacist or under the immediate personal supervision of a registered pharmacist and no pharmacist shall dispense any such drug without affixing to the container in which the drug is sold or dispensed a label bearing the name and address of the pharmacist the name and address of the patient the date compounded and the consecutive number of the prescription under which it is recorded in his prescription files together with the name of the physician dentist or veterinarian prescribing it Provided That the provisions of this section of this act shall not apply to a duly licensed physician dentist or veterinarian Provided however That they keep a record of the amount of such drugs purchased and a dispensing record showing the date name of the quantity of the drugs dispensed and the name and address of the patient No physician dentist or veterinarian shall dispense any such drug without affixing to the container in which the drug is sold or dispensed a label bearing the name and address of the dispenser the date dispensed the name and address of the patient and the directions for the use of the drug by the patient

Sprays eye lotions toothache drops liniments inhalers and external preparations not including vaginal or rectal remedies may be sold at retail provided that such compound or mixture or preparation intended as a spray eye lotion toothache drops liniment inhalers or external application shall contain in addition to the content of Chlorbutanol or other drug defined under this act some other drug or drugs conferring upon it medicinal qualities other than those possessed by the drug used as specified in this act and that such compounds or mixtures or preparations shall be sold in good faith for the purpose for which they are intended and not for the purpose of evading the provisions of this act

Section 2 Section five of said act is hereby amended to read as follows

Section 5 Any person who shall violate or fail to comply with any of the provisions of this act shall be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine of not [less than twenty-five dollars ($25.00) nor more than fifty dollars ($50.00)] more than one thousand dollars ($1000) for the first offense [not less than fifty dollars ($50.00) nor more than one hundred dollars ($100.00) for the second offense and not less than one hundred dollars ($100.00) for the third and each subsequent offense] and not less than one thousand dollars ($1,000) nor more than two thousand dollars ($2,000) for the second and each subsequent offense If the violation is by a corporation copartnership or association the officers and directors of such corporation or the members of such copartnerhip or association their agents and employes with guilty knowledge of the fact shall be deemed guilty of a violation of the provisions of this act to the same extent as though said violation were committed by them personally

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39

Barr,	Donlan,	Letzler,	Tarr,
Berger,	Farrell,	Lord,	Taylor,
Blass,	Geltz,	Mahany,	Wagner,
Carr,	Heyburn,	Mallery,	Watson,
Chapman,	Holland,	Rahauser,	Wilson,
Crider,	Homsher	Rosenfeld,	Wolfe,
Crowe,	Kephart,	Snowden,	Wood, T. N.,
Dent,	Klein,	Stevenson,	Woodring,
DiSilvestro,	Lane,	Stiefel,	Walker,
Doehla,	Leader,	Tallman,	Presiding Officer

NAYS—1

Haluska,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 492, as follows:

An Act to amend Section 2 of the act approved the third day of May one thousand nine hundred and thirty-three (P. L. 227) entitled "An act authorizing stock corporations with certain exceptions to make provision for and to issue shares of capital stock of any class or classes or to change shares of authorized or outstanding capital stock of any class into one or more classes with or without nominal or par value and with such designations terms relative rights powers privileges preferences limitations restrictions and qualifications as may be specified regulating such corporations and the liabilities of their directors making other provisions relating to the capital and capital stock of such corporations and repealing all acts or parts of acts inconsistent herewith" by empowering subject to certain conditions the boards of directors of corporations to issue out of the authorized but unissued shares of capital stock the kinds and classes of shares so authorized regulating the creation and issuance of preferred or special stock in series and designating the variations in the relative rights and preferences as between different series and empowering subject to certain conditions the boards of directors of corporations as respects the authorized but unissued shares of preferred or special stock of the corporation to divide the same into series and subject to certain conditions and limitations to fix and determine the relative rights and preferences of any series so established

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 2 of the act approved the third day of May one thousand nine hundred and thirty-three (P. L. 227) entitled "An act authorizing stock corporations with certain exceptions to make provision for and to issue shares of capital stock of any class or classes or to change shares of authorized or outstanding capital stock of any class into one or more classes with or without nominal or par value and with such designations terms relative rights powers privileges preferences limitations restrictions and qualifications as may be specified regulating such corporations and the liabilities of their directors making other provisions relating to the capital and capital stock of such corporations and repealing all acts or parts of acts inconsistent herewith" is hereby amended to read as follows

Section 2 (a) Any such corporation heretofore or hereafter created by incorporation reorganization or consolidation having a capital stock consisting of shares either with or without nominal or par value or both may at any time authorize and issue in whole or in part capital stock of any class or kind with or without nominal or par value or change or convert any or all of the shares of its authorized or outstanding capital stock into one or more classes and kinds either with or without nominal or par value with such designations terms relative rights privileges limitations preferences and voting powers or prohibitions restrictions or qualifications of the voting and other rights and powers as may be specified as to the shares of any given class or kind in the same manner and by the same stock vote as may now or may hereafter be prescribed by law for increasing the capital stock of such corporation Provided however That in any case where shares without nominal or par value shall be provided for a stated capital shall be fixed the amount of which shall be set forth in such proceedings which stated capital shall be governed by and be subject to the provisions of this act Such proceedings may as an incident to such change or conversion increase or decrease the capital stock which such corporation is authorized to issue or the aggregate par value of or stated capital applicable to its outstanding shares of stock may alter or adjust the division of its authorized capital stock as between outstanding stock and authorized stock unissued or make any similar adjustment of the capital structure or share structure of such corporation Provided that no such change or alteration in the value of the aggregate par value of the outstanding stock shall be valid in law unless notices to all persons interested shall be given as now required by law where it is proposed to increase or reduce the capital stock of any corporation

(b) As to shares authorized by such stock vote but unissued unless the charter or by-laws otherwise provide the board of directors shall have the power by resolution duly adopted to issue from time to time in whole or in part the kinds or classes of shares so authorized

(c) If the charter so provides the shares of any preferred or special class may be divided into and issued in series If the shares of any such class are to be issued in series then each series shall be so designated as to distinguish the shares thereof from the shares of all other series and classes Any or all of the series of any such class and the variations in the relative rights and preferences as between different series may be fixed and determined by the character provided that all shares of the same class shall be identical except as to the following relative rights and preferences in respect of any or all of which there may be variations between different series namely the rate of dividend the price at and the terms and conditions on which shares may be redeemed the amounts payable upon shares in event of voluntary or involuntary liquidation sinking fund provisions for the redemption or purchase of shares and the terms and conditions on which shares may be converted in the event the shares of any series are issued with the privilege of conversion Different series of the same class of shares shall not be construed to constitute different classes of shares for the purpose of voting by classes

(d) If the charter shall expressly vest authority in the board of directors then to the extent that the charter shall not have established series and fixed and determined the variations in the relative rights and preferences as between series the board of directors shall have authority by resolution to divide any or all such classes into series and within the limitations set forth in subdivision (c) of this section fix and determine the relative rights and preferences of any series so established Such authority of the board of directors shall be subject to such limitations if any as are stated in the charter and shall always be subject to the limitation that the board of directors shall not create a sinking fund in respect of any series unless provision for a sinking fund at least as beneficial to all issued and outstanding shares of the same class shall either then exist or be at the same time created

(e) Prior to the issue of any shares of a series established by resolution adopted by the board of directors the corporation shall present to the Department of State a statement in duplicate executed under the seal of the corporation signed and verified by two duly authorized officers thereof and setting forth

(1) The name of the corporation

(2) The resolution establishing and designating the series and fixing and determining the relative rights and preferences thereof

(3) The date and the manner of the adoption of such resolution

If the Department of State find that such statement conforms to law and the charter of the corporation and when all fees have been paid as required by law it shall endorse its approval thereon shall file the statement and shall issue to the corporation or its representative a copy of the approved statement Upon the filing of such statement by the Department of State and upon compliance with the requisite provisions of any law regulating the issue of securities by the corporation the resolution establishing and designating the series and fixing and determining the relative rights and preferences thereof shall become effective

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	Geltz,	Lord,	Tarr,
Becker,	Haluska,	Mahany,	Taylor,
Berger,	Hare,	Mallery,	Tyler,
Blass,	Heyburn,	Margie,	Wagner,
Carr,	Holland,	Rahauser,	Watson,
Chapman,	Homsher,	Rosenfeld,	Wilson,
Crider,	Jaspan,	Ruth,	Wolfe,
Crowe,	Kephart,	Scarlett,	Wood, L. H.,
Dent,	Klein,	Snowden,	Wood, T. N.,
DiSilvestro,	Lane,	Stevenson,	Woodring,
Doehla,	Leader,	Stiefel,	Walker,
Donlan,	Letzler,	Tallman,	Presiding Officer
Farrell,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence,

BILL OVER IN ORDER

Mr. STEVENSON. Mr. President, I ask unanimous consent that Senate Bill No. 507, on third reading, entitled:

An Act abolishing all existing county salary boards and providing for the transfer of their books records and property

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 531, as follows:

A Supplement to the act approved the seventh day of March one thousand nine hundred and one (P. L. 20)

entitled "An act for the government of cities of the second class" establishing a department of parks and recreation in said cities providing for its officers and employees and defining the powers duties and jurisdiction of said department

Section 1 Be It Enacted &c That an additional executive department in the government of cities of the second class is hereby created to be known as the department of parks and recreation

Section 2 The department of parks and recreation shall be under the charge of a director who shall be the head thereof The supervision equipping operation care and maintenance of parks zoological gardens conservatories greenhouses forestry playgrounds playfields gymnasiums public baths swimming pools and indoor recreation centers and the supervision of playleaders recreation directors supervisors superintendents and any other officers or employees deemed proper for the purpose of carrying out the provisions of this act shall be under the jurisdiction of this department

Section 3 All the powers and duties as set forth in Section two hereof which are now under the jurisdiction of any other department of said city are hereby transferred to the department of parks and recreation

Section 4 All acts or parts of acts inconsistent with the provisions of this act are hereby repealed

Section 5 This act shall become effective immediately upon its passage and approved by the Governor

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	Geltz,	Lord,	Tarr,
Becker,	Haluska,	Mahany,	Taylor,
Berger,	Hare,	Mallery,	Tyler,
Blass,	Heyburn,	Margie,	Wagner,
Carr,	Holland,	Rahauser,	Watson,
Chapman,	Homsher,	Rosenfeld,	Wilson,
Crider,	Jaspan,	Ruth,	Wolfe,
Crowe,	Kephart,	Scarlett,	Wood, L. H.,
Dent,	Klein,	Snowden,	Wood, T. N.,
DiSilvestro,	Lane,	Stevenson,	Woodring,
Doehla,	Leader,	Stiefel,	Walker,
Donlan,	Letzler,	Tallman,	Presiding Officer
Farrell,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 532, on third reading, entitled:

An Act to amend section twenty of the act approved the twenty-fifth day of May one thousand nine hundred forty-five (P. L. 1050) entitled "An act relating to the collection of taxes levied by counties county institution districts cities of the third class boroughs towns townships certain school districts and vocational school districts conferring powers and imposing duties on tax collectors courts and various officers of said political subdivisions and prescribing penalties" making a husband liable for his wife's per capita poll and occupation taxes and providing for the collection thereof

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 575, as follows:

An Act concerning the ascertainment of principal and income and the apportionment of receipts and expenses among tenants and remaindermen

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Definition of Terms "Principal" as used in this act means any realty or personalty which has been so set aside or limited by the owner thereof or a person thereto legally empowered that it and any substitutions for it are to remain in trust perpetually or are eventually to be conveyed delivered or paid to a person while the return therefrom or use thereof or any part of such return or use is in the meantime to be taken or received by or held for accumulation for the same or another person

"Income" as used in this act means the return derived from principal

"Tenant" as used in this act means the person to whom income is presently or currently payable or for whom it is accumulated or who is entitled to the beneficial use of the principal presently and for a time prior to its distribution

"Remainderman" as used in this act means the person ultimately entitled to the principal whether named or designated by the terms of the transaction by which the principal was established or determined by operation of law

"Trustee" as used in this act includes the original trustee of any trust to which the principal may be subject and also any succeeding or added trustee

Section 2 Application of the Act Powers of Settlor This act shall govern the ascertainment of income and principal and the apportionment of receipts and expenses between tenants and remaindermen in all cases where a principal has been established with or unless otherwise stated hereinafter without the interposition of a trust provided that the person establishing the principal may himself direct the manner of ascertainment of income and principal and the apportionment of receipts and expenses or grant discretion to the trustee or other person to do so and such provision and direction where not otherwise contrary to law shall control notwithstanding this act

Section 3 Income and Principal Disposition

(1) All receipts of money or other property paid or delivered as rent of realty or hire of personalty or dividends on corporate shares payable other than in shares of the corporation itself of the same kind and rank as the shares on which such dividend is paid or interest on money loaned or interest on or the rental or use value of property wrongfully withheld or tortiously damaged or otherwise in return for the use of principal shall be deemed income unless otherwise expressly provided in this act

(2) All receipts of money or other property paid or delivered as the consideration for the sale or other transfer not a leasing or letting of property forming a part of the principal or as a repayment of loans or in liquidation of the assets of a corporation or as the proceeds of property taken in eminent domain proceedings where separate awards to tenant and remainderman are not made or as proceeds of insurance upon property forming a part of the principal except where such insurance has been issued for the benefit of either tenant or remainderman alone or otherwise as a refund or replacement or change in form of principal shall be deemed principal unless otherwise expressly provided in this act Any profit or loss resulting from any change in form of principal shall enure to or fall upon principal unless otherwise expressly provided in this act

(3) All income after payment of expenses properly chargeable to it shall be paid and delivered to the tenant or retained by him if already in his possession or held for accumulation where legally so directed by the terms of the transaction by which the principal was established while the principal shall be held for ultimate distribution as determined by the terms of the transaction by which is was established or by law

(4) Nothing in this Section 3 shall apply to property in the nature of wasting assets such as timber minerals coal stone oil gas or other natural resources or to property subject to depletion such as leaseholds patents copyrights and royalty rights but this Section 3 shall apply to the shares of corporations which own such property

Section 4 Apportionment of Income Whenever a tenant shall have the right to income from perodic payments which shall include rent interest on loans and annuities but shall not include dividends on corporate shares and such right shall cease and determine by death or in any other manner at a time other than the date when such periodic payments should be paid he or his personal representative shall be entitled to that portion of any such income next payable which amounts to the same percentage thereof as the time elapsed from the last due date of such periodic payments to and including the day of the determination of his right is of the total period during which some income would normally accrue The remaining income shall be paid to the person next entitled to income by the terms of the transaction by which the principal was established But no action shall be brought by the trustee or tenant to recover such apportioned income or any portion thereof until after the day on which it would have become due to the tenant but for the determination of the right of the tenant entitled thereto The provisions of this section shall apply whether an ultimate remainderman is specifically named or not Likewise when the right of the first tenant accrues at a time other than a payment date of such periodic payments he shall only receive that portion of such income which amounts to the same percentage thereof as the time during which he has been so entitled is of the total period during which such income would normally accrue and the balance shall be a part of the principal

Section 5 Corporate Dividends and Share Rights

(1) All dividends on shares of a corporation forming a part of the principal which are payable in the shares of the corporation itself of the same kind and rank as the shares on which such dividend is paid shall be deemed principal Subject to the provisions of this section all dividends payable otherwise than in such shares of the corporation itself including ordinary and extraordinary dividends and dividends payable in shares or other securities or obligations of corporations other than the declaring corporation shall be deemed income Where the trustee shall have the option of receiving a dividend either in cash or in the shares of the declaring corporation it shall be consideded as a cash dividend and deemed income irrespective of the choice made by the trustee

(2) All rights to subscribe to the shares or other securities or obligations of a corporation accruing on account of the ownership of shares or other securities in such corporation and the proceeds of any sale of such rights shall be deemed principal All rights to subscribe to the shares or other securities or obligations of a corporation accruing on account of the ownership of shares or other securities in another corporation and the proceeds of any sale of such rights shall be deemed income

(3) Where the assets of a corporation are liquidated wholly or partially amounts paid upon corporate shares as cash dividends declared before such liquidation began or as arrears of cumulative preferred or guaranteed dividends shall be deemed income all other amounts paid upon corporate shares on disbursement of the corporate assets to the stockholders shall be deemed principal All disbursements of corporate assets to the stockholders whenever made which are designated by the corporation as a return of capital or division of corporate property shall be deemed principal Any profit or loss resulting from the sale or liquidation of corporate shares shall enure to or fall upon principal

(4) Where a corporation is a party to a merger consolidation or reorganization or otherwise acquires the assets of another corporation or where the capital structure of a corporation is changed either with or without merger consolidation and the securities of the surviving succeeding reorganized or acquiring corporation with or without cash or other properties are issued to the shareholders of the original corporation in like proportion to or in substitution for their shares in the original corporation and prior to the effective date of such merger consolidation or reorganization there were arrearages of cumulative preferred or guaranteed dividends and such arrearages are eliminated in the merger consolidation or reorganization so much of the securities and cash and other properties received as is designated by the corporation as a payment in settlement of such arrearages shall be allocated to such arrearages and the balance of the securities and cash and other properties received shall be deemed principal in case the corporation does not so designate the securities received in like proportion to or in substitution for shares upon which there were such arrearages of cumulative preferred or guaranteed dividends at their value as of the effective date of such merger and the cash and other properties received shall be allocated first to principal in the amount of the inventory value of the said shares of the original corporation or in default thereof of their market value at the time the principal was established or of their cost where purchased later second to the arrearages of cumulative preferred or guaranteed dividends or in satisfaction thereof if less than such amount and third the balance if any to principal

(5) Except as otherwise provided in subsection (4) of this section where a corporation is a party to a merger consolidation or reorganization or otherwise acquires the assets of another corporation and shares of stock of whatsoever character or whatsoever class or classes of the surviving succeeding reorganized or acquiring corporation with or without cash or other securities or properties are issued to the shareholders of a corporation which is a party to such merger consolidation reorganization or acquisition of assets in like proportion to or in substitution for their shares in such corporation all shares of stock so issued and also all cash and other securities and properties which may be so issued shall be principal

(6) In applying this section the date when a dividend accrues to the person who is entitled to it shall be held to be the date specified by the corporation as the one on which the stockholders entitled thereto are determined or in default thereof the date of declaration of the dividend

Section 6 Premium and Discount Bonds Where any part of the principal consists of bonds or other obligations for the payment of money they shall be deemed principal at their inventory value or in default thereof at their market value at the time the principal was established or at their cost where purchased later regardless of their par or maturity value and upon their respective maturities or upon their sale any loss or gain realized thereon shall fall upon or enure to the principal provided however that the scheduled increment in value of bonds issued on a discount basis and subject to definite appreciation in value on a fixed schedule shall constitute income as of each date on which an increment occurs and shall be made available as income for such disposition as is provided by the terms of the transaction under which the principal was established by transferring from the principal on each such date an amount equivalent to the increment then occurring

Section 7 Principal Used in Business

(1) Whenever a trustee or a tenant is authorized by the terms of the transaction by which the principal was established or by law to use any part of the principal in the continuance of a business which the original owner of the property comprising the principal had been

carrying on the net profits of such business attributable to such principal shall be deemed income

(2) Where such business consists of buying and selling property the net profits for any period shall be ascertained by deducting from the gross proceeds during and the inventory value of the property at the end of such period the expenses during and the inventory value of the property at the beginning of such period

(3) Where such business does not consist of buying and selling property the net income shall be computed in accordance with the customary practice of such business but not in such way as to decrease the principal

(4) Any increase in the value of the principal used in such business shall be deemed principal and all losses in any one calendar year after the income from such business for that year has been exhausted shall fall upon principal

Section 8 Principal Comprising Animals Where any part of the principal consists of animals employed in business the provisions of Section 7 shall apply and in other cases where the animals are held as a part of the principal partly or wholly because of the offspring or increase which they are expected to produce all offspring or increase shall be deemed principal to the extent necessary to maintain the original number of such animals and the remainder shall be deemed income and in all other cases such offspring or increase shall be deemed income

Section 9 Disposition of Natural Resources Where any part of the principal consists of property in lands from which may be taken timber minerals coal stone oil gas or other natural resources and the trustee or tenant is authorized by the terms of the transaction by which the principal was established or by order of court to sell lease or otherwise develop such natural resources or where such natural resources have been leased or developed prior to the transaction by which the principal was established and no provision is made for the disposition of the net proceeds thereof after the payment of expenses and carrying charges on such property one-third of the net proceeds if received as rent or payment on a lease or as royalties shall be deemed income and the remaining two-thirds thereof shall be deemed principal to be invested to produce income provided that if a surviving spouse of the person establishing the principal shall be the sole tenant he shall be intitled to such proportion of the net proceeds as he would be entitled to under the intestate laws if the person establishing the principal were to die intestate at the time of the receipt of such proceeds a resident of the Commonwealth and owing such proceeds but this shall not include the $10,000 allowance Such proceeds if received as consideration for the permanent severance of such natural resources from the land payable otherwise than as rents or royalties shall be deemed principal to be invested to produce income

Nothing in this section shall be construed to abrogate or extend any right which may otherwise have accrued by law to a tenant to develop or work such natural resources for his own use

Section 10 Interest-Bearing Obligations in Default

(1) Whenever the interest on an interest-bearing obligation owned by a trust shall be in default in whole or in part and the obligation shall be converted into money or property which can be fairly apportioned or both before the principal is finally distributed then the tenant or in case of his death his personal representative shall be entitled to share in the net proceeds received from the property as delayed income to the extent hereinafter stated

(2) Such delayed income shall be the difference between the net proceeds received from the convrsion and the amount which had it been placed at simple interest at the rate of four per centum per annum for the period during which such interest was in default in whole or in part would have produced the net proceeds at the time of conversion In no event shall delayed income exceed the defaulted interest upon the obligation The net proceeds shall consist of the gross proceeds including property other than money received from the conversion less any expenses incurred in converting and preserving the asset and less all carrying charges which have been paid out of principal pending conversion but shall not include net income received pending conversion

(3) The tenant shall be entitled to receive from time to time and to keep the net income from any form or property or obligation into which such interest-bearing obligation may be converted until it is finally converted into money or property which can be fairly apportioned or both and his share of the delayed income shall be reduced by the amount of income received and by the value of any beneficial use of the property which he may have had

(4) In case of successive tenants the delayed income shall be divided among them or their representatives according to the length of the period for which each was entitled to income

Section 11 Expenses Trust Estates

(1) All ordinary expenses and charges incurred in connection with the trust estate or with its administration and management shall be paid out of income but such expenses where incurred in disposing of or as carrying charges on unproductive estate shall be paid out of principal and where incurred in disposing of or as carrying charges on underproductive estate shall be paid out of principal to the extent that the income from the property shall not be equal to such expenses

(2) Trustees' compensation compensation of assistants and court costs and attorneys' and other fees may be apportioned between income and principal as the court may direct

(3) All other expenses including cost of investing or reinvesting principal and other costs incurred in maintaining or defending any action to protect the trust or the property or assure the title thereof unless due to the fault or cause of the tenant and costs of or assessments for improvements to property forming part of the principal shall be paid out of principal Any tax levied by any authority Federal State or foreign upon profit or gain defined as principal under the term of subsection (2) of section 3 shall be paid out of principal notwithstanding said tax may be denominated a tax upon income by the taxing authority

(4) Interest and penalties on inheritance and estate taxes levied by any authority Federal State or foreign shall be paid out of principal to the extent that such interest and penalties are in excess of the rate of return which has been or shall be realized from the estate during the time that such interest and penalty have accrued

(5) Expenses paid out of income according to subsection (1) hereof which represent regularly recurring charges shall be considered to have accrued from day to day and shall be apportioned on that basis whenever the right of the tenant begins or ends at some date other than the payment date of the expenses Where the expenses to be paid out of income are of unusual amount the trustee may distribute them throughout an entire year or part thereof or throughout a series of years After such distribution where the right of the tenant ends during the period the expenses shall be apportioned between tenant and remainderman on the basis of such distribution

Section 12 Expenses Non-trust Estates

(1) The provisions of Section 11 so far as applicable shall govern the apportionment of expenses between tenants and remaindermen where no trust has been created subject however to any legal agreement of the parties or any specific direction of the taxing or other statutes but where either tenant or remainderman has incurred an expense for the benefit of his own estate and without the consent or agreement of the other he shall pay such expense in full

(2) The special taxes or assessments for an improvement representing an addition of value to property forming part of the principal shall be paid by the tenant where such improvement cannot reasonably be expected to outlast the estate of the tenant In all other cases a portion thereof only shall be paid by the tenant while the remainder shall be paid by the remainderman Such portion

shall be ascertained by taking that percentage of the total which is found by dividing the present value of the tenant's estate by the present value of an estate of the same form as that of the tenant except that it is limited for a period corresponding to the reasonably expected duration of the improvement The computation of present values of the estates shall be made on the expectancy basis set forth in the American experience tables of mortality and no other evidence of duration or expectancy shall be considered

Section 13 Short Title This act may be cited as the Principal and Income Act of 1947

Section 14 Repeal The act approved the third day of May one thousand nine hundred and forty-five (P. L. 416) entitled "An act concerning the ascertainment of principal and income and the apportionment of receipts and expenses among tenants and remaindermen and to make uniform the law with reference thereto" and Section twenty-two of the act approved the seventh day of June one thousand nine hundred and seventeen (P. L. 447) entitled "An act relating to the administration and distribution of the estates of decedents and of minors and of trust estates including the appointment bonds rights powers duties liabilities accounts discharge and removal of executors administrators guardians and trustees herein designated as fiduciaries the administration and distribution of the estates of presumed decedents widows' and childrens' exemptions debts of decendents rents of real estate as assets for payment thereof the lien thereof sales and mortgages of real estate for the payment thereof judgments and executions therefor and the discharge of real estate from the lien thereof contracts of decedents for the sale or purchase of real estate legacies including legacies charged on land the discharge of residuary estates and of real estate from the lien of legacies and other charges the appraisement of real estate devised at a valuation the ascertainment of the curtilage of dwelling houses or other buildings devised the abatement and survival of actions and the substitution of executors and administrators therein the survival of causes of action in suits thereupon by or against fiduciaries investments by fiduciaries the organization of corporations to carry on the business of decedents the audit and review of accounts of fiduciaries refunding bonds transcripts to the court of common pleas of balances due by fiduciaries the rights powers and liabilities of nonresident and foreign fiduciaries the appointment bonds rights powers duties and liabilities of trustees durante absentia the recording and registration of decrees reports and other proceedings and the fees therefor appeals in certain cases and also generally dealing with the jurisdiction powers and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents" and their amendments and all other acts or parts of acts which are inconsistent with the provisions of this act are hereby repealed absolutely

Section 15 Time of Taking Effect The provisions of this act shall become effective upon the enactment thereof and shall apply to all estates of tenants or remaindermen and to all wills trusts agreements and trust relations theretofore or thereafter made or created Except that the provisions of Section 9 hereof shall apply only to wills trust agreements and trust relations thereafter made or created And provided further that the provisions of this act shall not apply to receipts and expenses received or paid prior to the effective date of this act

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48.

Barr,	Geltz,	Lord,	Tarr,
Becker,	Haluska,	Mahany,	Taylor,
Berger,	Hare,	Mallery,	Tyler,
Blass,	Heyburn,	Margie,	Wagner,
Carr,	Holland,	Rahauser,	Watson,
Chapman,	Homsher,	Rosenfeld,	Wilson,
Crider,	Jaspan,	Ruth,	Wolfe,
Crowe,	Kephart,	Scarlett,	Wood, L. H.,
Dent,	Klein,	Snowden,	Wood, T. N.,
DiSilvestro,	Lane,	Stevenson,	Woodring,
Doehla,	Leader,	Stiefel,	Walker,
Donlan,	Letzler,	Tallman,	Presiding Officer
Farrell,			

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 742, as follows:

An Act to amend section one hundred eighty-one of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" permitting sheriffs to succeed themselves

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one hundred eighty-one of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" is hereby amended to read as follows

Section 181 [Not] Eligible to Succeed Himself [No] The sheriff shall be eligible for the term next succeeding the one for which he was elected

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48.

Barr,	Geltz	Lord,	Tarr,
Becker,	Haluska,	Mahany,	Taylor,
Berger,	Hare,	Mallery,	Tyler,
Blass,	Heyburn,	Margie,	Wagner,
Carr,	Holland,	Rahauser,	Watson,
Chapman,	Homsher,	Rosenfeld,	Wilson,
Crider,	Jaspan,	Ruth,	Wolfe,
Crowe,	Kephart,	Scarlett,	Wood, L. H.,
Dent,	Klein,	Snowden,	Wood, T. N.,
DiSilvestro,	Lane,	Stevenson,	Woodring,
Doehla,	Leader,	Stiefel,	Walker,
Donlan,	Letzler,	Tallman,	Presiding Officer
Farrell,			

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 785, on third reading, entitled:

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by creating the Public Service Institute Board in the Department of Public Instruction and defining its powers and duties

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1016, as follows:

An Act to amend section four hundred thirty-nine of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" increasing the membership of the Sanitary Water Board and providing compensation for certain members of such board

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section four hundred thirty-nine of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" is hereby amended to read as follows

Section 439 Sanitary Water Board The Sanitary Water Board shall consist of the Secretary of Health who shall be chairman thereof the Secretary of Forests and Waters the Secretary of Mines the Commissioner of Fisheries and three other members

Four members of the board shall constitute a quorum

Each member of the board except the Secretary of Health the Secretary of Forests and Waters the Secretary of Mines and the Commissioner of Fisheries shall receive fifteen dollars ($15) per diem when actually engaged in the work of the board

Section 2 The provisions of this act shall become effective the first day of July one thousand nine hundred forty-seven

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48.

Barr,	Geltz,	Lord,	Tarr,
Becker,	Haluska,	Mahany,	Taylor,
Berger,	Hare,	Mallery,	Tyler,
Blass,	Heyburn,	Margie.	Wagner,
Carr,	Holland,	Rahauser,	Watson,
Chapman,	Homsher,	Rosenfeld,	Wilson,
Crider,	Jaspan,	Ruth,	Wolfe,
Crowe,	Kephart,	Scarlett,	Wood, L. H.,
Dent,	Klein,	Snowden,	Wood, T. N.,
DiSilvestro,	Lane,	Stevenson,	Woodring,
Doehla,	Leader,	Stiefel,	Walker,
Donlan,	Letzler,	Tallman,	Presiding Officer
Farrell,			

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

SENATE BILL No. 195 CALLED UP FROM THIRD READING POSTPONED CALENDAR

Mr. TALLMAN. Mr. President, I call up, on page 10 of the Calendar, Bills on Third Reading Postponed, Senate Bill No. 195, Printer's No. 152.

BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 195, entitled:

An Act to further amend the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 364) entitled "An act relating to business corporations defining and providing for the organization merger consolidation reorganization winding up and dissolution

of such corporations conferring certain rights power duties and immunities upon them and their officers and shareholders prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the second class within the provisions of this act prescribing the terms and conditions upon which foreign business corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas and certain State departments commissions and officers authorizing certain State departments boards commissions or officers to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" changing the time of the inception of corporate existence or authority to do business and the requirements and effect of notices to shareholders in certain cases providing for cancellation of shares acquired by issuing corporation and limiting the rights of dissenting shareholders in certain cases

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. TALLMAN. Mr. President, I ask unanimous consent to offer amendments at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend sec. 1, page 3, by inserting between lines 15 and 16, the following: "* * * * *"; Amend sec. 1 (See 8), page 5, line 14, by striking out the word "on" and inserting in lieu thereof "an"; amend sec. 4 (Sec. 513), page 7, line 16, by striking out the following "Section 8 E" and inserting in lieu thereof "subsection E of section 8"; amend sec. 6 (Sec. 803), page 11, line 17, by striking out the word "invole" and inserting in lieu thereof "involve"; amend sec. 9, page 14, line 14, by striking out the word "and"; amend sec. 9, page 14, line 14, by inserting after the letter "B" the following "and C"; amend sec. 9 (Sec. 902), page 14, line 16, by striking out the word "TO" and inserting in lieu thereof "of"; amend sec. 9 (Sec. 902), page 15, line 11, by underscoring the word "domestic"; amend sec. 9 (Sec. 902), page 16, line 6, by striking out the following: "Section 8 E" and inserting in lieu thereof "subsection E of section 8"; amend sec. 10, page 16, lines 12 to 16, by striking out all of said lines; amend bill, page 17, by inserting between lines 11 and 12, the following: "Section 10. Section nine hundred two of said act is hereby amended by adding thereto after subsection C thereof, a new section to read as follows: Section 902. Approval of Joint Plan of Merger or Consolidation;— * * * *; amend sec. 11 (Sec. 903), page 19, lines 5 to 9, by underscoring all the words in said lines; amend sec. 12, page 21, lines 4, by inserting after the word "act" the following; "as last amended by the act approved the twenty-fourth day of May, one thousand nine hundred forty-five (P. L. 937)"; amend sec. 12, page 21, line 4, by inserting after the word "hereby" the following: "further"; amend sec. 12 (Sec. 904), page 21, line 7, by inserting after the word "OR" the following: "articles of"; amend sec. 12 (Sec. 904), page 22, line 1, by inserting after the word "the" where it appears the second time in said line, the following: "proposed"; amend sec. 13, page 22, line 17, by inserting after the word "ACT" the following: "as last amended by the act approved the thirty-first day of July, one thousand nine hundred forty-one (P. L. 636)"; amend sec. 13, page 22, line 17, by inserting after the word "hereby" the following: "further"; amend sec. 13 (Sec. 905), page 23, line 11, by inserting after the word "forthwith" the following: "but'; amend sec. 13 (Sec. 905), page 23, line 16, by striking out the partword "resentatives' and inserting in lieu thereof "resentative"; amend sec. 16, page 28, lines 5, 6 and 7, by striking out the words "section nine hundred eight of said" in line 5, all of line 6, and the words "tion E and" in line 7,"; amend sec. 16, page 28, line 7, by inserting after the letter "B" the following: "of section nine hundred eight"; amend sec. 16, page 28, line 11, by inserting after the word "amended" the following: "to read"; amend sec. 16 (Sec. 908), page 29, line 16, by inserting after the word "him" the following: "[any shareholder failing to file such written objection or make]"; amend sec. 16 (Sec. 908), page 29, lines 17 and 18, by underscoring all of line 17, and the words "tion and also makes such" in line 18; amend sec. 16 (Sec. 908), page 29, line 19, by underscoring the word "he"; amend sec. 16 (Sec. 908), page 33, by inserting between lines 11 and 12, the following: "Section 17. Section nine hundred eight of said act is hereby further amended by adding thereto after subsection D thereof, a new subsection to read as follows: Section 908. Rights of Dissenting Shareholders."; * * * * amend sec. 17, page 34, line 4, by striking out the figure "17" and inserting in lieu thereof "18"; amend sec. 17 (Sec. 1005), page 34, line 8, by striking out all of said line; amend sec. 17 (Sec. 1005), page 34, line 9, by inserting before the letter "A" the following; "Section 1005. Issuance of Certificate of Authority."—; amend sec. 18, page 36, line 3, by striking out the figure "18" and inserting in lieu thereof "19"; amend sec. 18, page 36, line 3, by inserting after the figure "1101" the following: "and 1105"; amend sec. 18, page 36, line 5, by striking out the word "is" and inserting in lieu thereof "are"; amend bill, page 37, by striking out all of lines 19 and 20; amend bill, page 38, lines 1 and 2, by striking out all of said lines.

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

It was agreed to.

Ordered, That the bill as amended, lie over for printing on final passage.

RESOLUTION

TRIBUTE TO THE REVEREND FATHER WILLIAM A. ROACH, A HERO OF THE TEXAS CITY DISASTER, AND CONDOLENCE TO HIS FAMILY

Mr. HEYBURN. Mr. President, I ask unanimous consent to offer a resolution at this time.

THE PRESIDING OFFICER Is there objection? The Chair hears none.

Mr. HEYBURN, offered the following resolution which was twice read, as follows:

In the Senate, April 23, 1947

The sons of Pennsylvania have gone forth in their State, their Nation and the world to accomplish great and glorious deeds and to perform heroic acts since the very beginning of our Commonwealth's history. To the famed list of Pennsylvania's immortals there has been added the name of another who fell as a hero—ignoring terror and sudden death—he gave his life in the service of his fellow men.

On Wednesday, April 19, 1947, from out of the great southwest, in our sister state of Texas, came the word of a heartbreaking, peacetime disaster that brought grief to our Nation and stunned those of us in the Keystone State. Texas City's harbor area had been leveled, hundreds were dead and hundreds were injured, in a series of incredible blasts that turned the port into the holocaust of a roaring inferno.

Into this fire-swept maelstrom, a veritable charnel house which had just moments before been a happy, thriving, prospering area, sped the Reverend Father William A. Roach, a 38-year-old priest, who was pastor of St. Mary's Roman Catholic Church, Texas City, Texas. He was safely in his rectory, some distance from the waterfront, when he heard and felt the impact of the first terrible concussion. Totally disregarding personal danger, he dashed to his automobile and drove to the scene of disaster, He knew when he arrived at the dock area that other blasts were imminent because explosives were being loaded there. He also knew that among the dead and dying were many of his parishioners and as the leader of his flock there was none but him to administer the last rites.

Without a second thought he shouldered his way past guards and police to reach his people. As he went from one to the other his mere presence stilled their cries and moans of anguish and gave them comfort and new courage. He pushed on and on to carry his mission to them all, heroically ignoring the calls of those who sought to warn him back to safety, for he was in the service of his people and they needed him. He was oblivious to danger.

The second blast came. A terrible silence followed. Sixty feet from where the heroic priest had been kneeling beside one of his flock rescue workers found him. His limbs were torn and his skull was fractured. Rushed to a Galveston hospital, he died an hour later. The courage, fortitude and devotion which he showed have forever enshrined him in the hearts of those people in whose service he laid down his life.

Father Roach was a Pennsylvanian and a Delaware Countain. His parents are William F. and Mabel Roach of 215 East Third Street, Media, Pennsylvania, He was a twin brother of the Reverend Father John Roach. Together as boys they had attended the Holy Spirit School in Sharon Hill and Upper Darby High School. They both went into the study of the priesthood together and studied at seminaries in Little Rock, Arkansas, and LaPort. Texas. During summer vacations they returned to the family home in Media to work with their father. They returned to Media again, after attaining the priesthood, to say their first Masses in May, 1939. Then they went on to conduct their own churches. Father John became director of Catholic charities for the Galveston diocese and Father William became known as "The Builder of Churches," for the conducted campaigns to build five churches in Texas, with his latest duties as pastor of the Texas City Church.

Now Therefore, Be It Resolved, that the Senate of Pennsylvania take this means of paying tribute to this heroic son of the Commonwealth, and

Be It Further Resolved that in evidence of the deep sympathy of the Senate, the Secretary thereof shall transmit a copy of this Resolution to the bereaved family of the Reverend Father William A. Roach, his parents, his twin brother, and to his two brothers, Leo, of Drexel Hill, Pennsylvania, and James, of Media, Pennsylvania, and his sister Mary, of Media, Pennsylvania.

REQUEST THAT RULE 39 BE SUSPENDED

Mr. HEYBURN. Mr. President, I ask unanimous consent that rule 39, which requires resolutions be referred to appropriate committee, be dispensed with and the Senate proceed to the consideration of the foregoing resolution.

Which was agreed to.

On the question,

Will the Senate agree to the resolution?

Mr. DENT. Mr. President, I wish to second the motion for immediate adoption of this resolution.

And the question recurring,

Will the Senate agree to the resolution?

It was agreed to.

BILLS ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 287, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor, to convey to the Borough of Towanda for use as an airport, certain real estate located in the Township of Towanda, County of Bradford, and heretofore acquired by the Commonwealth for development as an airport.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 361, on second reading, entitled:

An Act to further amend section two hundred twenty of the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" providing for free fishing licenses to certain disabled war veterans

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 390 on second reading, entitled:

An Act to amend section nine hundred six of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" authorizing the granting of the right to maintain radio stations or radio towers facilities for skiing roadside rests and devices for flood control and recreational uses on lands acquired for the use of the Pennsylvania Game Commission

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 391, entitled:

An Act to further amend section seven hundred one of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" permitting licenses for temporary possession of game or game flesh to be issued by supervisors or district game protectors and extending such licenses to game birds

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 409, on second reading, entitled:

An Act to further amend the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by further restricting the use of spotlights eliminating the right to kill elk as a protection to crops changing the dog training period and fixing the period covered by petitions for hunting foxes with dogs.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 411, entitled:

An Act authorizing Andrew J. Herbster and Carrie M. Herbster of the Village of Laurelton Hartley Township Union County Pennsylvania to bring suit against the Commonwealth of Pennsylvania in the Court of Common Pleas of Union County for damage suffered by him by the diversion and use of the water of Stony Run and Laurel Run by Laurelton State Village at Laurelton Pennsylvania

And said bill having been read at length the second time and agreed to,

Ordered To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 503, on second reading, entitled:

An Act to amend or further amend Sections eight hundred six eight hunderd eight and eight hundred thirty of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by making it unlawful for certain persons to distrub wild birds or wild animals within safety zones during the open hunting or trapping season clarifying the law with reference to shooting within safety zones prohibiting the conveyance of certain firearms without being wrapped or in a case and clarifying the law with reference to hunting accident reports

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 515, entitled:

An Act to amend section three of the act approved the eleventh day of May one thousand nine hundred one (P. L. 166) entitled "An act providing for the commutation of sentences for good behavior of convicts in prisions penitentiaries workhouses and county jails of this State and regulations governing the same" changing the day on which monthly reports shall be forwarded to the Governor

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 516, entitled:

An Act to amend section one of the act approved the fourth day of June one thousand nine hundred forty-five (Appropriation Act No. 85-A page 61) entitled "An act making an appropriation to the Department of Commerce to be used by the Pennsylvania Aeronautics Commission for the encouragement and development of aeronautics" by adding municipal authorities to the agencies receiving assistance

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 542, on second reading, entitled:

An Act to amend Section six hundred seven of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by making it unlawful to disturb or tamper with traps set by agents of the Commission

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 544, entitled:

An Act to establish an Eastern Pennsylvania Psychiatric Institute conferring powers and imposing duties and obligations on the Department of Property and Supplies and providing for maintenance and operation by the Department of Welfare through a director and an advisory board appointed by it

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 553, entitled:

An Act to amend section one thousand seven hundred ten of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" by further imposing penalties in certain cases

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 554, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of a certain tract or parcel of land in York County Pennsylvania for use in connection with the New Cumberland General Depot and ceding jurisdiction to the United States

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No 592, entitled:

An Act authorizing the conveyance to the Borough of Norristown of a certain tract of land in the Borough of Norristown, County of Montgomery, Pennsylvania.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 611, on second reading, entitled:

An Act to amend the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by making it unlawful for any person while hunting or trapping to carry any firearm with the safety off except during the momentary interval of time necessary to permit the discharge of such firearm and providing penalties

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON FIRST READING CALENDAR

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 415, entitled:

An Act to amend sections 501 and 502 of the Act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 1053) entitled "An act relating to the regulation of public utilities defining as public utilities certain corporations companies associations and persons providing for the regulation of public utilities including to a limited extent municipalties engaging in public utility business by prescribing defining and limiting their duties powers and liabilities and regulating the exercise surrender or abandonment of their powers privileges and franchises defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons associations companies and corporations including to a limited extent municipal corporations subject to this act and administering the provisions of this act authorizing the commission to fix temporary rates placing the burden of proof on public utilities to sustain their rates and certain other matters authorizing a permissive or mandatory sliding scale method of regulating rates providing for the supervision of financial and contractual relations between public utilities and affiliated interests and supervision and regulation of accounts and securities or obligations issued assumed or kept by persons associations companies corporations or municipal corporations subject to this act conferring upon the commission power to vary reform or revise certain contracts conferring upon the commission the exclusive power to regulate or order the construction alteration relocation protection or abolition of crossings of facilities of public utilities and of such facilities by or over public highways to appropriate property for the construction or improvement of such crossings and to award or apportion resultant costs and damages authorizing owners of such property to sue the Commonwealth for such damages providing for ejectment proceedings in connection with the appropriation of property for crossings conferring upon the commission power to control and regulate budgets of public utilities imposing upon persons associations companies and corporations (except municipal corporations) subject to regulation the cost of administering this act prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings prescribing penalties fines and imprisonment for violation of the provisions of this act and regulations and orders of the commission and the procedure for enforcing such fines and

penalties and repealing legislation supplied and superseded by or inconsistent with this act" limiting original cost accounting to those public utilities whose accounting systems are subject also to the jurisdiction of a Federal regulatory body

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

BILLS ON FIRST READING

Mr. TALLMAN. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. T. NEWELL WOOD. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. LANE. Mr. President I object to House Bill No. 7 being read for the first time.

Mr. HEYBURN. Mr. President, is that the Pittsburgh Smoke Bill, House Bill 7?

The PRESIDING OFFICER. That is the designation given to it by the gentleman from Washington, Senator Lane.

Objection has been made to reading House Bill 7 for the first time, and therefore it will appear on tomorrow's first reading calendar.

And the question recurring,

Will the Senate agree to the motion, as amended?

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 327, entitled

An Act to further amend the act, approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the board of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the persons and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers, fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," transferring from the Department of Public Instruction to the Department of Mines, the Anthracite Mine Inspectors' Examining Board and the Mine Inspectors' Examining Board for the Bituminous Coal Mines of Pennsylvania, and providing reimbursement for certain expenses to members of such boards.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 358, entitled:

An Act to further amend the act approved the nineteenth day of July one thousand nine hundred thirty-five (P. L. 1356) entitled "An act to regulate the sale and delivery of solid fuel as herein defined providing for appointment of licensed weightmasters prescribing their powers and duties authorizing substitute licensed weighmasters imposing certain duties on the Department of Internal Affairs and providing penalties" providing for transportation of solid fuel over a public highway making exceptions to necessity of a weighmaster's certificate and designating certain acts as prima facie evidence of short weight.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 570, entitled:

An Act to further amend sections one, four, five and six of the act, approved the seventh day of May, one thousand nine hundred twenty-three (P. L. 151), entitled "An act defining and regulating the business of dry cleaning and dyeing; providing for the maintenance, construction, and inspection of dry cleaning and dyeing buildings and establishments; providing for enforcing the act, and penalties for violation thereof", by repealing exemptions from certain provisions of said act and providing for regulation of Class I and Class II dry cleaning and dyeing plants.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 601, entitled:

An Act to further amend section five of article three of the act, approved the ninth day of June, one thousand nine hundred eleven (P. L. 756), entitled "An act to provide for the health and safety of persons employed in and about the bituminous coal mines of Pennsylvania, and for the protection and preservation of property connected therewith," by further regulating barrier pillars.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 609, entitled:

An Act to further amend the act approved the ninth day of June, one thousand nine hundred eleven (P. L. 756), entitled "An act to provide for the health and safety of persons employed in and about bituminous coal mines of Pennsylvania and for the protection and preservation of property connected therewith," by further providing for the health and safety of persons employed in and about the bituminous coal mines of Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 780, entitled:

An Act requiring public assistance milk orders to be presented for payment within a certain period otherwise to be canceled and the monies appropriated for their payment to be escheated to the Commonwealth and credited to the current appropriation for public assistance purposes.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 905, entitled:

An Act to amend and reenact section one of the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 491) entitled "An act reducing for a limited period of time the training period of internship in osteopathic hospitals in order to qualfy for examination for license by the Osteopathic Surgeons' Examining Board to practice major surgery and suspending inconsistent laws" further regulating the training period of internship in osteopathic hospitals.

And said bill having been read at length the first time, Ordered, To be laid aside for second realing.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1046, entitled:

An Act to amend section two of the act approved the twenty-sixth day of May one thousand nine hundred twenty-one (P. L. 1172) entitled A supplement to the act approved the seventeenth day of May one thousand nine hundred seventeen (P. L. 208), entitled An act to regulate the practice of pharmacy and sale of poisons and drugs and providing penalties for the violation thereof defining the words 'drug' and 'poison' and providing for the appointment of a board which shall have in charge the enforcement of said law and the power to make rules and regulations for the enforcement of said law and providing for the purchase of samples of drugs for determining their quality strength and purity" requiring permits to conduct pharmacies providing for the revocation thereof and prescribing penalties regulating the use of a corporate title in applying for a pharmacy permit and its use on labels signs and advertisements

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1215, entitled:

A Joint Resolution ratifying the proposed amendment to the Constitution of the United States relative to the terms of the President of the United States.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

BILL INTRODUCED AND REFERRED

Mr. DENT. Mr. President, I ask unanimous consent to introduce a bill at this time, a very important piece of legislation.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. DENT read in place and presented to the Chair Senate Bill No. 645, entitled:

An Act to amend the title and section one of the act, approved the sixth day of April, one thousand nine hundred forty-five (P. L. 164) entitled "An act authorizing and empowering minors seventeen years of age, or older, to contract for and to make loans in accordance with the provisions of the act of Congress, known as the "Servicemen's Readjustment Act of 1944," or any agency of the Commonwealth hereafter created, and saving and relieving the parents, guardians, and trustees of such minors from any liability therefor, unless joining therein," extending the provisions thereof to loans made, insured or guaranteed under the "Bankhead-Jones Farm Tenant Act" and other Federal legislation.

Which was committed to the Committee on Military Affairs and Aeronautics.

The PRESIDENT pro tempore (M. Harvey Taylor) in the Chair.

BILL SIGNED

The PRESIDENT pro tempore (M. Harvey Taylor) announced that the Chief Clerk having reported that the following bill had passed both houses of the General Assembly and the same being correct, the title was publicly read as follows:

House Bill No. 317.

An Act to reenact and amend the title and the act approved the second day of May one thousand nine hundred forty-five (P. L. 375) entitled "An act conferring upon the councils of cities of the first class the power and devolving upon them the duty of fixing and determining the salaries wages and other compensation payable out of the treasury of such cities from and after the first day of January one thousand nine hundred and forty-six of all public officers clerks and other public employes except the salaries of elected officers whose salaries are fixed by law and except the salaries wages or other compensation of officers clerks and employes of the courts which are fixed by law or by the courts" by vesting in city council of cities of the first class the power to fix the salaries wages or other compensation of employes of the courts

Whereupon,

The PRESIDENT pro tempore (M. Harvey Taylor) in the presence of the Senate signed the same.

ADJOURNMENT

Mr. TALLMAN. Mr. President, I move that the Senate do now adjourn until Thursday, April 24, 1947, at 12:00 o'clock, M., Eastern Standard Time.

Mr. HEYBURN. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 3:12 o'clock, p. m., Eastern Standard Time until Thursday, April 24, 1947, at 12:00 o'clock, M., Eastern Standard Time.

HOUSE OF REPRESENTATIVES

WEDNESDAY, April 23, 1947

The House met at 1:00 p. m.

The SPEAKER (Franklin H. Lichtenwalter) in the Chair.

PRAYER

The Chaplain, Rev. Lester C. Updegrove offered the following prayer:

"The Lord is my shepherd; I shall not want. He maketh me to lie down in green pastures; He leadeth me beside the still waters. He restoreth my soul; He leadeth me in the paths of righteousness for His name's sake. Yea, though I walk through the valley of the shadow of death, I will fear no evil; for Thou art with me; Thy rod and Thy staff they comfort me. Thou preparest a table before me in the presence of mine enemies; Thou anoinest my head with oil; my cup runneth over. Surely goodness and mercy shall follow me all the days of my life, and I will dwell in the house of the Lord forever." Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of Tuesday, April 22, 1947.

The Clerk proceeded to read the Journal of Tuesday, April 22, 1947, when, on motion of Mr. BANE unanimously agreed to, the further reading was dispensed with and the Journal approved.

SENATE MESSAGES

HOUSE BILL CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 317.

An Act to reenact and amend the title and the act approved the second day of May one thousand nine hundred forty-five (P. L. 375) entitled "An act conferring upon the councils of cities of the first class the power and devolving upon them the duty of fixing and determining the salaries wages and other compensation payable out of the treasury of such cities from and after the first day of January one thousand nine hundred and forty-six of all public officers clerks and other public employes except the salaries of elected officers whose salaries are fixed by law and except the salaries wages or other compensation of officers clerks and employes of the courts which are fixed by law or by the courts" by vesting in city council of cities of the first class the power to fix the salaries wages or other compensation of employes of the courts

With the information that the Senate has passed the same without amendment.

The Clerk of the Senate being introduced, presented extracts from the Journal of the Senate:

Senate Bills for concurrence 41, 169, 170, 543, 552 and 557.

GAMMA DELPHIANS WELCOMED

The SPEAKER. The Chair is very pleased to have as guests at today's Session the Gamma Delphians of Allentown, under the direction of Mrs. Russell Stine as President.

BILL SIGNED BY SPEAKER

Bill numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the title was publicly read as follows:

HOUSE BILL No. 317.

An Act to reenact and amend the title and the act approved the second day of May one thousand nine hundred forty-five (P. L. 375) entitled "An act conferring upon the councils of cities of the first class the power and devolving upon them the duty of fixing and determining the salaries wages and other compensation payable out of the treasury of such cities from and after the first day of January one thousand nine hundred and forty-six of all public officers clerks and other public employes except the salaries of elected officers whose salaries are fixed by law and except the salaries wages or other compensation of officers clerks and employes of the courts which are fixed by law or by the courts" by vesting in city council of cities of the first class the power to fix the salaries wages or other compensation of employes of the courts

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. KLINE asked and obtained permission for the Committee on Insurance to meet during the session of the House.

REPORTS FROM COMMITTEES

Mr. CHERVENAK from the Committee on Education, reported as amended, House Bill No. 37, entitled:

An Act defining and providing for the licensing and regulation of private schools; conferring powers and imposing duties on the Department of Public Instruction; and imposing penalties.

Mr. ROSE from the Committee on Judiciary, reported as committed, House Bill No. 95, entitled:

An Act to repeal the act approved the sixteenth day of May, one thousand nine hundred forty-five (P. L. 594), entitled "An act providing for the disposition of fines, penalties and forfeitures collected in summary proceedings; and imposing penalties."

Mr. McMILLEN from the Committee on Education, reported as committed, House Bill No. 445, entitled:

An Act to further amend section one thousand four hundred twelve of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof that are or may be inconsistent therewith," requiring the Commonwealth to pay the tuition of certain non-resident inmates of institutions attending public schools.

Mr. SCANLON from the Committee on Education, reported as committed, House Bill No. 749, entitled:

An Act to further amend section one thousand five hundred eight of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," entitling school nurses employed by first class school districts to same status and compensation as school teachers.

Mr. HOFFMAN from the Committee on Education, reported as committed, House Bill No. 874, entitled:

An Act to further amend the first three paragraphs of section one thousand two hundred one of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," further defining substitutes and regulating their employment; and further providing for reimbursement of school districts employing substitutes.

Mrs. DYE from the Committee on Education, reported as committed, House Bill No. 900, entitled:

An Act to add a new section to be known as section three hundred five point one to the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" to provide for leaves of absence of non-professional employes because of illness and other causes in school districts of the first class.

Mr. DIX from the Committee on Education, reported as committed, House Bill No. 974, entitled:

An Act to further amend section two thousand one hundred four of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" increasing the pay of teachers attending meetings called by the county superintendent.

Mr. HOFFMAN from the Committee on Education, reported as amended, House Bill No. 1036, entitled:

An Act creating the Public School Building Fund within the Department of Public Instruction to aid in the construction and improvement of school buildings through grants to school districts; presenting procedure for applications; conferring powers and imposing duties upon the Department of Public Instruction and making an appropriation.

Mr. CLARENCE E. MOORE from the Committee on Municipal Corporations, reported as committed, House Bill No. 1066, entitled:

An Act to amend section twenty of the act, approved the twenty-fifth day of May, one thousand nine hundred forty-five (P. L. 1050), entitled "An act relating to the collection of taxes levied by counties, county institution districts, cities of the third class, boroughs, towns, townships, certain school districts and vocational school districts; conferring powers and imposing duties on tax collectors, courts and various officers of said political subdivisions; and prescribing penalties," making a husband liable for his wife's per capita, poll and occupation taxes and providing for the collection thereof.

Mr. HOOPES from the Committee on Welfare reported as committed, House Bill No. 1112, entitled:

An Act to further amend subsection (b) of section two of the act, approved the twenty-ninth day of September, one thousand nine hundred thirty-eight (P. L. 53), entitled as amended "An act relating to institutions of counties, cities, wards, boroughs, township, institution districts and other political subdivisions, for the care, maintenance, and treatment of mental patients; providing for the transfer to the Commonwealth for the care, maintenance and treatment of mental patients of such institutions, and all grounds, lands, buildings and personal property of such political subecisions used for the care and maintenance of indigent persons connected with mental institutions providing for the management and operation or closing and abanadonment thereof; and the maintenance of mental patients therein; including the collection of maintenance in certain cases; providing for the retransfer of certain property to counties, cities, wards, boroughs, townships, institution districts and other political subdivisions under certain circumstances; conferring and imposing upon the Governor, the Department of Welfare, the courts of common pleas and counties, cities, wards, boroughs, townships, institution districts and other political subdivisions from maintaining and operating institutions, in whole or in part, for the care and treatment of mental patients; and repealing inconsistent laws," authorizing the Department of Welfare, with the approval of the Governor, to transfer to institution districts for the care and maintenance of indigent persons property no longer required by the Commonwealth for mental hospitals.

Mr. CASSIDY from the Committee on City and County —First Class, reported as committed, House Bill No. 1158, entitled:

An Act allowing treasurers of counties of the first class to succeed themselves in office.

Mrs. DYE from the Committee on Welfare, reported as amended, House Bill No. 1163, entitled

An Act to further amend section seven and amend section ten of the act, approved the thirteenth day of May, one thousand nine hundred twenty-five (P. L. 644), entitled "An act relating to and regulating the solicitation of moneys and property for charitable, religious benevolent, humane, and patriotic purposes," further regulating the solicitation of money and property conferring powers on courts of equity to siiue injunctions in certain cases and prescribing penalties

Mr. O'CONNOR from the Committee on Education, reported as committed, House Bill No. 1178, entitled

An Act to further amend section six hundred seventeen point one of the act approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," authorizing school districts under certain conditions to appropriate money to nonprofit corporations for the construction of school athletic stadia, including adequate equipment of the athletic field with fence enclosures and lighting system.

Mr. CHUDOFF from the Committee on City and County —First Class, reported as amended, House Bill No. 1230, entitled:

An Act to regulate the junk yard business in cities of the first class; to provide for the issuance of licenses for each junk yard; prescribing the method and manner of obtaining such licenses and prescribing the fees therefor; prohibiting junk yards within sight of a public highway and prescribing penalties.

Mr. CHUDOFF from the Committee on Elections and Apportionment, reported as committed, House Bill No. 1280, entitled:

An Act to amend subsection (a) of section thirty of the act, approved the twenty-fifth day of May, one thousand nine hundred thirty-seven (P. L. 849), entitled "An act to provide for the permanent personal registration of electors in cities of the third class as a condition of their right to vote at elections and primaries, and their enroll-

ment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens, parties, political bodies registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; imposing penalties; and repealing existing legislation," providing that reports of nonresidents' deaths be made to the registration commission of the county or city in which they resided.

Mr. TOMPKINS from the Committee on Judiciary, reported as committed, House Bill No. 1286, entitled:

An Act validating certain conveyances of real property made by a county home or by the directors of the poor.

Mr. KURTZ from the Committee on Insurance, reported as committed, Senate Bill No. 1 entitled:

An Act to further amend section three hundred forty-one of the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 682), entitled "An act relating to insurance amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance, exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," further defining and amplifying the powers of foreign insurance companies with relation to real property in this Commonwealth.

Mr. KURTZ from the Committee on Insurance, reported as committed, Senate Bill No. 2 entitled:

An Act to further amend the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by State Workmen's Insurance Fund; providing penalties; and repealing existing laws," repealing sections four hundred four, four hundred five, and four hundred six thereof, and adding new sections restating and changing requirements relating to the investment of the capital reserves and surplus of and relating to the real estate which may be held by life insurance companies; and authorizing agreements between or among insurance companies concerning ownership and control of real estate.

Mr. WEISS from the Committee on Judiciary, reported as committed, Senate Bill No. 254, entitled:

An Act to amend the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 289) entitled "An act relating to nonprofit corporations defining and providing for the organization merger consolidation and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and members prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the first class within the provisions of this act prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas prothonotaries of such courts recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" regulating the establishment and maintenance of common trust funds by nonprofit corporations.

Mr. VAUGHAN from the Committee on Cities and County—Second Class, reported as committed, Senate Bill No. 255, entitled:

An Act to further amend the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" authorizing second class counties to acquire land for and erect operate and maintain thereon garbage disposal plants

Mr. MILLER from the Committee on Welfare, reported as committed, Senate Bill No. 362, entitled:

An Act to amend section two of the act approved the eleventh day of April one thousand nine hundred forty-five (P. L. 203) entitled "An act to provide assistance for typhoid fever carries and persons having typhoid fever carriers in their households and imposing certain responsibilities upon the Secretary of Health the Secretary of Public Assistance and the Secretary of Welfare in connection therewith" by fixing the date on which financial assistance shall begin

Mr. PATTEN from the Committee on Judiciary reported as committed, Senate Bill No. 369, entitled:

An Act to authorize railroad corporations incorporated in this Commonwealth to hold directors' meetings at such place within this Commonwealth, or elsewhere, as appointed by a majority of the directors.

Mr. MILLER from the Committee on Welfare reported as committed, Senate Bill No. 475, entitled:

An Act to further amend section two of the act, approved the tenth day of July, one thousand nine hundred thirty-five (P. L. 645), entitled "An act imposing certain requirements on certain hospitals receiving State aid; authorizing the withholding of appropriation; and imposing duties on the Department of Welfare," extending temporary wartime provisions.

Mr. BEECH from the Committee on Cities and County—Second Class, re-reported as amended, House Bill No. 542, entitled:

An Act creating as bodies corporate and politic "Parking Authorities" in cities of the second class; prescribing the rights, powers and duties of such authorities; authorizing such authorities to acquire, construct, improve, maintain and operate parking projects; to conduct research of the parking problem and to establish a permanent coordinated system of parking facilities and to borrow money and issue bonds therefor; providing for the payment of such bonds and prescribing the rights of the holders thereof; conferring the right of eminent domain on such authorities; empowering such authorities to enter into contracts with and to accept grants from the Federal Government, State political subdivisions of the State, or any agency thereof; exempting the property and securities of such parking authorities from taxation and conferring exclusive jurisdiction on certain courts over rates.

Mr. SCOTT from the Committee on Judiciary, re-reported as amended, House Bill No. 682, entitled:

An Act declaring certain organizations, groups or societies subversive and certain persons disloyal citizens or undesirable aliens within this Commonwealth, and making it unlawful for any such persons to advocate or attempt to cause the overthrow of our Federal Government or to invalidate the Constitution of the United States by defiance of its laws or those of this Commonwealth by mass action, intimidation or violence or threats of same, and making all persons violating this act ineligible to hold public office or public employment or office in certain other organizations or corporate bodies as well as subject to certain fines or imprisonment or both.

BILLS RE-REFERRED

Mr. STONIER from the Committee on Municipal Corporations, returned with the recommendation that it be re-referred to the Committee on Cities and County—Second Class, House Bill No. 1182, entitled:

An Act to amend section three of the act, approved the nineteenth day of June, one thousand nine hundred thirty-nine (P. L. 430), entitled "An act providing a method of annexation of parts of townships of the first class, in counties of the second class, not in excess of twenty per centum of the assessed value of any such township in counties of the second class, to contiguous cities of the second class, boroughs, or other contiguous townships of the first class, and regulating the proceedings pertaining thereto," requiring notice to be given to the local school districts and the Department of Public Instruction permitting such department to make recommendations; prescribing a time period before final action by the court; requiring advertising permitting a petitioner to withdraw his signature from the petition; and providing for appeal.

The SPEAKER. The bill is re-referred to the Committee on Cities and County—Second Class.

Mr. DALRYMPLE from the Committee on Elections and Apportionment, returned with the recommendation that it be re-referred to the Committee on Cities and County—Second Class, House Bill No. 492, entitled:

An Act to amend the act, approved the twenty-fifth day of May, one thousand nine hundred thirty-seven (P. L. 814), entitled "An act to provide for the permanent personal registration of electors in cities of the second class as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; and imposing penalties," by increasing the compensation and raising the maximum compensation in certain cases.

The SPEAKER. The bill is re-referred to the Committee on Cities and County—Second Class.

LEAVES OF ABSENCE

By consent of the House leave of absence was granted as follows:

Mr. GYGER for himself and the following members of the Committee on Welfare who plan to visit institutions in the western part of the State, Messrs. WALTON, HOOPES, SHOEMAKER, CORDIER, GRAYBILL, Mrs. McCOSKER, Messrs. MORRISON, BENTEL, HAUDENSHIELD, SNIDER and Mrs. DYE.

The SPEAKER. The Chair requests the lady from Mercer, Mrs. Dye, to preside during the first reading calendar.

MRS. DYE IN THE CHAIR

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 18, entitled:

An Act to further amend clause thirty-four and to amend clause forty-one of section two thousand four hundred three of the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto," including American Veterans of World War II (AMVETS) among the veterans organizations for which certain appropriations may be made and for which space for meetings may be given

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 19, entitled:

An Act to amend section one of the act, approved the second day of June, one thousand nine hundred thirty-seven (P. L. 1184), entitled "An act authorizing cities of the first and second class and second class A and incorporated towns to make appropriations to organizations of ex-service men to aid in defraying the expenses of Memorial Day and Armistice Day," including the American Veterans of World War II among the veterans' organizations to which certain appropriations may be made.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 20, entitled:

An Act to amend section four hundred thirty-one of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," including the American Veterans of World War II (AMVETS) among the veterans' organizations for which certain appropriations may be made.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 23, entitled:

An Act to further amend subsection (a) of section seven hundred twenty-two of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of

vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," including the American Veterans of World War II (AMVETS) among those organizations exempt from payment of registration fees of vehicles used by such organization.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 24, entitled:

An Act to further amend the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" including American Veterans of World War II (AMVETS) among the veterans' organizations for which certain appropriations may be made and making more specific the veterans' organizations for which money may be appropriated for rental of meeting rooms of such organizations.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 25, entitled:

An Act to further amend section one of the act approved the third day of May one thousand nine hundred twenty-three (P. L. 134) entitled "An act making the proceedings of the conventions of the Departments of Pennsylvania of the Grand Army of the Republic and the United Spanish War Veterans a part of the public records of the State and providing for their publication and distribution" including American Veterans of World War II (AMVETS) among the veterans organizations entitled to the printing convention reports.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 26, entitled:

An Act to further amend the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" prohibiting the unauthorized wearing of insignia or selling of the official flower of the American Veterans of World War II (AMVETS) and including such organizations among those whose members may wear military uniforms for certain purposes.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 32, entitled:

An Act to further amend subsection (b) of section four hundred twelve of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by fixing a minimum compensation for judges and elected inspectors of election.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 216, entitled:

An Act authorizing the Joint State Government commission to study the education facilities and needs of the citizens in certain educational fields the financing administration and other features of collegiate institutions prescribing the powers and duties and making an appropriation.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 309, entitled:

An Act to further amend section seven of the act approved the fourth day of June one thousand nine hundred forty-three (P. L. 883) entitled "An act authorizing and directing the Department of Highways to erect and maintain as a post war construction project a toll bridge over the Allegheny River between a point in or near the Borough of Tarentum Allegheny County and a point in Westmoreland County and to provide the necessary approaches and connections with State highways providing for the acceptance of Federal aid empowering counties to pay certain damages providing for the collection of tolls on such bridge and making an appropriation" appropriating additional funds from the Motor License Fund for the construction of said bridge.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 744, entitled:

An Act to add clause LXIV to section one thousand two hundred two of the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" authorizing charges for boroughs services and facilities

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 865, entitled:

An Act to further amend section nine hundred six and to amend section one thousand two hundred one of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" reducing the number of times publication of notice of officers to be elected and time of November elections shall be given in certain counties

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 885, entitled:

An Act to add section one thousand three hundred one point two to the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" authorizing the levy and collection of an additional tax to provide pensions retirement or the purchase of annuity contracts for municipal employes

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 889, entitled:

An Act to add section one thousand three hundred one point two to the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" providing for amusement tax for general revenue purposes and providing penalties

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 891, entitled:

An Act to amend section eight hundred ten of the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" providing for the election and terms of councilmen in cases of invalid elections

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 922, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Board of Trustees of Woodville State Hospital to acquire a certain tract of land adjacent thereto for the use of said hospital and making an appropriation therefor

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 932, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Board of Trustees of the Harrisburg State Hospital to acquire by purchase or condemnation proceedings certain tracts of land for the use of said hospital and making an appropriation therefor

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 958, entitled:

An Act to amend the act approved the twenty-six day of April one thousand nine hundred twenty-nine (P. L. 823) entitled "An act permitting boroughs to provide a method of assessment for borough taxes" by changing the method of compensation and designating the borough council as the board of revision and providing that any tax levied for any borough purpose shall be based on the assessments hereunder and prohibiting the use of borough assessments under this act for county purposes

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1043, entitled:

An Act to amend the second paragraph of section two of the act approved the eighteenth day of July one thousand nine hundred thirty-five (P. L. 1303) entitled "An act to regulate the sale of certain hypnotic analgesic and body-weight reduction drugs in the interest of public health" prohibiting sale of inhalers at retail

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1121, entitled:

An Act to amend section one thousand two hundred five of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" changing the time for closing polls

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1279, entitled:

An Act to amend subsection (a) of section thirty of the act approved the first day of June one thousand nine hundred thirty-seven (P. L. 1132) entitled "An act to provide for the permanent personal registration of electors in cities of the second class A as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers regitrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors and imposing penalties" providing that reports of nonresidents' deaths be made to the registration commission of the county or city in which they resided

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1281, entitled:

An Act to amend subsection (a) of section twenty-nine of the act approved the twenty-ninth day of April one thousand nine hundred thirty-seven (P. L. 487) entitled "An act to provide for the permanent personal registration of electors in boroughs towns and townships as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors requiring the county commissioners of the various counties to act as a registration commission therefor and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors and imposing penalties" providing that reports of deaths of nonresidents be made to the registration commission of the county or city in which they resided

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1282, entitled:

An Act to amend subsection (a) of section thirty-one of the act approved the thirtieth day of March one thousand nine hundred thirty-seven (P. L. 115) entitled "An act to provide for the permanent personal registration of electors in cities of the first class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties bodies of electors registration commissions commissioners registrars inspectors of registration and other appointees of registration commission election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics real estate brokers rental agents certain public service companies persons firms and corporations operating vehicles for moving furniture and household goods and boards of school directors and imposing penalties" providing that reports of deaths of nonresidents be made to the registration commission of the county or city in which they resided.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1298, entitled:

An Act to amend subsection (a) of section thirty of the act approved the twenty-fifth day of May one thousand nine hundred thirty-seven (P. L. 814) entitled "An act to provide for the permanent personal registration of electors in cities of the second class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualification of electors and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors and imposing penalties" providing that reports of nonresidents' deaths be made to the registration commission of the county or city in which they resided.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1313, entitled:

An Act to amend section one of the act approved the twenty-ninth day of May one thousand nine hundred forty-five (Appropriation Acts page 20 Act No. 26-A) entitled "An act making an appropriation to the Elwyn Training School at Elwyn in the County of Delaware Commonwealth of Pennsylvania and prescribing certain conditions upon which the appropriations will be available to the school" increasing the per capita annual maintenance rate of wards of the State and the amount of the total appropriation.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

The SPEAKER pro tempore. For the information of the Members, there is a typographical error on page 11 of today's calendar; House Bill 66, should be Senate Bill 66, and all the bills on page 12 of the calendar are Senate bills instead of House Bills.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 66, entitled:

An Act making a deficiency appropriation to the Pennsylvania Institution for the Deaf at Mount Airy, Philadephia, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 342, entitled:

An Act making an appropriation to the Senate and the House of Representatives to pay the expenses of their committees directed to visit State institutions under the supervision of the Department of Welfare.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 371, entitled:

An Act to amend section six and section thirteen of the act approved the twenty-third day of May one thousand nine hundred forty-five (P. L. 926) entitled "An act for the protection of the public health by regulating the conduct and operation of public eating and drinking places within this Commonwealth requiring their licensing imposing certain duties on the Department of Health of this Commonwealth and on local health authorities and providing penalties" by conferring on local health authorities power to suspend or revoke licenses and making fines collected in cities boroughs and townships of the first class payable to these political subdivisions

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 385, entitled:

An Act to amend subsection (b) of section four of the act approved the twenty-fifth day of May one thousand nine hundred forty-five (P. L. 1050) entitled "An act relating to the collection of taxes levied by counties county institution districts cities of the third class boroughs towns townships certain in school districts and vocational school districts conferring powers and imposing duties on tax collectors courts and various officers of said political subdivisions and prescribing penalties" by providing that where borough taxes are collected by an appointee of council the council may prescribe the bond that may be required for the borough taxes.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 447, entitled:

An Act to amend the act, approved the fourth day of June, one thousand nine hundred forty-five (Appropriation Acts, page 106), entitled "An act making an appropriation for the preparation of the Eighteenth Division History, and creating a commission for such purposes," continuing the commission and reappropriating the unexpended balance.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

THE SPEAKER (Franklin H. Lichtenwalter) IN THE CHAIR

The SPEAKER. The Chair thanks the lady from Mercer, Mrs. Dye, for very ably presiding during the first reading calendar.

CLASS OF SHADE TOWNSHIP HIGH SCHOOL WELCOMED

The SPEAKER. The Chair is pleased to welcome to the House this afternoon the Senior Class of the Shade Township High School, Somerset County, in charge of Mr. Swartzwelder, the Principal, Miss Anna May Maurer, and Mr. Michael Danko, instructors. They are the guests of the gentleman from Somerset, Messrs. Wagner and Orban.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1098, entitled:

An Act to further amend sections two and nine of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2051) entitled "An act relating to public assistance providing for and regulating assistance to certain classes of persons designated and defined as dependent children aged persons blind persons and other persons requiring relief providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose authorizing the Department of Public Assistance to cooperate with and to accept and disburse moneys received from the United States Government for assistance to such persons providing for the liquidation of the State Emergency Relief Boards of Trutees of the Mothers' Assistance Fund and Boards of Trustees of Pension Fund for the Blind and repealing laws relating to mothers' assistance pensions for the blind old age assistance and the State Emergency Relief Board" by changing the definition of "Assistance" and eligible requirements for aged persons and other persons

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1099, entitled:

An Act to amend section four hundred two of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2017) entitled "An act creating in each county (except of the first class) as a separate corporation and in each city of the first and second class as a part of the city government an institution district for the care and maintenance of certain indigent persons and children prescribing the powers and duties of county commissioners county treasurers city departments of public welfare the State Department of Welfare and the State Department of Public Assistance in respect thereto abolishing certain poor districts and terminating the terms of directors overseas guardians and managers of the poor and poor district auditors and providing for the temporary employment of certain of them providing for the transfer vesting sale and disposition of the property or poor districts and the payment of their obligations imposing certain existing obligations on institution districts and on the Commonwealth regulating the affairs of poor districts until abolished revising amending changing and consolidating the law relating to the care of the poor and repealing existing laws" by clarifying the powers and duties of the institution districts

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. WATKINS asked and obtained permission for the

Committee on State Government to meet during the session of the House.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1210, entitled:

An Act to repeal the act approved the fourth day of June one thousand nine hundred forty-five (P. L. 1388) entitled "An act relating to the practice procedure regulations and adjudications of departments departmental administrative boards and commissions independent addependent administrative boards and commissions officers and other administrative agencies of this Commonwealth and judicial review thereof and preserving equitable jurisdiction in certain cases"

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1211, entitled:

An Act to repeal the act approved the fourth day of June one thousand nine hundred forty-five (P. L. 1392) entitled "An act providing for the Pennsylvania Register for the publication and distribution of certain orders regulations rules notices proclamations and similar instruments imposing powers and duties on the Legislative Reference Bureau and the Department of Property and Supplies creating the Pennsylvania Register Board and defining its powers and duties and making an appropriation for payment of expenses and costs of publication and distribution of the Pennsylvania Register"

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

BILL PASSED OVER

There being no objection

Senate Bill No. 114 Printer's No. 21

was passed over at the request of the SPEAKER.

BILL ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 678, as follows:

An Act to amend or further amend Sections five hundred six seven hundred one seven hundred sixteen and clause (q) of Section seven hundred thirty-one of the act approved the third day of June one thousand nine hundred thirty-seven (P L 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by reducing the penalty for the unlawful possession of live fawn deer requiring the payment of a fee for raccoon possession permits and making it unlawful to aid or assist in the purchase or sale of wild game

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section five hundred six of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating the changing the law relating thereto" is hereby amended to read as follows

Section 506 Penalties Any person violating any of the provisions of this article shall upon conviction be sentenced to pay the following fines and costs of prosecution for each offense

For taking killing wounding possessing or transporting from one locality to another within this State or for attempting to take kill or wound contrary to this article or any rules and regulations to the taking of game or furbearing animals adopted by the commission

(a) Each elk two hundred dollars and in the discretion of the court six months imprisonment

(b) Each deer or bear one hundred dollars except that the penalty for the unlawful possession or transportation of a live fawn deer from one locality to another within this Commonwealth which is recovered in a healthy and unharmed condition shall be twenty-five dollars

(c) Each wild turkey ruffed grouse ringneck pheasant quail partridge or woodcock twenty-five dollars

(d) Each raccoon twenty-five dollars

(e) For each other bird or animal ten dollars

For violating any of the provisions of this article not above specifically provided for or for violating any of the rules and regulations of the commission adopted under the provisions of this article twenty-five dollars and costs of prosecution for each offense

Upon failure of any person convicted of a first offense to immediately pay the fine imposed and costs of prosecution he shall be imprisoned one day for each dollar of fine imposed and costs of prosecution

Any person convicted of a second or subsequent offense shall be liable to the fines above provided and costs of prosecution and in addition thereto shall in the discretion of the court suffer imprisonment one day for each dollar of fine imposed

Section 2 Section seven hundred one of said act as last amended the eighteenth day of July one thousand nine hundred forty-one (P. L. 422) is hereby further amended to read as follows

Section 701 Unlawful Taking Killing Possession Etc of Game Except as otherwise provided in this act it is unlawful for any person to take or kill or wound or attempt to take or kill or wound any game except during the open season or to have in possession either living or dead any game or any part thereof except game lawfully taken during the open season which may be had in possession during the open season therefor and for sixty days thereafter Provided however That any person upon application to the director and the payment of a fee of one dollar ($1.00) may be issued a permit authorizing the possession of the flesh of a lawfully killed big game animal or any part thereof for an additional period not to exceed four months

The burden of proof that game or any part thereof found in possession of any person after the close of the open season was lawfully taken shall be upon the person in whose possession such game or part thereof is found

This section does not prohibit the possession at any time of game killed or taken outside of this Commonwealth or the possession of the tanned or cured skins or any parts thereof of birds or animals not unlawfully killed or the possession of live raccoons when lawfully taken during the open season provided the owner thereof applies [to the director for a permit within five days after the close of the season which shall be issued without charge] within ten days following capture of such animal to the director or to any regularly established field division office of the commission for a permit which may be issued upon payment of a fee of three dollars ($3.00) for each Raccoon possession permits shall expire on the thirty-first day of May of each year and shall not be transferable Should an animal so possessed having young and the permittee desires to retain them a similar permit shall be obtained for each young by the first day of June following the birth thereof

Any such raccoon possession permit shall be renewed annually at the same fee so long as the holder desires to continue retention of the animal A raccoon possession permit shall not authorize the holder to use any animal covered thereby for commercial propagation purposes nor

may a reccoon captured in a wild state in this Commonwealth be used for such purpose by the holder of a game propagation permit

It is unlawful for any person to use any game that has been unlawfully killed or taken or to aid or assist in the taking possession concealment or transportation of any game unlawfully killed or to have in possession for any purpose whatsoever or conceal the same any game or any part thereof that has been unlawfully killed or taken

Section 3 Section seven hundred sixteen of said act as last amended the sixth day of May one thousand nine hundred forty-three (P. L. 195) is hereby further amended to read as follows

Section 716 Buying and Selling Game Except as otherwise provided by this act it is unlawful for any person at any time to buy sell or barter or offer for sale or barter or to aid assist or cooperate in any manner whatsoever in the unlawful purchase or sale or to have in possession for sale or barter any game or parts thereof no matter where such game has been killed excepting deer or rabbits killed in another state or nation or the skins of raccoons and bears no matter where killed and other game legally killed and imported from another state or nation when tagged as herein required

Except as otherwise provided by this act it is unlawful for any person at any time to sell or barter or offer for sale or barter for human consumption any species of game or parts thereof protected by this act or similar thereto imported either dead or alive from another state or nation except deer or rabbits unless the carton containing such birds or animals or the individual carcasses shall have attached a tag identifying the birds or animals in plain English and giving the state or nation from which originally shipped Before any such game may be offered for sale there shall first have been atached to each bird or animal by a representative of the commission a metal seal the cost of which is hereby fixed at five cents which seal shall remain attached until the carcass is prepared or finally cut up for consumption

Except as otherwise provided nothing in this section shall be construed to prevent the purchase or sale of game raised under authority of a propagating permit in this Commonwealth and properly tagged or the purchase or sale of live raccoons legally possessed for release within the Commonwealth within five days thereafter or the purchase or sale or introduction into this State at any time of live birds or animals for propagation liberation or for any other purpose that has been inspected and legally passed in accordance with the conditions hereinafter stipulated or to prevent at any time the sale within the State or the shipment out of the State without license of any kind of any animal raised in capivity and not found in a wild state in this Commonwealth or the purchase or sale of the tanned cured or mounted heads or skins or parts thereof of any game not killed in a wild state in this Commonwealth or the sale or purchase of deer hides or any part thereof from animals lawfully killed if such hides are disposed of by the original owner within ninety days after the close of the previous open season but this provision shall not be construed to permit any individual or agency other than the commission to sell the skins of deer killed as a protection to crops

Section 4 Clause (q) of Section seven hundred thirty-one of said act as last amended the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 810) is hereby further amended to read as follows

(q) Except as otherwise herein provided for hunting or chasing or catching or taking or killing or wounding or receiving or delivering or transporting or shipping or using or concealing or assisting to conceal or having in possession or attempting to hunt for catch take kill wound or transport contrary to this article or regulations adopted thereunder by the commission or for violating any of the provisions of this article relating to the shipping or transportation or removal out of this Commonwealth or relating to the buying or selling or bartering of

I Each elk two hundred dollars and in the discretion of the court six months' imprisonment

II Each deer or bear one hundred dollars except that the penalty for the unlawful possession or transportation of a live fawn deer from one locality to another within this Commonwealth which is recovered in a healthy and unharmed condition shall be twenty-five dollars

III Each wild turkey ruffed grouse pheasant quail partridge or woodcock twenty-five dollars

IV Each raccoon twenty-five dollars

V Each other wild bird or wild animal ten dollars

In any case where any game bird or game animal was legally taken and held in possession after the time permitted by this article the fine shall be one-half of the fine above prescribed

In addition to the fine above prescribed any person who shall make use of or have in possession or under control a ferret or fitch contrary to the provisions of this article shall upon conviction be sentenced to pay a fine of twenty-five dollars for each ferret or fitch and costs of prosecution

Upon failure of any person convicted of a first offense to immediately pay the fine imposed and costs of prosecution he shall be imprisoned one day for each dollar of fine imposed and costs of prosecution

Any person convicted of a second or subsequent offense shall be liable to the fines above provided and costs of prosecution and in addition thereto shall in the discretion of the court suffer imprisonment one day for each dollar of fine imposed

Section 5 The provisions of this act shall become effective immediately upon final enactment

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—200

Aaronson,	Gallagher,	McCullough,	Sax,
Andrews,	Getchey,	McDonald,	Scanlon,
Bane,	Gibson,	McKinney,	Schuster,
Barrett,	Goff,	McMillen,	Scott,
Baumunk,	Goodling,	Mihm,	Serrill,
Beech,	Gorman,	Mikula,	Shoemaker,
Bender,	Graybill,	Miller,	Simons,
Bentzel,	Greenwood,	Mills,	Smith, C. C.,
Bloom,	Green,	Min'ess,	Smith, C. M.,
Boies,	Griffiths,	Mohr,	Snider,
Bonawitz,	Guthrie,	Mooney,	Sollenberger,
Boorse,	Gyger,	Moore, C. E.,	Sorg,
Bower,	Haller,	Moore, H. A.,	Sproul,
Breisch,	Haudenshield,	Morrison,	Stank,
Brice,	Helm,	Murray,	Stimmel,
Brown,	Henry,	Myers,	Stockham,
Brunner,	Hewitt,	Najara,	Stonier,
Bucchin,	Hocker,	Naumann,	Stuart,
Cadwalader,	Hoffman,	Needham,	Swope,
Capano,	Hoopes,	Neff,	Tahl,
Cassidy,	Horan,	Nelson,	Thomassy,
Chervenak,	Imbt,	O'Connor,	Thompson,
Chudoff,	Jennings,	O'Dare,	Tittle,
Clevenger,	Johnson,	O'Donnell,	Tompkins,
Cochran,	Johnston,	O'Neill,	Toomey,
Cole,	Jones,	Orban,	Turner,
Cook,	Jump,	Patten,	Upshur,
Cordier,	Kean,	Petrosky,	Vaughan,
Costa,	Kelley,	Pichney,	Verona,
Crowley,	Kemp,	Pickens,	Wachhaus,
Dague,	Kent,	Polaski,	Wagner,
Dalrymple,	Kirley,	Powers,	Waldron,
Davison,	Kline,	Price,	Wallin,
De Long,	Kohl,	Propert,	Walton,
Demech,	Kratz,	Ragot,	Waterhouse,
Dennison,	Krise,	Readinger,	Watkins,
Depuy,	Kurtz,	Reagan,	Watson,
Dix,	Laughner,	Reese, D. P.,	Weidner,
Dye,	Layer,	Reese, R. E.,	Weiss,
Efenberg,	Lea,	Reilly, J. M.,	Wescott,
Elder,	Leisey,	Reilly, W. J.,	West,
Erb,	Livingston,	Richter,	Wheeler,
Evans,	Livingstone,	Riley,	Wolf,
Ewing,	Loftus,	Robbins,	Wood,
Feola,	Lyons,	Robertson,	Yeakel,
Fish,	Madden,	Root,	Yester,
Fiss,	Madigan,	Rose,	Yetzer,
Flack,	Mazza,	Rowen,	Young,

Fleming,	McCormack,	Royer,	Lichtenwalter,
Foor,	McCosker,	Sarraf,	Speaker.
Frost,			

NAYS—1

Lovett,

NOT VOTING—4

Cooper,	Hall,	Trout,	Worley,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 388, entitled:

An Act to amend Section 202 of an act approved May 21, 1943 (P. L. 571) entitled "An Act relating to assessment of taxation in counties of the fourth fifth sixth seventh and eighth classes designating the subjects property and persons subject to and exempt from taxation for county borough town township school except in cities and county institution district purposes and providing for and regulating the assessment and valuation thereof for such purposes creating in each such county a board for theassessment and revision of taxes defining the powers and duties of such boards providing for the acceptance of this act by cities regulating the office of war borough town and township assessors abolishing the office of assistant triennial assessor in townships of the first class providing for the appointment of a chief assessor assistant assessors and other employes providing for their compensation payable by such counties prescribing certain duties of and certain fees to be collected by the recorder of deeds and eliminating the triennial assessment" by adding to subsection 12 a new paragraph to be known as (d) and providing that exemption from liability for school taxes must also be aproved by the State Council of Education

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED

Mr. SORG. Mr. Speaker, I move that this bill be recommitted to the Committee on Education for the purpose of further study.

The motion was agreed to.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 537, as follows:

An Act requiring owners of hotels restaurants and places of amusement and entertainment to give notice to patrons thereof that concessions for certain services have been granted to other persons and that gratuities received by the employes of such concessions are the property of the owner thereof

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 It shall be unlawful for the owner or manager of any hotel restaurant club cabaret theatre or other place of amusement or entertainment to enter into an agreement whereby waitress or waiter service the service of checking hats and coats or the selling of cigarettes novelties or souvenirs is granted as a concession to another person unless such owner or manager shall cause to be displayed at a prominent location in such place a sign advising the patrons thereof that the gratuities or tips given to the personnel rendering such services are the property of the person owning such concession and not the property of the persons so receiving them

Section 2 Any person violating the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than twenty-five dollars ($25) nor more than one hundred dollars ($100) Each day such person fails to display the sign required by this ast shall constitute a separate offense

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—134

Aaronson,	Helm,	Mills,	Snider,
Barrett,	Henry,	Mintess,	Sollenberger,
Beech,	Hewitt,	Mohr,	Sorg,
Bender,	Hoffman,	Mooney,	Sproul,
Bentzel,	Hoopes,	Murray,	Stank,
Boorse,	Horan,	Myers,	Stimmel,
Bower,	Imbt,	Naumann,	Stockham,
Breisch,	Jennings,	Neff,	Stonier,
Brice,	Johnston,	Nelson,	Stuart,
Cadwalader,	Jones,	O'Donnell,	Tahl,
Chudoff,	Kean,	Orban,	Thomassy,
Clevenger,	Kirley,	Patten,	Thompson,
Costa,	Kratz,	Petrosky,	Tompkins,
Crowley,	Krise,	Pickens,	Toomey,
Davison,	Kurtz,	Powers,	Turner,
De Long,	Laughner,	Price,	Upshur,
Demech,	Layer,	Propert,	Vaughan,
Dennison,	Lee,	Ragot,	Wachhaus,
Dix,	Leisey,	Readinger,	Wagner,
Efenberg,	Livingston,	Reagan,	Walton,
Erb,	Loftus,	Reilly, J. M.,	Waterhouse,
Fish,	Lovett,	Reilly, W. J.,	Watkins,
Fleming,	Lyons,	Riley,	Watson,
Frost,	Madden,	Root,	Weidner,
Gallagher,	Madigan,	Rose,	Weiss,
Getchey,	Mazza,	Rowen,	Wescott,
Gibson,	McCormack,	Royer,	West,
Goodling,	McCosker,	Sax,	Wolf,
Gorman,	McCullough,	Scott,	Wood,
Greenwood,	McDonald,	Serrill,	Yeakel,
Greer,	McKinney,	Shoemaker,	Yester,
Guthrie,	McMillen,	Smith, C. C.,	Yetzer,
Gyger,	Mihm,	Smith, C. M.,	Young,
Haller,	Miller,		

NAYS—30

Andrews,	Chervenak,	Jump,	Reese, D. P.,
Bane,	Cochran,	Kemp,	Robbins,
Bloom,	Cole,	Kohl,	Swope,
Bonawitz,	Cordier,	Livingstone,	Tittle,
Brown,	Dalrymple,	Najaka,	Wheeler,
Bucchin,	Evans,	O'Connor,	Lichtenwalter,
Capano,	Griffiths,	O'Neill,	Speaker.
Cassidy,	Hocker,	Polaski,	

NOT VOTING—41

Baumunk,	Fiss,	Kline,	Robertson,
Boles,	Flack,	Mikula,	Sarraf,
Brunner,	Foor,	Moore, C. E.,	Scanlon,
Cook	Goff,	Moore, H. A.,	Schuster,
Cooper,	Graybill,	Morrison,	Simons,
Dague,	Hall,	Needham,	Trout,
Depuy,	Haudenshield,	O'Dare,	Verona,
Dye,	Johnson,	Pichney,	Waldron,
Elder,	Kelley,	Reese, R. E.,	Wallin,
Ewing,	Kent,	Richter,	Worley,
Feola,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

RECONSIDERATION OF VOTE

Mr. JUMP. Mr. Speaker, I move that the vote by which House Bill No. 767, Printer's No. 325, entitled:

An Act to amend sections one thousand one hundred five one thousand one hundred twenty-one one thousand one hundred twenty-seven one thousand one hundred thirty-four and one thousand one hundred thirty-seven of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by further providing for the term of office and the election of county superintendents assistant county superintendents district superintendents and assistant district superintendents in all second .third and fourth class school districts of the Commonwealth

was defeated on final passage Wednesday, April 16th be reconsidered.

Mr. McCULLOUGH. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Luzerne, Mr. Jump, vote on the final passage of the bill?

Mr. JUMP. Mr. Speaker, I voted with the majority.

The SPEAKER. How did the gentleman from Lawrence, Mr. McCullough vote on the final passage of this bill?

Mr. McCULLOUGH. Mr. Speaker, I voted with the majority.

On the question,

Will the House agree to the motion?

Mr. ANDREWS. Mr. Speaker, personally I have always favored the notion that on a close vote the sponsor of a bill which was defeated was entitled to reconsideration. So, without any reference as to my position on the bill itself, I am not opposing the motion to reconsider.

Mr. SORG. Mr. Speaker, I should like also for the Members of the majority to understand that a vote in favor of the motion to reconsider is not necessarily a vote in favor of the bill itself.

On the question recurring,

Will the House agree to the motion?

It was agreed to.

On the question recurring,

Shall the bill pass finally?

BILL POSTPONED

Mr. SORG. Mr. Speaker, I move that this bill be placed on the postponed calendar.

On the question,

Will the House agree to the motion?

Mr. LOVETT. Mr. Speaker, may I ask the gentleman if he will be sure that I will be here when the bill comes up for final passage. I don't want any lawyer's tricks.

Mr. ANDREWS. Mr. Speaker, perhaps the Majority Leader would be willing to make this bill a special order at some specific time in order that the Members of the House may all know when the bill will come up.

Mr. SORG. After the bill is on the calendar I presume satisfactory arrangements will be made.

On the question recurring,

Will the House agree to the motion?

It was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 647, as follows:

An Act to add section one thousand two hundred forty-two point one of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the mtheod of collecting such revenue and repealing all laws general special or local of any parts thereof that are or may be inconsistent therewith" making special provision for reimbursement of school districts under certain circumstances

On the question,

Will the House agree to the bill on third reading?

Mr. LOVETT. Mr. Speaker, I desire to interrogate the Chairman of the Education Committee, the gentleman from Blair, Mr. Sollenberger.

The SPEAKER. Will the gentleman from Blair permit himself to be interrogated?

Mr. SOLLENBERGER. I shall, Mr. Speaker.

Mr. LOVETT. Mr. Speaker, I should like to have the gentleman from Blair explain this bill, due to the fact that we Democrats just don't quite understand under what circumstances reimbursement will be made. We would like to have that made a little more clear.

Mr. SOLLENBERGER. Mr. Speaker, under Act 403, the subsidies paid to school districts are on the basis of pupil-teacher ratio, twenty-two for each teacher in the secondary, and thirty for each teacher in elementary, up to thirty-three. Now, if there are more teachers than there are teacher-pupil units in the district then the school district receives subsidies from the state only to the extent of the pupil-teacher units. In small school districts it is possible to have more teachers than there are pupil-teacher units. In so doing they have to dismiss those teachers and then in that way they disrupt their program, they cannot carry on some of the different types of programs or studies that they should have. Now, that can be taken care of in some cases by consolidation. That, Mr. Speaker, is covered by this bill. Where the topography and other types of factors enter in, so that there cannot be a consolidation, the State Council of Education has the power, under this bill for those districts, to permit them to carry on a greater number of teachers than the pupil-teacher units permit, but only under the condition that they cannot consolidate, or if they can consolidate and they do not try, then they can turn them down. It is to take care of the small high-school enriched curriculum, where consolidation is not possible.

Mr. LOVETT. Mr. Speaker, under the gentleman's definition of the bill, I am still somewhat confused. In other words, if we have an over supply of teachers in some particular schools, this bill will allow the subsidies to go to the school and keep those additional teachers, although they do not have sufficient pupils to be taught in that school. Is that correct?

Mr. SOLLENBERGER. Mr. Speaker, you will have to understand the school rules and the curriculum in a school district before you can understand what this bill means. Suppose then,—we will use as an example, home ec-

onomics, shop and physical education, what we term as an enriched program, and a good curriculum, but because of that they had to hire more teachers than the pupil-teacher unit permits. If now, they must be dismissed that means the curriculum that the pupils need must be dropped from the program, and it cannot be helped because geographical conditions will not permit a consolidation in such large districts which is true in some sections of the state of Pennsylvania.

Mr. LOVETT. Mr. Speaker, I want to thank the gentleman.

I would like to interrogate the gentleman from Cambria, Mr. O'Connor.

The SPEAKER. The Chair would like to inquire if the gentleman from Westmoreland is confused.

Mr. LOVETT. That is correct, Mr. Speaker.

The SPEAKER. Will the gentleman from Cambria, Mr. O'Connor permit himself to be interrogated?

Mr. O'CONNOR. I shall, Mr. Speaker.

Mr. LOVETT. Mr. Speaker, does the gentleman from Cambria, Mr. O'Connor, clearly understand this bill?

Mr. O'CONNOR. Did the gentleman say "clearly"?

Mr. LOVETT. Yes, Mr. Speaker, "clearly".

Mr. O'CONNOR. I do, Mr. Speaker.

Mr. LOVETT. Mr. Speaker, does the gentleman think this is a good bill?

Mr. O'CONNOR. Mr. Speaker, I will give the gentleman a lawyers answer, yes and no. It depends entirely upon the conditions.

As Mr. Lovett has stated, ordinarily I would say it is a good bill for this reason: it is the intent of the bill, that if you only have enough pupils to get an allotment of ten teachers you cannot have twelve teachers on the job and get the allotment for twelve.

I think that is about the meaning of the bill. It saves the state money. In other words, you cannot get an appropriation for your school district unless you really have the pupils entitling you to get it. In that respect it is a good bill, but in some sections of my county it would work a hardship.

Mr. LOVETT. Mr. Speaker, I thank the gentleman.

I might say that I am still somewhat confused. If the law provides that we are not entitled by law to have additional teachers, I don't know what we are trying to do here, but I guess it is alright.

Mr. ANDREWS. Mr. Speaker, I desire to interrogate the Chairman of the Education Committee, the gentleman from Blair, Mr. Sollenberger.

The SPEAKER. Will the gentleman from Blair permit himself to be interrogated?

Mr. SOLLENBERGER. I shall Mr. Speaker.

Mr. ANDREWS. Mr. Speaker, is not this bill defective in one vital consideration? It lists the topography and distance of roads as being the sole barrier to consolidation, whereas in many instances consolidation involves a financial problem which the local districts concerned are not able to solve and are not able to carry in justice to themselves. Yet, you have only topography and condition of roads and no consideration for financial ability to carry out the consolidation mandate.

Mr. SOLLENBERGER. Yes, Mr. Speaker, I think that is possibly an argument. The framers of the bill did not incorporate that in the bill, and I presume in working out the final details on this they have failed to put that in, or they may not have found it sufficiently worth while to do so.

Mr. ANDREWS. Mr. Speaker, does not the gentleman believe that some thought should be given to phrasing a clause in this bill that will raise the financial situation as one of the governing considerations as to consolidation, and that if the State insisted upon consolidation and the districts are, in fairness to themselves unable to consolidate, if the state insists upon consolidation there should be some assistance to the districts?

Mr. SOLLENBERGER. Yes, Mr. Speaker, I presume that is true, and if the bill passes, if you will allow it to pass today, I shall be glad to speak to the Senate Chairman of the Committee on Education about that.

Mr. ANDREWS. Mr. Speaker, I can hardly accept that as a serious answer in view of certain complications that seem to have risen in connection with the Senatorial verdicts upon measures passed by this House. I presume it would be safer for this House to get its bills in shape before it sends them across the Hall.

The SPEAKER. The Chair is inclined to agree with the gentleman.

Mr. SOLLENBERGER. Mr. Speaker, I have no objection in trying to accede to the request of the gentleman from Cambria. I cannot promise what the framers of the bill would permit it to be, but I shall talk with them about it and try to abide by the gentleman's request.

Mr. ANDREWS. Mr. Speaker, would the gentleman be disposed to let this bill go over until Monday, until there has been time to consider as to whether there is any merit in the point raised?

Mr. SOLLENBERGER. Mr. Speaker, if the sponsor of the bill is satisfied, I am, yes.

Mr. IMBT. Mr. Speaker, as the sponsor of this bill, I am agreeable to that.

The SPEAKER. The Chair understands that the gentleman from Monroe, the sponsor of the bill, is satisfied to have the bill passed over today until such time as these gentlemen can get together.

BILL PASSED OVER

There being no objection

House Bill No. 647, Printer's No. 340,

was passed over at the request of Mr. IMBT.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 752, entitled:

An Act to authorize the revival of judgments entered in favor of the Commonwealth of Pennsylvania by filing a suggestion of non-payment

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED

Mr. WATERHOUSE. Mr. Speaker, I move that this bill be recommitted to the Committee on Judiciary for the purpose of further study.

The motion was agreed to.

BILL PASSED OVER

There being no objection

House Bill No. 758, Printer's No. 386,

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 839, entitled:

An Act to amend the title and to further amend the act approved the thirteenth day of May one thousand nine hundred twenty-seven (P. L. 988) entitled "An act providing for and regulating the State registration of nurses and licensed attendants the annual recording of registration certificates and regulating the profession of nursing and repealing certain existing laws" providing for the registration and licensing of practical nurses and the biennial recording of certificates

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED

Mrs. DYE. Mr. Speaker, I move that this bill be placed on the third reading postponed calendar.

The motion was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 914, as follows:

An Act to amend clauses (a) and (d) of section one thousand two hundred sixteen of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by further regulating sabbatical leaves for certain school employes

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause (a) of section one thousand two hundred sixteen of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as last amended by the act approved the twenty-eight day of July one thousand nine hundred forty-one (P. L. 562) is hereby further amended to read as follows

Section 1216 (a) Whenever any person employed in the public school system of this Commonwealth shall have completed ten years of satisfactory service as a teacher at least five consecutive years or less at the dischetion of the board of school directors of which service shall have been in the school district from leave of absence is sought or in first class school districts as a member of the instructional staff or departments of instruction as now defined by the local board of education such person shall be entitled to a leave of absence for restoration of health study or travel or at the discreation of the board of school directors for other purposes for a half or full school year or school term or for two half school years or school terms during a period of two years at the option of such person Thereafter one leave of absence shall be allowed after each seven years of service

Section 2 Clause (d) of section one thousand two hundred sixteen of said act as added by the act approved the first day of July one thousand nine hundred thirty-seven (P. L. 2579) is hereby amended to read as follows

Section 1216

* * * * *

(d) The person on leave of absence shall receive the difference between his or her regular salary and the salary paid to any substitute employe temporarily engaged because of such leave Provided That the employe who is absent on subbatical leave shall [not] receive not less than fifty per centum (50%) of his or her regular salary nor more than one thousand siv hundred dollars ($1600) if the employe's absence on sabbatical leave is for a full year and not more than eight hundred dollars ($800) if the employe's absence on sabbatical leave is for a half school year as defined in this act The salary paid to such substitute shall be the salary for substitute service according to the salary schedule adopted by the local board

Section 3 The provisions of this act shall become effective on the first day of July one thousand nine hundred forty-seven

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201

Aaronson,	Gallagher,	McCosker,	Sarraf,
Andrews,	Getchey,	McCullough,	Scanlon,
Bane,	Gibson,	McDonald,	Schuster,
Barrett,	Goff,	McKinney,	Scott,
Baumunk,	Goodling,	McMillen,	Serrill,
Beech,	Gorman,	Mihm,	Shoemaker,
Bender,	Graybill,	Mikula,	Simons,
Bentzel,	Greenwood,	Miller,	Smith, C. C.,
Bloom,	Greer,	Mills,	Smith, C. M.,
Boies,	Griffiths,	Mintess,	Snider,
Bonawitz,	Guthrie,	Mohr,	Sollenberger,
Boorse,	Gyger,	Mooney,	Sorg,
Bower,	Haller,	Moore, C. E.,	Sproul,
Breisch,	Haudenshield,	Moore, H. A.,	Stank,
Brice,	Helm,	Morrison,	Stimmel,
Brown,	Henry,	Murray,	Stockham,
Brunner,	Hewitt,	Myers,	Stonier,
Bucchin,	Hocker,	Najaka,	Stuart,
Cadwalader,	Hoffman,	Naumann,	Swope,
Capano,	Hoopes,	Needham,	Tahl,
Cassidy,	Horan,	Neff,	Thomassy,
Chervenak,	Imbt,	Nelson,	Thompson,
Chudoff,	Jennings,	O'Connor,	Tittle,
Clevenger,	Johnson,	O'Dare,	Tompkins,
Cochran,	Johnston,	O'Donnell,	Toomey,
Cole,	Jones,	O'Neill,	Turner,
Cook	Jump,	Orban,	Upshur,
Cordier,	Kean,	Patten,	Vaughan,
Costa,	Kelley,	Petrosky,	Verona,
Crowley,	Kemp,	Pichney,	Wachhaus,
Dague,	Kent,	Pickens,	Wagner,
Dalrymple,	Kirley,	Polaski,	Waldron,
Davison,	Kline,	Powers,	Wallin,
De Long,	Kohl,	Price,	Walton,
Demech,	Kratz,	Propert,	Waterhouse,
Dennison,	Krise,	Ragot,	Watkins,
Depuy,	Kurtz,	Readinger,	Watson,
Dix,	Laughner,	Reagan,	Weidner,
Dye,	Layer,	Reese, D. P.,	Weiss,
Efenberg,	Lee,	Reese, R. E.,	Wescott,
Elder,	Leisey,	Reilly, J. M.,	West,
Erb,	Livingston,	Reilly, W. J.,	Wheeler,
Evans,	Livingstone,	Richter,	Wolf,
Ewing,	Loftus,	Riley	Wood,
Feola,	Lovett,	Robbins,	Yeakel,
Fish,	Lyons,	Robertson,	Yester,
Fiss,	Madden,	Root,	Yetzer,
Flack,	Madigan,	Rose,	Young,
Fleming,	Mazza,	Rowen,	Lichtenwalter,
Foor,	McCormack,	Royer,	Speaker.
Frost,	Sax,		

NAYS—0

NOT VOTING—4

Cooper,	Hall,	Trout,	Worley,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection

House Bill No. 949, Printer's No. 354,

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 955, as follows:

An Act to amend section five hundred ten of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by changing the title of township supervisors

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section five hundred ten of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" is hereby amended to read as follows

Section 510 Supervision of Road Affairs The general supervision of road affairs in every township shall be in the hands of three qualified electors of the township who shall be officially styled township [supervisors] commissioners Wherever the word or words "township commissioner" or "township supervisor" or "supervisor" either in the singular or plural are used in this act it or they shall be constued to mean township commissioner or township commissioners as the case may be

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201

Aaronson,	Gallagher,	McCullough,	Sax,
Andrews,	Getchey,	McDonald,	Scanlon,
Bane,	Gibson,	McKinney,	Schuster,
Barrett,	Goff,	McMillen,	Scott,
Baumunk,	Goodling,	Mihm,	Serrill,
Beech,	Gorman,	Mikula,	Shoemaker,
Bender,	Graybill,	Miller,	Simons,
Bentzel,	Greenwood,	Mills,	Smith, C. C.,
Bloom,	Greer,	Mintess,	Smith, C. M.,
Boies,	Griffiths,	Mohr,	Snider,
Bonawitz,	Guthrie,	Mooney,	Sollenberger,
Boorse,	Gyger,	Moore, C. E.,	Sorg,
Bower,	Haller,	Moore, H. A.,	Sproul,
Breisch,	Haudenshield,	Morrison,	Stank,
Brice,	Helm,	Murray,	Stimmel,
Brown,	Henry,	Myers,	Stockham,
Brunner,	Hewitt,	Najaka,	Stonier,
Bucchin,	Hocker,	Naumann,	Stuart,
Cadwalader,	Hoffman,	Needham,	Swope,
Capano,	Hoopes,	Neff,	Tahl,
Cassidy,	Horan,	Nelson,	Thomassy,
Chervenak,	Imbt,	O'Connor,	Thompson,
Chudoff,	Jennings,	O'Dare,	Tittle,
Clevenger,	Johnson,	O'Donnell,	Tompkins,
Cochran,	Johnston,	O'Neill,	Toomey,
Cole,	Jones,	Orban,	Turner,
Cook,	Jump,	Patten,	Upshur,
Cordier,	Kean,	Petrosky,	Vaughan,
Costa,	Kelley,	Pichney,	Varallo,
Crowley,	Kemp,	Pickens,	Wachhaus,
Dague,	Kent,	Polaski,	Wagner,
Dalrymple,	Kirley,	Powers,	Walton,
Davison,	Kline,	Price,	Waldron,
De Long,	Kohl,	Propert,	Wallin,
Demech,	Kratz,	Ragot,	Waterhouse,
Dennison,	Krise,	Readinger,	Watkins,
Depuy,	Kurtz,	Reagan,	Watson,
Dix,	Laughner,	Reese, D. P.,	Weidner,
Dye,	Layer,	Reese, R. E.,	Weiss,
Efenberg,	Lee,	Reilly, J. M.,	Wescott,
Elder,	Leisey,	Reilly, W. J.,	West,
Erb,	Livingston,	Richter,	Wheeler,
Evans,	Livingstone,	Riley,	Wolf,
Ewing,	Loftus,	Robbins,	Wood,
Feola,	Lovett,	Robertson,	Yeakel,
Fish,	Lyons,	Root,	Yester,
Fiss,	Madden,	Rose,	Yetzer,
Flack,	Madigan,	Rowen,	Young,
Fleming,	Mazza,	Royer,	Lichtenwalter,
Frost,	McCormack,	Sarraf,	Speaker.
Foor,	McCosker,		

NAYS—0

NOT VOTING—4

Cooper,	Hall,	Trout,	Worley,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection

House Bill No. 1020, Printer's No. 359,

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1022, as follows:

An Act to amend clause seventeen of section one of the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances return benefits and rights from taxation and judicial process and providing penalties" by defining "salary" and redefining "final salary" as applied to contributors

The General Assembly of the Commonwealt of Pennsylvania hereby enacts as follows

Section 1 Clause seventeen of section one of the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" as last amended by the act approved the twelfth day of July one thousand nine hundred thirty-five (P. L. 698) is hereby further amended to reads as follows

Section 1 Be it enacted &c that the following words and

phrases as used in this act unless a different meaning is plainly required by the context shall have the following meanings

* * * * *

(17) "Final Salary" shall mean the average annual salary earnable by a contributor as an employe for the [ten years of service immediately preceding retirement except in the case of contributors who were employed during the years which began July first one thousand nine hundred and thirty-two and ended June thirtieth one thousand nine hundred and thirty-three who have elected to contribute on the basis of salary receivable during the said year in which case such salary shall be included in the computation of "final salary" for the number of years that contributions have been made on the basis of such salary] best five consecutive years at the option of the employe

"Salary" shall mean any and all salary wages or other compensation paid by an "employer" to an "employe" as defined in paragraphs six and seven of this section

Section 2 All act and parts of acts inconsistent herewith are hereby repealed

Section 3 The provisions of this act shall be come effective the first day of July one thousand nine hundred forty-seven

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201

Aaronson,	Gallagher,	McCullough,	Sax,
Andrews,	Getchey,	McDonald,	Scanlon,
Bane,	Gibson,	McKinney,	Schuster,
Barrett,	Goff,	McMillen,	Scott,
Baumunk,	Goodling,	Mihm,	Serrill,
Beech,	Gorman,	Mikula,	Shoemaker,
Bender,	Graybill,	Miller,	Simons,
Bentzel,	Greenwood,	Mills,	Smith, C. C.,
Bloom,	Greer,	Mintess,	Smith, C. M.,
Boles,	Griffiths,	Mohr,	Snider,
Bonawitz,	Guthrie,	Mooney,	Sollenberger,
Boorse,	Gyger,	Moore, C. E.,	Sorg,
Bower,	Haller,	Moore, H. A.,	Sproul,
Breisch,	Haudenshield,	Morrison,	Stank,
Brice,	Helm,	Murray,	Stimmel,
Brown,	Henry,	Myers,	Stockham,
Brunner,	Hewitt,	Najaka,	Stonier,
Bucchin,	Hocker,	Naumann,	Stuart,
Cadwalader,	Hoffman,	Needham,	Swope,
Capano,	Hoopes,	Neff,	Tahl,
Cassidy,	Horan,	Nelson,	Thomassy,
Chervenak,	Imbt,	O'Connor,	Thompson,
Chudoff,	Jennings,	O'Dare,	Tittle,
Clevenger,	Johnson,	O'Donnell,	Tompkins,
Cochran,	Johnston,	O'Neill,	Toomey,
Cole,	Jones,	Orban,	Turner,
Cook,	Jump,	Patten,	Upshur,
Cordier,	Kean,	Petrosky,	Vaughan,
Costa,	Kelley,	Pichney,	Verona,
Crowley,	Kemp,	Pickens,	Wachhaus,
Dague,	Kent,	Polaski,	Wagner,
Dalrymple,	Kirley,	Powers,	Waldron,
Davison,	Kline,	Price,	Wallin,
De Long,	Kohl,	Propert,	Walton,
Demech,	Kratz,	Ragot,	Waterhouse,
Dennison,	Krise,	Readinger,	Watkins,
Depuy,	Kurtz,	Reagan,	Watson,
Dix,	Laughner,	Reese, D. P.,	Weidner,
Dye,	Layer,	Reese, R. E.,	Weiss,
Efenberg,	Lee,	Reilly, J. M.,	Wescott,
Elder,	Leisey,	Reilly, W. J.,	West,
Erb,	Livingston,	Richter,	Wheeler,
Evans,	Livingstone,	Riley,	Wolf,
Ewing,	Loftus,	Robbins,	Wood,
Feola,	Lovett,	Robertson,	Yeakel,
Fish,	Lyons,	Root,	Yester,
Fiss,	Madden,	Rose,	Yetzer,
Flack,	Madigan,	Rowen,	Young,
Fleming,	Mazza,	Royer,	Lichtenwalter,
Foor	McCormack,	Sarraf,	Speaker.
Frost,	McCosker,		

NAYS—0

NOT VOTING—4

Cooper,	Hall,	Trout,	Worley,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS PASSED OVER

There being no objection

House Bill No. 1090, Printer's No. 407, and

House Bill No. 1122, Printer's No. 369,

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1165, as follows:

An Act to further amend section five hundred forty-five of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" increasing the pay of auditors

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section five hundred forty-five of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" as last amended by the act approved the twenty-eight day of May one thousand nine hundred thirty-seven (P. L. 937) is hereby further amended to read as follows

Section 545 Meeting Duties Quorum Surcharges Compensation The auditors of townships shall meet annually at the place of meeting of the supervisors on the day following the day which is fixed by this act for organization of the township supervisors and shall audit settle and adjust the accounts of the supervisors superintendents roadmasters treasurer and tax collector of the township Two auditors shall constitute a quorum The auditors shall also make an audit of the dockets transcripts and other official records of the justices of the peace to determine the amounts of fines and costs paid over or due the township and the dockets and records of the justices of the peace shall be open to inspection by the auditors for such purpose

Any officer whose act or neglect has contributed to the financial loss of any township shall be surcharged by the auditors with the amount of such loss

Each auditor shall receive [five] ten dollars per diem for each day necessarily employed in the duties of his office to be paid out of the funds of the township

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—200

Aaronson,	Gallagher,	McCullough,	Sax,

Andrews,	Getchey,	McDonald,	Scanlon,
Bane,	Gibson,	McKinney,	Schuster,
Barrett,	Goff,	McMillen,	Scott,
Baumunk,	Goodling,	Mihm,	Serrill,
Beech,	Gorman,	Mikula,	Shoemaker,
Bender,	Graybill,	Miller,	Simons,
Bentzel,	Greenwood,	Mills,	Smith, C. C.,
Bloom,	Greer,	Mintess,	Smith, C. M.,
Boles,	Griffiths,	Mohr,	Snider,
Bonawitz,	Guthrie,	Mooney,	Sollenberger,
Boorse,	Gyger,	Moore, C. E.,	Sorg,
Bower,	Haller,	Moore, H. A.,	Sproul,
Breisch,	Haudenshield,	Morrison,	Stank,
Brice,	Helm,	McCosker,	Stimmel,
Brown,	Henry,	Murray,	Stockham,
Brunner,	Hewitt,	Myers,	Stonier,
Bucchin,	Hocker,	Najaka,	Stuart,
Cadwalader,	Hoffman,	Naumann,	Swope,
Capano,	Hoopes,	Needham,	Tahl,
Cassidy,	Horan,	Neff,	Thomassy,
Chervenak,	Imbt,	Nelson,	Thompson,
Chudoff,	Jennings,	O'Connor,	Tittle,
Clevenger,	Johnson,	O'Dare,	Tompkins,
Cochran,	Johnston,	O'Donnell,	Toomey,
Cole,	Jones,	O'Neill,	Turner,
Cook,	Jump,	Orban,	Upshur,
Cordier,	Kean,	Patten,	Vaughan,
Costa,	Kelley,	Petrosky,	Verona,
Crowley,	Kemp,	Pichney,	Wachhaus,
Dague,	Kent,	Pickens,	Wagner,
Dalrymple,	Kirley,	Polaski,	Waldron,
Davison,	Kline,	Powers,	Wallin,
De Long,	Kohl,	Price,	Walton,
Demech,	Kratz,	Propert,	Waterhouse,
Dennison,	Krise,	Ragot,	Watkins,
Depuy,	Kurtz,	Readinger,	Watson,
Dix,	Laughner,	Reese, D. P.,	Weidner,
Dye,	Layer,	Reese, R. E.,	Weiss,
Efenberg,	Lee,	Reilly, J. M.,	Wescott,
Elder,	Leisey,	Reilly, W. J.,	West,
Erb,	Livingston,	Richter,	Wheeler,
Evans,	Livingstone,	Riley,	Wolf,
Ewing,	Loftus,	Robbins,	Wood,
Feola,	Lovett,	Robertson,	Yeakel,
Fish,	Lyons,	Root,	Yester,
Fiss,	Madden,	Rose,	Yetzer,
Flack	Madigan,	Rowen,	Young,
Fleming,	Mazza,	Royer,	Lichtenwalter,
Foor,	McCormack,	Sarraf,	Speaker.
Frost,			

NAYS—1

Reagan,

NOT VOTING—4

Cooper,	Hall,	Trout,	Worley,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1209, as follows:

An Act to further amend the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309 entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" providing for supervisors of child accounting

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections one thousand one hundred one and one thousand one hundred two of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as last amended by the act approved the first day of July one thousand nine hundred thirty-seven (P. L. 2592) are hereby further amended to read as follows

Section 1101 For the superintendence and supervision of the public schools of this Commonwealth there shall be elected or appointed in the manner herein provided county superintendents district superintendents assistant county and district superintendents associate superintendents [and] supervisors of special education and supervisors of child accounting

Section 1102 Every person elected or appointed as county district or assistant county or district superintendent or associate superintendent [or] supervisor of special education or supervisor of child accounting must be a person of geed moral character

Section 2 Section one thousand one hundred twenty-six of said act as last amended in part by the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 505) and the act approved the twenty-seventh day of May one thousand nine hundred forty-three (P. L. 705) is hereby further amended to read as follows

Section 1126 Every county superintendent having more than one hundred and thirty-five (135) and not more than four hundred and fifty (450) teachers under his supervision shall have one assistant county superintendent Every county superintendent having more than four hundred and fifty (450) but not more than nine hundred (900) teachers under his supervision shall have two assistants county superintendents Every county superintendent having more than nine hundred (900) teachers under his supervision shall have one additional assistant county superintendent for each additional five hundred teachers or fraction thereof but no county superintendents shall have more than five assistants In addition to the assistant county superintendents herein provided for in each county in which there are 550 or more teachers under the supervision of the county superintendent there shall be appointed at least one supervisor of special education and one supervisor of child accounting and in each county in which there are fewer than 550 teachers under the supervision of the county superintendent there shall be appointed a part-time supervisor of special education [who] and a part-time supervisor of child accounting each of whom shall serve jointly in two or more counties except in the case of a county which employs fewer than 550 teachers and is not adjacent to any other county employing fewer than 550 teachers in which case a full-time or a part-time supervisor of special education and a full-time supervisor of child accounting shall be appointed In no instance shall such supervisor of special education or supervisor of child accounting serve in more than three counties The State Council of Education shall have power and it shall be their duty to determine the counties which shall be served jointly by a joint supervisor of special education and by a joint supervisor of child accounting The time of the joint supervisor of special education and the time of the joint supervisor of child accounting shall be apportioned among the several counties on the basis of the number of teachers under the supervision of the county superintendent in each county

Section 3 Section one thousand one hundred twenty-seven of said act as amended by the act approved the first day of July one thousand nine hundred thirty-seven (P. L. 2592) is hereby further amended to read as follows

Section 1127 The superintendent of each county entitled to an accistant superintendent or assistant superintendents shall within fifteen days after receiving his commission nominate to the county board of school directors the assistant superintendent or superintendents who must fur-

nish the president of said county board of school directors evidence of eligibility in accordance with the regulations of the State Council of Education These nominations shall be appointments until the end of the county superintendent's term of office when confirmed by a majority vote of the county board of school directors The president and secretary of the county board of school directors shall certify to the Superintendent of Public Instruction the names and post-office adresses of the assistant county superintendents [and] supervisors of special education and supervisors of child accounting appointed as herein provided and their salaries as fixed by the directors' convention and such assistant county superintendents [and] supervisors of special education and supervisors of child accounting shall be commissioned by the Superintendent of Public Instruction in the same manner and under the same conditions as in the case of county superintendents Should the county superintendent and the county board of school directors of any county fail to nominate and confirm the assistant superintendent or superintendents [or] supervisor of special education or supervisor of child accounting for such county withi thirty days after the county superintendent has received his commission the Superintendent of Public Instruction shall appoint such assistant superintendent or superintendents [or] supervisor of special education or supervisor of child accounting to serve until the end of the county superintendent's term of office

Any person who is certified to teach in the public schools of the Commonwealth and who is certified as a public school psychologist by the Department of Public Instruction shall be eligible for appointment as a supervisor or joint supervisor of special education

Every supervisor of child accounting after the effective date of this act shall be properly certified by the Department of Public Instruction in accordance with such standards as the State Council of Education may establish

The superintendent of each county entitled to a supervisor of special education and a supervisor of child accounting shall nominate to the county board of school directors the candidate for the office of supervisor of special education and the candidate for the office of supervisor of child accounting By a majority vote of the county board of school directors the candidate may be appointed to serve until the end of the term of office of the county superintendent

The county superintendents of the counties which are entitled to a joint supervisor of special education and a joint supervisor of child accounting shall nominate to their county boards of school directors the candidate for the office of joint supervisor of special education and the candidate for the office of joint supervisor of child accounting By a majority vote of the several members of the county boards of school directors the [candidate] candidates may be appointed to serve until the end of the terms of office of the county superintendents

Section 4 Section one thousand one hundred twenty-eight of said act as last amended by the act approved the twenty-sixth day of May one thousand nine hundred forty-three (P. L. 632) is hereby further amended to read as follows

Section 1128 Any vacancy occurring in the position of assistant county superintendent [or] supervisor of special education or supervisor of child accounting shall be filled by the county superintendent and the county board of school directors in like manner as at the beginning of a term Any substitute required as the result of the granting of any leave of absence to any assistant superintendent [or] supervisor of special education or supervisor of child accounting shall be chosen in like manner

Section 5 Sections one thousand one hundred twenty-nine and one thousand one hundred thirty of said act as amended by the act appreved the first day of July one thousand nine hundred thirty-seven (P. L. 2592) is hereby further amended to read as follows

Section 1129 Upon the written charges and recommendations of the countp superintendent or of the majority of the members of each of three boards of school directors whose schools are under the jurisdiction of the county superintendent assistant county superintendents [or] the supervisor of special education or the supervisor of child accounting of any county may after a hearing be removed by the Superintendent of Public Instruction for the same causes and in like manner as a county superintendent is removed

Section 1130 The minimum salary of each assistant county superintendent [or] supervisor of special education or supervisor of child accounting as hereinafter in this act provided shall be paid out of the State appropriation for public schools in such payments and manner as the county superintendents are paid Any additional salary granted bythe school directors of any county at their convention for electing a county superintendent to any assistant county superintendent [or] supervisor of special education or supervisor of child accounting shall be paid from the school appropriation apportioned among the several school districts under the supervision of the county superintendent before the same is distributed The salaries of assistant county superintendente [and] of supervisors of special education and of supervisors of child accounting shall be monthly

In addition to the said salary each assistant superintendent [and] each supervisor of special education and each supervisor of child accounting shall be entitled to receive annually a sum not to exceed five hundred dollars for the payment of actual and necessary expenses incurred in visiting schools within his district in attending educational meetings and in the performance of such other official duties as may be required by him by law Payments shall be made monthly on account of such expenses to any such assistant county superintendent [or] supervisor of special education or supervisor of child accounting by requisition of the Superintendent of Public Instruction upon the Auditor General upon the production to him of itemized vouchers in the usual manner

Section 6 Said act is hereby amended by adding after section one thousand one hundred thirty-one thereof a new section to read as follows

Section 1131.1 It shall be the duty of each supervisor of child accounting to have general supervision over the administration by local authorities of all activities having to do with the school census attendance of pupils employment certificates official child accounting records enforcement of laws relating thereto and to serve in a cooperative way the common educational interests of the home child welfare agencies and the school

The supervisor of child accounting shall review all reports pertaining to school attendance enumeration of children and the employment of minors before they are submitted to the Department of Public Instruction

He shall be responsible to the county superintendent of schools or county superintendents of schools under whose jurisdiction he will supervise the activities pertaining to child accounting

Section 7 Section one thousand one hundred thirty-two of said act as amended by the act approved the first day of July one thousand inie hundred thirty-seven (P. L. 2592) is hereby further amended to read as follows

Section 1132 Assistant county superintendents [and] supervisors of special education and supervisors of child accounting shall meet with boards of school directors for conference when they deem it necessary or when they are requested by the directors to do so and shall make to their county superintendents monthly reports concerning the condition and progress of the schools which they have visited and the needs of individual pupils together with any needed recommendations which reports shall be kept on file in the county superintendents' office for not less than one year The county superintendents shall forward to the various boards of school directors the reports and recommendations of the assistant county superintendents [and] supervisors of special education and supervisors of child accounting concerning the schools and pupils in their districts or such portions thereof as they deem wise

together with any additional suggestions or recommendations

Section 8 Clause twelve of section one thousand two hundred nine point one of said act as added by the act approved the twenty-ninth day of May one thousand nine hundred forty-five (P. L. 1112) is hereby amended to read as follows

Section 1209.1 The minimum salaries of all teachers supervisors principals and superintendents in the public schools of the Commonwealth except as otherwise hereinafter provided shall be paid by the several classes of districts in which such persons are employed in accordance with the following schedules

* * * * *

12 County Supervisors of Special Education and County Supervisors of Child Accounting County supervisors of special education and county supervisors of child accounting in all counties of the Commonwealth shall receive a minimum annual salary of three thousand five hundred dollars ($3500)

Section 9 The provisions of this act shall become effective the first day of July one thousand nine hundred forty-eight

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. O'CONNOR. Mr. Speaker, I desire to interrogate the lady from Mercer, Mrs. Dye.

The SPEAKER. Will the lady from Mercer permit herself to be interrogated?

Mrs. DYE. I shall, Mr. Speaker.

Mr. O'CONNOR. I should like to ask the lady from Mercer just exactly what this bill provides.

Mrs. DYE. Mr. Speaker, this bill is to provide a child accountant, and this supervisor of child accounting would cover the same amount of territory as the supervisor of special education for the purpose of keeping up the school attendance.

Mr. O'CONNOR. Mr. Speaker, I should like to ask the lady from Mercer who keeps the accounting of the school system now in the county.

Mrs. DYE. Mr. Speaker, judging from our state census, there is no record of child accounting being kept.

Mr. O'CONNOR. Mr. Speaker, I thank the lady from Mercer.

Mr. Speaker, no doubt all the Members know that for the past few days we have had quite a number of county superintendents, and district superintendents here. Some of them have been talking to me; some of them have been talking about me. I wished to have some of these superintendents say what the purport of this bill is, and I have not found any one, county superintendent, principal, or supervising principal of a school who is in favor of this bill, or who says this bill is necessary.

In the first place, Mr. Speaker, this bill in a disguised way proposes to create an additional county superintendent for each county, although it doesn't say so. The law today provides for county superintendents and provides specifically for their qualifications. This bill does not specify any qualifications for the director of child accounting. The bill provides that this director of child accounting be appointed by the county superintendent submitting his name or her name to the county board of school directors for their approval, in the same method as he now appoints his assistants. The duties of this director of child accounting would be to look over the report cards when they are sent to the county office, to check the number of certificates that have been issued, to see whether the accounts tally. At the present time the accounting of the attendance is kept in a book by the teachers, and then they make out a card and submit it to the principal and the principal or the supervising principal sends it to the county office where it is reviewed by the county office, generally the secretary of the superintendent being the one who does the work. Then it is sent to Harrisburg where it is again reviewed.

Now, about the best that can be said for this bill is that it will set up a glorified bookkeeper in the office of the County Superintendent, and require that he be paid a salary of at least thirty-five hundred dollars a year plus five hundred dollars traveling expenses. This bill if enacted will serve no purpose in our public school system, and the only good that can come from it, if good you can call it, would be the increased cost of about fifty of these directors of child accounting in Pennsylvania at no less an expenditure per person than four thousand dollars. In other words, this work is now being done by a girl in the County Superintendent's office. If this bill passes you will not have that done any better and it will impose an additional cost of at least two hundred thousand dollars on the state of Pennsylvania per year.

Mrs. DYE. Mr. Speaker, I think the gentleman is right when he spoke about the way the census is being kept by a girl probably in the County Superintendent's office. The attendance in our schools in Pennsylvania has slipped back to what it was in 1923. Today if the absences were equally distributed each school child in Pennsylvania would miss three weeks out of the school year.

The record in the State Department of Public Instruction shows that in our schools in Pennsylvania now four out of every ten literally disappear, on paper,—the schools don't know what happened to them.

There is one county in Pennsylvania where seven out of every ten children disappear, on paper. Our census enumeration is a woeful story. This bill does not set up a police job, it sets up an educational job for the prevention of absences. The annual school census of children is conducted primarily to locate minors and to see that they are enrolled in public or private schools, to see if they are employed or if they are physically or mentally deficient, that provision be made for them. Very often the present census as conducted is inaccurate and not usable. The thing I want to point out, Mr. Speaker, is that if a minor is to be employed he must have his certificate from his school district.

In the nation Pennsylvania has one of the two best child labor laws,—I mean operation of the child labor law, but no bill is better than its enforcement. When a child gets a certificate and is permitted to be employed, when he leaves that job the employer is supposed to report back to the school district, but that is not being done, and it is the opinion of our State Department of Public Instruction that a great many minors are being illegally employed.

There were 96,354 of these certificates issued in 1945 and they do not know what happened to a lot of those children. The gentleman said that this was going to

cost the Commonwealth $200,000. It will cost the Commonwealth $126,000 in salaries and $18,000 in traveling expenses, but, gentlemen, before you vote on this bill there is one thing I hope you will remember, that it only costs one dollar a day to keep our children in public school, but it costs seven dollars a day to keep them in a home of detention, and it is much better and infinitely cheaper to have accurate records to show where these children are.

This is the best means we have today of checking illegally employed minors, and I believe it would be infinitely cheaper to pass this kind of a bill and keep our children in the public schools.

Mr. O'CONNOR. Mr. Speaker, I thank the lady for her information. If you read this bill carefully you will find, as I believe I stated before, there are no qualifications set forth in this bill for a director of child accounting. We don't know whether you are going to get certified public accountants appointed for this job, or whether you are going to get a sanitary inspector appointed in the school districts, and judging by the action taken by this House a few moments ago, if this bill goes through you are going to have another one frozen in the County Superintendent's office for life, because he will come in under the same terms as the assistant county superintendent.

Now, as to the record, I am glad the lady emphasized that. There is nothing in the act to change the present system on the enumeration of school children, and there is nothing in the bill to change it as to the issuance of certificates of employment for those at the present time employed. At the present time employment certificates are issued either by the school superintendent or principal or assistant principal or the secretary of the school board.

This bill contains no repealer, therefore if you pass this bill, it will continue as at present with the enumeration and with the employment certificate, and all this glorified bookkeeper will have to do is to draw the salary of an assistant county superintendent and sit in the county superintendent's office and await the submission of the monthly report, unless as the lady suggested we are going to return to prohibition days and have a snooper in the county superintendent's office to go over all the various school districts to see if the teachers are keeping the records correctly when that is the duty of the county superintendent.

I am glad I came within fifty thousand dollars of the cost according to the lady's figures, but that is only the minimum. The minimum cost under this bill would be thirty-five hundred dollars to the accountant plus five hundred dollars traveling expenses, and back in my county we pay these people fifty-five hundred dollars a year and five hundred dollars traveling expenses. So I still say and believe that this bill will enforce a cost of at least two hundred thousand dollars to the taxpayers of Pennsylvania, and no benefit will be achieved by its passage. Therefore, I ask you to vote it down.

Mrs. DYE. Mr. Speaker, I wonder if I may interrogate the gentleman from Cambria, Mr. O'Connor?

The SPEAKER. Will the gentleman from Cambria permit himself to be interrogated?

Mr. O'CONNOR. I shall, Mr. Speaker.

Mrs. DYE. Mr. Speaker, I would like to ask the gentleman if he has read House Bill No. 1209, Printer's No. 372, on page 7, lines 3, 4, 5, and 6?

Mr. O'CONNOR. Pardon me, what were the numbers of the lines?

Mrs. DYE. 3, 4, 5, and 6 on page 7.

Mr. O'CONNOR. I have read that, Mr. Speaker.

Mrs. DYE. It says that every supervisor on child accounting after the effective date of this act shall be properly certified by the Department of Public Instruction in accordance with such standards as the State Council of Education has established. Therefore, I think it shows a lack of confidence in the State Council if it is to be assumed that they are going to certifiy unqualified men.

Mr. O'CONNOR. Mr. Speaker, I resent that inference. The State Council of Education today specifically sets forth the qualifications for the Assistant County Superintendents, and unless there is something to be covered up in this bill they will set the qualifications of this snooper also.

Mr. SOLLENBERGER. Mr. Speaker, I desire to make a couple of statements on the bill.

The SPEAKER. The gentleman has the floor.

Mr. SOLLENBERGER. Mr. Speaker, the part Mr. O'Connor objects to is definitely administrative, and that would naturally come under the Department of Public Instruction. I think that ought to settle that part of the objection.

Now, the second thing, that it will cost the State some money, but the reimbursement to the districts will be enlarged for the simple reason that reimbursement is given on the basis of average daily membership in school, and these children are out of school, which means that the average daily membership is down. Therefore the reimbursement to the district is down.

If the school system has, say one thousand children, it is easy to have one reimbursement ratio fraction or pupil-teacher fraction out of school and if in the next year two thousand dollars will be the amount of money on that fraction, if they lose one of those pupil-teacher ratios, that is twenty children who are running about or illegally employed, or employed with certificates that they should not have, that means that one pupil-teacher ratio subsidy is lost to the district.

If eighty per cent attendance is the basis of the reimbursement fraction, there already the district has lost sixteen hundred dollars, and even though it might cost the district just a few dollars in taxes which they then pay to the State, they will lose an entire reimbursement fraction, which would be exactly sixteen hundred dollars. In the larger districts it might be two or three or four times that much and in small districts one half of that, but it is still several hundred dollars. So I think the objections are not sound when you consider the reimbursement cost to the district in proportion to the amount that will be paid out by the State.

Mr. O'CONNOR. Mr. Speaker, I desire to interrogate the gentleman from Blair, Mr. Sollenberger.

The SPEAKER. Will the gentleman from Blair permit himself to be interrogated?

Mr. SOLLENBERGER. I will, Mr. Speaker.

Mr. O'CONNOR. Mr. Speaker, I desire to ask the gentleman from Blair if it is his understanding that this

director of child accounting is to be a general truant officer for the county?

Mr. SOLLENBERGER. No, Mr. Speaker, I think not. In one sense it might be that, but it is going to be on a different level entirely from a truant officer.

Mr. O'CONNOR. Mr. Speaker, does the gentleman think it is necessary to create this office and as I said a while ago, to freeze him in the office in order to have better education in your community schools?

Mr. SOLLENBERGER. I certainly contend for the first statement, Mr. Speaker. The second statement about freezing into office I don't understand, but I am sure it will be a blessing to the school children in the school district if we have some method that will keep the children, the boys and girls in the public schools rather than the reform schools two years later.

Mr. O'CONNOR. Mr. Speaker, what is there in this bill—and I am being sincere when I say it,—that will keep this glorified bookkeeper in the school?

Mr. SOLLENBERGER. Under the present conditions,—and this is no reflection on the Board of Education or the Boards of Directors, we have many children in the state of Pennsylvania who are not on the rolls even in September, because they move from one place to another, and the person who is taking the census in the summer time has not put them on the roll, and many of those children are not entering school in September. With many of them, nothing is known about them until they go into the Superintendent's office and say "I am here."

Mr. O'CONNOR. Mr. Speaker, is it not true that the director of child accounting will have the assistance of the county superintendent?

Mr. SOLLENBERGER. Mr. Speaker, I don't know if the bill would say that. I would say that would be entirely up to the Department of Public Instruction as to the standards he should get.

Mr. O'CONNOR. Mr. Speaker, does it not provide in the bill that they shall be chosen in the same manner as is the assistant superintendent?

Mr. SOLLENBERGER. I think so, Mr. Speaker.

Mr. O'CONNOR. Does it not provide he gets the same minimum salary?

Mr. SOLLENBERGER. Yes, Mr. Speaker.

Mr. O'CONNOR. Then in the gentlemen's opinion what would deprive him of having the status?

Mr. SOLLENBERGER. I think it would be the same status as the Supervisor of Statistical Education, Vocational Director and Home Economics Director. I think it is on the same basis and the salary is the same, that is true.

Mr. O'CONNOR. Mr. Speaker, does not the law in Pennsylvania set forth the qualifications of the people the gentleman just mentioned?

Mr. SOLLENBERGER. Yes, Mr. Speaker.

Mr. O'CONNOR. Does it set forth any qualifications of a director of child accounting, Mr. Speaker?

Mr. SOLLENBERGER. As I understood Mrs. Dye to read from the bill it would give a certain standing plus. The Department of Public Instruction would use its discretion upon the standards required by this person.

Mr. O'CONNOR. Then, Mr. Speaker, there is nothing in the law that says who he should be or what his qualifications shall be, is that correct?

Mr. SOLLENBERGER. I would say that that is true, but that is administrative.

Mr. O'CONNOR. The qualifications are administrative requirements?

Mr. SOLLENBERGER. Yes, Mr. Speaker.

Mr. O'CONNOR. Is it not true that you could hire anybody and put him in under this bill? Anybody at all?

Mr. SOLLENBERGER. No, Mr. Speaker, that might be what we call in a slang phrase a slam but I do not think they would so foolish as to certify anybody for such an important job who is not partially prepared or wholly prepared.

Mr. O'CONNOR. I don't mean it as a slam on the Department, but what I want to know is the conclusion of this bill. We know what your qualifications must be, we know what the qualifications of a superintendent must be and also an assistant superintendent, but we don't know, it is a deep secret what the qualifications are of this Child Accountant. Now, if there is nothing wrong about this bill, nothing to hide, let us bring it out and tell us just what it is.

Mr. SOLLENBERGER. In reply, Mr. Speaker, I have to state that it is just the last few months that they have contemplated this after studying the record for years, and I presume that they do not have the requirements as specifically stated as Mr. O'Connor would like. But it seems to me that is true in many fields, and as this work progresses he needn't worry that the standards will not be practical, and I would say very definitely equal to the other aides in the superintendent's office.

Mr. O'CONNOR. Mr. Speaker, I have every respect for the opinion of my colleague from Blair County, but I still insist we should know what we are doing when we pass important legislation of this kind. I take it from what I have learned here on interrogation that whoever fills the job in each office is a snooper,— and I am sincere when I say snooper, snooping on the supervising principal and the teacher in order to maintain his position without any qualifications. I again ask you to vote this bill down.

Mr. DIX. Mr. Speaker, I desire to interrogate the lady from Mercer, Mrs. Dye.

The SPEAKER. Will the lady from Mercer permit herself to be interrogated?

Mrs. DYE. I will, Mr. Speaker.

Mr. DIX. Mr. Speaker, I intended to interrogate the lady some time ago, but most of the questions that I had been waiting for some time to ask in regard to this bill have already been answered. However, I would like to ask the lady a few questions. Without trying to be offensive, I would like to ask the lady, is this your brain child or that of the Department of Public Instruction?

Mrs. DYE. Mr. Speaker, I don't know just exactly how to answer that question. I might say that the child accounting man in the Department of Public Instruction felt the need for this legislation and cooperated with me in having this bill drawn.

Mr. DIX. I thank the lady.

Mr. Speaker, I just wanted to know whether the lady had a real personal interest in this bill or is she just sponsoring it for the Department?

Mrs. DYE. Mr. Speaker, I have a very deep interest in this bill, I would say.

Mr. DIX. Mr. Speaker, I can understand the attitude of

the gentleman from Blair, Mr. Sollenberger, Chairman of the Education Committee. Naturally, he would speak for this bill, but I recall that some thirty or forty years ago, shortly after I finished school, we had but one county superintendent of schools, and this county superintendent of schools covered the county with a horse and wagon and received a very small salary. As the years have gone by, the Department of Public Instruction has mushroomed its employes until now there are eight or ten different superintendents of schools. At the present time we have the county superintendent of schools, we have an assistant county superintendent of schools, we have a vocational superintendent of schools, we have a home economics superintendent of schools and we have a special education superintendent of schools. The purpose of this bill as I see it is simply to add one more employe to these half dozen superintendents, and I think the bill is totally unnecessary and will not accomplish what it intends to do. It will be a burden upon the tax payers of a couple of hundred thousand dollars at least, and I can see no reason, Mr. Speaker, why we should every time the Department of Public Instruction comes in here and wants another superintendent, support that idea. We haven't had anywhere in the Commonwealth any similar mushrooming of employes. The County Commissioners are just the same as we always had,—we have three County Commissioners. Your County Treasurer and all the county officers are the same. The boroughs are all the same; you have a certain number of borough councilmen; you have a certain number of township supervisors. They don't come in here and ask for additional officers every four or five years, and its seems to me it is time to stop the Department of Education asking for additional assistants where they are unnecessary.

Mr. Speaker, I can think of half a dozen jobs that are just as valuable as this one; we should have a county superintendent of physical education; we should have a county superintendent of music, a county superintendent of playgrounds; a county superintendent of this and that, but where are we going to stop? I think this is a mighty good place to put our foot down and stop adding additional burdens on the taxpayers.

Mr. BROWN. Mr. Speaker, I would like to interrogate the gentleman from Blair, Mr. Sollenberger.

The SPEAKER. Will the gentleman from Blair permit himself to be interrogated?

Mr. SOLLENBERGER. I will, Mr. Speaker.

Mr. BROWN. It was my original understanding, Mr. Speaker, and I think also the original understanding of the gentleman from Philadelphia, Mr. Smith, that this act does not only apply to the first class school districts; that would be Philadelphia and Pittsburgh. Now, in reading over the act, Section 1102, page 3, I am a little confused. Will the gentleman state for the record whether in his opinion this bill does apply to first-class school districts?

Mr. SOLLENBERGER. Mr. Speaker, I do not believe I can answer that definitely, but I can say certainly it would not have to apply to first-class school districts, because you have all of the equipment and your personnel in the first-class districts, many times what this small request asks for, so I cannot answer the first part of your question. I do know it would be very foolish for you to add any more to your personnel that are not really needed because you already have all and much more.

Mr. BROWN. I wonder if the gentleman would be kind enough to look on page 3, section 1101? "Every person elected or appointed as a County Superintendent or Assistant—"

Mr. SOLLENBERGER. Will the gentleman please give me the page again?

Mr. BROWN. Page 3, line 3, section 1102.

Mr. SOLLENBERGER. That, Mr. Speaker, does not say if it is first class or not but I would say that the inference of the bill would be yes that it is state-wide.

Mr. BROWN. If the gentleman will look at section 1126, page 3, this is a County Superintendent bill that the gentleman is amending; that is correct, is it not?

Mr. SOLLENBERGER. Well, Mr. Speaker, I think you will find this has been requested by the Department and the Division of Child Accounting, which could not of course be credited or discredited as far as the Superintendents' offices are concerned.

Mr. BROWN. Well, we are still not clear as to whether or not the first class school districts would be embraced within the bill, and that is the specific question that I would like to have answered, if possible.

Mr. SOLLENBERGER. Now, Mr. Speaker, I cannot answer that question. I say again that it would make no change in your first class district because you have all the personnel and equipment you need to take care of this. But it is necessary out over the state where it is so badly needed.

Mr. BROWN. Wouldn't the gentleman then feel that it would be wise to pass this bill over at this time and ask the Chair to reconsider agreeing to the bill on third reading?

Mr. SOLLENBERGER. Mr. Speaker, I really cannot be the judge in the matter of education for the whole state. I do not believe it is going to affect you under any condition. If it is passed today it won't mean a dollar extra to you; it won't change you personnel,—nothing like that. It is definitely to get these boys and girls who should be in school up to the age of seventeen or eighteen. Of course, if your district is not doing this today then I presume that the Department might by this bill have something to say, but I think you folks are doing your work well.

Mr. BROWN. I thank the gentleman, Mr. Speaker.

Mr. O'CONNOR. Mr. Speaker, the gentleman from Blair has said this bill was introduced at the request of the Department of Public Instruction. I just want to add to my remarks something I hoped I wouldn't need to say. One of the County Superintendents who spoke to me told me that it is here because certain officials don't want to do the work.

Mr. SOLLENBERGER. Did I not say I understand it was requested by—isn't that the terminology I used? I think so, Mr. Speaker.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—35.

Beech,	Erb,	Mazza,	Stimmel,
Bower,	Fleming,	McCormack,	Stockham,

Brice,	Gibson,	Miller,	Thomassy,
Clevenger,	Haudenshield,	Moore, H. A.,	Toomey,
Cordier,	Horan,	Neff,	Wescott,
De Long,	Imbt,	Pickens,	Yeakel,
Depuy,	Johnston,	Price,	Young,
Dye,	Kelley,	Scott,	Lichtenwalter,
Elder,	Kent,	Sollenberger,	Speaker.

NAYS—132.

Aaronson	Frost,	Madigan,	Robertson
Andrews,	Gallagher,	McCosker,	Rowen,
Bane,	Getchey,	McCullough,	Sax,
Barrett,	Goodling,	McDonald,	Schuster,
Baumunk,	Gorman,	McKinney,	Serrill,
Bender,	Graybill,	Mihm,	Shoemaker,
Bentzel,	Greenwood,	Mikula,	Smith, C. C.,
Bloom,	Greer,	Mintess,	Smith, C. M.,
Bonawitz,	Guthrie,	Mohr,	Snider,
Boorse,	Gyger,	Mooney,	Sorg,
Breisch,	Haller,	Moore, C. E.,	Sproul,
Brown,	Henry,	Murray,	Stank,
Brunner,	Hewitt,	Myers,	Stonier,
Bucchin,	Hocker,	Najaka,	Stuart,
Cadwalader,	Hoffman,	Naumann,	Swope,
Capano,	Hoopes,	Needham,	Thompson,
Chervenak,	Jennings,	Nelson,	Tittle,
Chudoff,	Jones,	O'Connor,	Tompkins,
Cole,	Jump,	O'Donnell,	Turner,
Cook,	Kean,	O'Neill,	Upshur,
Costa,	Kemp,	Orban,	Wachhaus,
Dague,	Kirley,	Patten,	Wagner,
Dalrymple,	Kline,	Polaski,	Walton,
Davison,	Kohl,	Powers,	Waterhouse,
Demech,	Kratz,	Propert,	Watkins,
Dennison,	Krise,	Ragot,	Watson,
Dix,	Kurtz,	Readinger,	Weidner,
Evans,	Laughner,	Reagan,	Weiss
Feola,	Layer,	Reese, D P.,	Wheeler,
Fish,	Leisey,	Reese, R E.,	Wolf,
Fiss,	Livingston,	Reilly, J. M.,	Wood,
Flack,	Livingstone,	Reilly, W. J.,	Yester,
Foor,	Lovett,	Robbins,	Yetzer,

NOT VOTING—38.

Boles,	Helm,	Petrosky,	Simons,
Cassidy,	Johnson,	Pichney,	Tahl,
Cochran,	Lee,	Richter,	Trout,
Cooper,	Loftus,	Riley,	Vaughan,
Crowley,	Lyons,	Root,	Verona,
Efenberg,	Madden,	Rose,	Waldron,
Ewing,	McMillen,	Royer,	Wallin,
Goff,	Mills,	Sarraf,	West,
Griffiths,	Morrison,	Scanlon,	Worley,
Hall,	O'Dare,		

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 38, as follows:

An Act to further amend sections one and two of the act approved the thirty-first day of May one thousand eight hundred and ninety-three (P. L. 188) entitled "An act designating the days and half days to be observed as legal holidays and for the payment acceptance and protesting of bills notes drafts checks and other negotiable paper on such days" by making Saturdays bank holidays under certain conditions and repealing inconsistent laws

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one of the act approved the thirty-first day of May one thousand eight hundred and ninety-three (P. L. 188) enttiled "An act designating the days and half days to be observed as legal holidays and for the payment acceptance and protesting of bills notes drafts checks and other negotiable paper on such days" as last amended by the acts approved the thirteenth day of April one thousand nine hundred and thirty-three (P. L. 45) and the seventh day of May one thousand nine hundred and thirty-seven (P. L. 601) is hereby further amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the following days and half days namely the first day of January commonly called New Year's Day the twelfth day of February known as Lincoln's Birthday the twenty-second day of February known as Washington's Birthday Good Friday the thirtieth day of May known as Memorial Day the fourteenth day of June known as Flag Day the fourth of July called Independence Day the first Monday of September known as Labor Day the twelfth day of October known as Columbus Day the first Tuesday after the first Monday of November Election Day the eleventh day of November known as Armistice Day the twenty-fifth day of December known as Christmas Day and every Saturday after twelve o'clock noon until twelve o'clock midnight each of which Saturdays is hereby designated a half holiday and any day appointed or recommended by the Governor of this State or the President of the United States as a day of thanksgiving or fastings and prayer or other religious observance and in the event of a financial crisis in the State or Nation any day or days appointed by the Governor of this State or the President of the United States as a bank holiday shall for all purposes whatever as regards the presenting for payment or acceptance and as regard the protesting and giving notice of the dishonor of bills of exchange checks drafts and promissory notes made after the passage of this act be treated and considered as the first day of the week commonly called Sunday and as public holidays and half holidays and all such bills checks drafts and notes otherwise presentable for acceptance or payment on any of the said days shall be deemed to be payable and be presentable for acceptance or payment on the secular or business day next succeeding such holiday or half holiday except checks drafts bills of exchange and promissory notes payable at sight or on demand which would otherwise be payable on any half holiday Saturday shall be deemed to be payable at or before twelve o'clock noon of such half holiday Provided however That for the purpose of protesting or otherwise holding liable any party to any bill of exchange check draft or promisssiory note and which shall not have been paid before twelve o'clock noon of any Saturday designated a half holiday as aforesaid a demand for acceptance or payment thereof shall not be made and notice of protest or dishonor thereof shall not be given until the next succeeding secular or business day And provided further That when any person firm corporation or company shall on any Saturday designated a half holiday receive for collection any check bill of exchange draft or promissory note such person firm corporation or company shall not be deemed guilty of any neglect or omission of duty nor incur any liability in not presenting for payment or acceptance or collection such check bill of exchange draft or promissoyr note on that day And provided further That in construing this section every Saturday designated a half holiday shall until twelve o'clock noon be deemed a secular or business day and the days and half days aforesaid so designated as holidays and half holidays shall be considered as public holidays and half holidays for all purposes whatsoever as regards the transaction of business except that any day or days appointed as a bank holiday shall be regarded as secular or business days for all other purposes than those mentioned in this act And provided further That nothing herein contained shall be construed to prevent or invalidate the entry issuance service or execution of any writ summons confession of judgment or other legal process whatever on any of the holidays or half holidays herein designated as holidays nor to prevent any [bank] banking institution from keeping its doors open or transacting its business on any [of the said] Saturday [afternoons] afternoon if by a vote of its directors it shall

elect to do so unless such Saturday is appointed as a bank holiday under the provisions of this act And provided further That any banking institution may by a vote of its directors or in the case of a private bank by action of the private banker or bankers notice of which shall have been posted in its banking house for not less than fifteen days before the taking effect thereof observe any Saturday throughout the year as a full holiday with like effect hereunder as though such day had been designated as a full holiday by the provisions of this act

Section 2 Section 2 of said act as last amended by the act approved the seventh day of May one thousand nine hundred and thirty-seven (P. L. 601) is hereby further amended to read as follows

Section 2 (a) Whenever the first day of January the twelfth day of February the twenty-second day of February the thirtieth day of May the fourteenth day of June the fourth day of July the twelfth day of October the eleventh day of November or the twenty-fifth day of December shall any of them occur on Sunday the following day (Monday) shall be deemed and declared a public holiday All bills of exchange checks drafts or promissory notes falling due on any of the Mondays so observed as holidays shall be due and payable on the next succeeding secular or business day and all Mondays so observed as holidays shall for all purposes whatever as regards the presenting for payment or acceptance and as regards the protesting and giving notice of the dishonor of bills [or] of exchange checks drafts and promissory notes made after the passage of this act be treated and considered as if the first day of the week commonly called Sunday

(b) Nothing in any law of this Commonwealth shall in any manner whatsoever effect the validity of or render void or voidable the payment certification or acceptance of a check or other negotiable instrument or any other transaction by a banking institution in this State because done or performed or transacted on any Saturday between twelve o'clock noon and midnight provided such payment certification acceptance or other transaction would be valid if done or performed on or before twelve o'clock noon on Saturday

Section 3 The act approved the eighteenth day of July one thousand nine hundred and seventeen (P. L. 1067 No. 351) entitled "An act concerning transactions by banks and trust companies after twelve o'clock noon on Saturdays" is hereby repealed

All other acts or parts of acts inconsistent herewith are hereby repealed

Section 4 This act shall take effect immediately upon its final enactment

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. ANDREWS. Mr. Speaker, I presume that Podunk is about to be offered up as a sacrifice in the interests of the Main Line. This is a bill that gives the state banks, the banks under the control of the state, the privilege of closing on any Saturday or all the Saturdays, all day throughout the year. In the big city districts where there is very little work done on Saturday the bank employes do not want to work either. The banks have never thought of the expedient of paying their help enough to keep them on Saturday, and the bank employes have a very good reason why they should not work on Saturdays.

There has been a great deal of division in the state concerning this bill. Some banks want it and other banks don't want it. It has been argued that competition will cause the banks to meet local situations. There is no longer banking competition in a great many centers. Since 1946, when the banks made more money than they ever made in their life, they are getting cocky, they are paying less and less attention to the interests of the public. Along your Main Line and in your metropolitan centers you can probably close your banks all day on Saturday without doing any damage to the business community in the area. In the rural areas that is not true. In the rural areas the thing to do would be to keep the banks open all day on Saturday to accommodate the public so I presume that this bill will go as the bankers decree and the bill will pass but it is not in the interest of sound business practice in the rural communities of Pennsylvania.

Mr. BROWN. Mr. Speaker, I desire to interrogate the gentleman from Cambria, Mr. Andrews.

The SPEAKER. Will the gentleman from Cambria permit himself to be interrogated?

Mr. ANDREWS. No lawyer's questions, Mr. Speaker.

Mr. BROWN. Mr. Speaker the gentleman from Cambria just made a statement to which I object seriously in which statement he said in the big city districts there is very little work done on Saturdays. I wonder if the gentleman was not in error and would like to have those remarks expunged from the record.

Mr. ANDREWS. Mr. Speaker without turning around to face the gentleman I would say that I took a pencil on Saturday and I figured up how many farmers there are playing golf, how many people there are on the golf links, and I have great difficulty in deciding that anybody in the big towns works on Saturday.

Mr. BENTZEL. Mr. Speaker, I have a few communications here, for the record I would like to read them, each and every one of them. There are about twenty of them. I don't think that there would be any objection.

I represent a rural, agricultural, industrial and commercial town and all of our banks—and by the way during the bank holidays when many banks failed each and every one of our banks was sound at that time and is still sound. We only have one bank in York that said they would care to make bank closing on Saturday optional, the Western National Bank of York.

However, I do not want to tire you with all these letters. I will only say this, that in a commercial town such as ours—and agricultural, that our banks would not close Saturdays, and in other agricultural districts throughout the great state of Pennsylvania it is my opinion that the farmers going into town, where they do their banking business that the banks should be allowed to exercise the privilege on Saturday morning. We do close our banks on Saturday afternoon, but as a matter of fact if this bill is passed and the banks would elect to close their banks on Saturday you will find throughout the state that your agricultural folks will be obliged to spend more than one day of the week in town, in order to do banking on Friday or some other day instead of Saturday. So, I do not desire to tire you with these letters—that wouldn't be fair, but I would sincerely ask that those who are asking the closing of the banks on Saturday, that they will vote against this particular bill.

Mr. TURNER. Mr. Speaker, I rather object to the continuous slur upon the motives of this bill by the gentleman from Cambria, Mr. Andrews, when he spoke about the Main Line. I presume that he intended that as being

somewhat of a designation that this is a silk stocking bill, and that only those who live upon what is known as the Main Line of the Pennsylvania Railroad in the suburbs of Philadelphia, those people who in the county of the gentleman from Montgomery, Mr. Brunner, have such great assets of personal property that they don't have to have a real estate tax, but I want to say to you as a country man and a farmer myself, living in a rural district in an agricultural county, one of the leading agricultural counties of the state, that I have hundreds of letters down in my desk from people in my county who want this closing of the banks on Saturday and a bank holiday.

In the county seat of Media, which is the great shopping center near where my farm is located—of course I hope nobody quizzes me about the size of the farm, but nevertheless I am a "dirty" farmer, but in that place the wagons of the elite who come in there on Saturdays wouldn't let any respectable farmer go to the market and bank on Saturday morning, therefore it doesn't make any difference to us in Delaware County whether the banks are open or not. I remember the time when the banks in our county were open two nights a week and one banker wrote me—he was an urban banker, not a rural man, and he protested. I asked him whether he wouldn't prefer to stay open one night a week, and as I say, the farmers come in to see the movies, and their jalopies and station wagons and so forth, are so crowded around the movie places that we, who live about five minutes away, have to park our cars a few hundred feet from our homes and walk the rest of the way in order to get to the movies to get out of the way of these station wagons, these Buicks, and Rolls-Royces and these Packards that are lined up in front.

I have said to one banker who wrote to me that I thought this was in the modern era. He happened to be a Democrat, and I said that I was amazed that a Democrat who had always proclaimed his liberalism would come out now and ask us to keep the banks open on Saturday. I told him that he ought to get on the band wagon with us progressive Republicans and let us close the banks on Saturday so that they may have a holiday like other people.

Mr. ANDREWS. Mr. Speaker, I reply to the gentleman from Delaware that his particular group who have the jurisdiction of closing the banks on Saturday were the ones who were able to close most of the banks in the country all the time.

Mr. CHUDOFF. Mr. Speaker, I find myself in the position that the gentleman from Westmoreland was in on the Child Accounting bill. I was under the impression that this bill was a permissive bill, the banks that want to close can close, and the ones that want to stay open can stay open, but I thought if we had to vote, we from Philadelphia and the Members from the rural districts, would be happy to vote for this bill. Now I would like to find out exactly what this bill does and I would like to interrogate the Chairman of the Banking Committee.

The SPEAKER. The Chair would inform the gentleman that the Chairman of the Banking Committee has a leave of absence due to illness in the family.

Mr. CHUDOFF. Mr. Speaker, if there is any competent lawyer in the House who can explain this bill to me I would like to find out exactly what it does.

The SPEAKER. The Chair calls upon his personal council, the gentleman from Elk, Mr. Sorg.

Mr. SORG. Mr. Speaker, Senate Bill 38 merely remove the restriction or the obligation of banks to handle commercial papers on Saturdays. The net effect is to permi them to close if the Board of Directors of the various institutions so decide and post the proper notices if the wish.

Mr. CHUDOFF. I thank the gentleman, Mr. Speaker.

Mr. WILLIAM J. REILLY. Mr. Speaker, I desire to interrogate the gentleman from Delaware, Mr. Turner.

The SPEAKER. Will the gentleman from Delaware permit himself to be interrogated?

Mr. TURNER. I will, Mr. Speaker. Before agreeing to be interrogated, Mr. Speaker, I want to know in what capacity I am interrogated?

Mr. WILLIAM J. REILLY. Well now, the gentleman will hear later, Mr. Speaker.

Mr. TURNER. Mr. Speaker, I accept with reservations.

Mr. WILLIAM J. REILLY. Mr. Speaker, as well as Mr. Turner, having quite a delegation from Philadelphia, and knowing the type of man that you are, and feeling that we would like to enjoy ourselves occasionally at times, I was going to ask your indulgence for just a moment to secure that beautiful farm you have out there in Delaware County for a nice little picnic this summer, from the boys in Delaware County to the boys from Philadelphia County, and I fully know that you will agree to it in the manner in which you have always, especially from the very beautiful breakfasts that you have tendered to the various Members of our delegation—there is no question about it, including the beautiful ladies also, and I can say this to you in all fairness, you are a grand old man.

The SPEAKER. The Chair would like to know from the gentleman what beautiful ladies have to do with banking.

Mr. TURNER. Mr. Speaker, if you were out in our section you would know what beautiful ladies have to do with banking.

I am very much flattered by the invitation that the gentleman from Philadelphia has extended to the Philadelphians to have a picnic out at my farm this summer. I will say to you, knowing the gentleman from Philadelphia who has extended the invitation, that I am perfectly willing to supply the food for that picnic, but I do not believe that the exchequer of the Turner family would stand the liquid refreshments, so with that qualification that each one B Y O L, which means "bring your own liquor", the invitation is accepted—with one other qualification, and it is one that I would like to admonish the Members of this House, because I haven't had a chance to get around Harrisburg very much in the evenings, that is outside of the hotel or the capitol, but I have a slogan, "you know, one gentleman never sees another gentleman when he is out".

Mr. ANDREWS. Mr. Speaker, I would like to consult the Chair's personal attorney, the Majority Leader.

The SPEAKER. Will the majority leader, the gentleman from Elk, Mr. Sorg, permit himself to be interrogated?

Mr. SORG. I will, Mr. Speaker.

Mr. ANDREWS. Mr. Speaker, does the gentleman from Elk desire to read into the record a considered opinion

that this House can endow banks with legislative authority?

Mr. SORG. I am not prepared, Mr. Speaker, to read that into the record.

Mr. ANDREWS. Would there be a possible doubt as to the constitutionality of a measure which endows banks with legislative power, Mr. Speaker?

Mr. SORG. Mr. Speaker, every time we pass a bill there is possibility of a doubt. On this measure there is not in my mind, however.

Mr. McMILLEN. Mr. Speaker, I feel that I have a personal interest in the bill and I would like to be recorded as "present" and not voting. I just want the record to show I am here.

The SPEAKER. The gentleman cannot be recorded as voting "present". He must either vote "yes" or "no".

Mr. McMILLEN. Neither one, Mr. Speaker.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—121

Bane,	Frost,	Mikula,	Schuster,
Barrett,	Gallagher,	Miller,	Scott,
Beech,	Getchey,	Mintess,	Shoemaker,
Bender,	Gibson,	Mohr,	Smith, C. C.,
Bloom,	Gorman,	Mooney,	Smith, C. M.,
Boorse,	Greer,	Moore, H. A.,	Snider,
Bower,	Haller,	Murray,	Sollenberger
Breisch,	Haudenshield,	Myers,	Sorg,
Brice,	Hoopes,	Najaka,	Sproul,
Brown,	Horan,	Naumann,	Stank,
Brunner,	Imbt,	Needham,	Stimmel,
Bucchin,	Jennings,	Nelson,	Stockham,
Cadwalader,	Johnston,	O'Connor,	Stonier,
Capano,	Jump,	O'Donnell	Stuart,
Cassidy,	Kean,	O'Neill,	Thomassy,
Chudoff,	Kemp,	Patten,	Thompson,
Clevenger,	Kirley,	Powers,	Tompkins
Cordier,	Kline,	Price,	Toomey,
Costa,	Kohl,	Propert,	Turner,
Dague,	Kratz,	Ragot,	Upshur,
Davison,	Laughner	Readinger,	Wachhaus
De Long,	Layer,	Reese, D. P.,	Wagner,
Demech,	Livingston,	Reilly, J. M.,	Walton,
Depuy,	Livingstone,	Reilly, W. J.,	Watkins
Dix,	Lovett,	Richter,	Watson,
Efenberg,	Mazza,	Robbins,	Weidner,
Elder,	McCormack,	Robertson,	Weiss,
Feola,	McCosker,	Rose,	Wheeler,
Fish,	McDonald,	Rowen,	Yeakel,
Flack,	Mihm,	Sax,	Yester,
Fleming,			

NAYS—49

Andrews,	Graybill,	Kurtz,	Royer,
Baumunk,	Greenwood,	Leisey	Serrill,
Bentzel,	Guthrie,	Madigan,	Simons,
Bonawitz,	Gyger,	McCullough,	Swope,
Chervenak,	Helm,	McKinney,	Tittle,
Cook,	Henry,	Moore, C. E.,	Verona,
Dalrymple,	Hewitt	Neff,	Waterhouse,
Dennison,	Hocker,	Orban,	Wescott,
Dye,	Hoffman,	Pickens,	Wolf,
Evans,	Jones,	Polaski,	Wood,
Fiss,	Kent,	Reese, R. E.,	Yetzer,
Foor,	Krise,	Riley,	Lichtenwalter
Goodling,			Speaker

NOT VOTING—35

Aaronson,	Griffiths,	Mills,	Tahl,
Boies,	Hall,	Morrison,	Trout,
Cochran,	Johnson,	O'Dare,	Vaughan,
Cole,	Kelley,	Petrosky,	Waldron,
Cooper,	Lee,	Pichney,	Wallin,
Crowley,	Loftus,	Reagan,	West,
Erb,	Lyons,	Root,	Worley,
Ewing,	Madden,	Sarraf,	Young,
Goff,	McMillen,	Scanlon,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

BILL PASSED OVER

There being no objection

Senate Bill No. 293, Printer's No. 190,

was passed over at the request of Mr. SPROUL.

CLASS OF UPPER LEACOCK HIGH SCHOOL WELCOMED

The SPEAKER. The Chair is very pleased to present at this time the Junior Class of the Upper Leacock High School of Lancaster County. They are guests of the gentleman from Lancaster Mr. Wood.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 313, entitled

An Act to reenact amend and revise the act approved the first day of May one thousand nine hundred and thirty-three (P. L. 103) as amended, entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto"

On the question,

Will the House agree to the bill on third reading?

Mr. SPROUL. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend sec. 1 (Sec.206), page 16, line 2, by removing the underscoring beneath the word "by".

Amend sec. 1 (Sec 226), page 21, line 15, by removing the underscoring beneath the word "hereinafter".

Amend sec. 5 (Sec 423), page 33 line 18, by inserting before the word "fill" and within the bracket, the following: "to".

Amend sec. 5 (Sec. 423), page 35, line 15, by striking out the brackets after the word "commissioners" and before the word "shall".

Amend sec. 5 (Sec. 423), page 35, line 17, by inserting after the word "[or]" the following: "and the".

Amend sec. 5 (Sec. 514), page 41, line 15, by striking out the word "[ROADMASTER]" and inserting in lieu thereof "[roadmasters]".

Amend. sec. 7 (Sec. 590), page 71, line 6, by striking out the word "poicemen" and inserting in lieu thereof "policemen".

Amend sec. 7 (Sec. 590), page 71, line 10, by inserting after the word "Commonwealth" the following: "[county]".

Amend sec. 7 (Sec. 590), page 71, line 11, by inserting a bracket after the word "part".

Amend sec. 8 (Sec. 595), page 73, line 20, by striking out the word "may" and inserting in lieu thereof "shall".

Amend sec. 11 (Sec. 908), page 130, line 11, by striking out the words "[of] or" and inserting in lieu thereof "[or] of".

Amend sec. 27, page 210, line 12 by inserting parenthesis before and after the letter "d".

Amend sec. 26, page 210, line 12, by striking out the word "the".

Amend sec. 38 (Sec. 1540), page 231, line 16, by striking out the word "powers".

Amend sec. 42 (Sec. 1610), page 243, line 7, by striking out the word "of" and inserting in lieu thereof "or".

Amend sec. 42 (Sec. 1611), page 246, line 1, by striking out the word "with" and inserting in lieu thereof "within".

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

SENATE MESSAGE

TIME OF NEXT MEETING

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, April 23, 1947.

Resolved (if the House of Representatives concur), That when the the Senate adjourns this week it reconvene on Monday, April 28, 1947 at three o'clock p. m. Eastern Standard Time, and when the House of Representatives adjourns this week it reconvene on Monday, April 28, 1947 at three thirty o'clock p. m. Eastern Standard Time.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

RESOLUTION No. 41

Mr. KENT. Mr. Speaker, I desire to call up House Resolution No. 41 Printer's No. 412, on page 24 of today's calendar.

The resolution was read, considered and adopted as follows:

In the House of Representatives, April 15, 1947.

Whereas, The Commonwealth has taken over and owns considerable real property located in its various political subdivisions and

Whereas, Under the existing Constitution and laws of Pennsylvania public property used for public purposes of which real property owned by the Commonwealth and its agencies as a class may be and has been exempt by the General Assembly from taxation and

Whereas, Such exemption results in a loss of revenue to the various political subdivisions therefore be it

Resolved, That the Joint State Government Commission is hereby directed to study investigate and devise ways and means of compensating the various political subdivisions of the Commonwealth with Commonwealth funds for their loss of revenues from such real property being exempt from taxation and be it further

Resolved, That the Joint State Government shall report its findings and conclusions to the next regular session of the General Assembly together with such proposed legislation as it may devise to carry out its recommendations

PERMISSION TO ADD ADDITIONAL SPONSORS

Mr. O'NEILL asked and obtained unanimous consent to add the names of Messrs. Cordier, Stonier and Robertson as additional sponsors to a resolution he was about to introduce.

CONDOLENCE RESOLUTION

Messrs. O'NEILL, NEEDHAM, CORDIER, STONIER and ROBERTSON offered a resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was read, considered and adopted as follows:

In the House of Representatives, April 23, 1947.

The angel of death has removed from our immediate surroundings Private First Class Neil E. Whitney, nineteen year old son of Mr. and Mrs. Neil L. Whitney of 2092 North Main Avenue, Scranton, Pennsylvania.

Neil E. Whitney is the son of Neil Whitney who is well known to many of the General Assembly since he has been legislative representative of the Scranton Times since 1936 and was President of the Pennsylvania Legislative Correspondents Association during 1943-44.

His son was in the Army Air Force and was killed in a transport plane crash on Saturday, April 19th, near Walsenberg, Colorado, therefore be it

Resolved, That this House extends its heartfelt sympathy to Neil Whitney and his family and directs the Chief Clerk to transmit a copy of this resolution to Neil Whitney, staff writer for the Scranton Times.

COMMITTEE MEETINGS

Motor Vehicles, Room No. 522, Thursday, April 24, 1947, at 10 a. m.

ADJOURNMENT

Mr. COLE. Mr. Speaker, I move that this House do now adjourn until Thursday, April 24, 1947, at 11:00 a. m.

The motion was agreed to, and (at 4:00 p. m.) the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1947. 137th of the General Assembly.

Vol. 30. HARRISBURG, PA., THURSDAY, APRIL 24, 1947. No. 45.

SENATE

THURSDAY, April 24, 1947

The Senate met at 12:00 o'clock, M., Eastern Standard Time.

The PRESIDENT (Lieutenant-Governor Daniel B. Strickler) in the Chair.

PRAYER

In the absence of the Chaplain prayer was offered by the Senator from Berks, Dr. Ruth.

In the name of the Father and of the Son and of the Holy Ghost, Oh Thou Triune Eternal God, we praise Thee for the knowledge that Thou dost trustfully care for us and we pray that we may sense the depth of Thy great love for us and that we may respond to it by eternal praise of Thy Holy Name by kind words and good deeds to our fellowmen.

We ask it in Thy Holy Name. Amen!

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. TALLMAN and Mr. MALLERY, further reading was dispensed with, and the Journal was approved.

NOMINATIONS BY THE GOVERNOR

NOTARIES PUBLIC

The Secretary to the Governor being introduced, presented in writing from His Excellency, the Governor of the Commonwealth, nominations for appointment as Notaries Public.

CONSIDERATION OF NOTARIES PUBLIC

Mr. WALKER. Mr. President, I move that the Senate do now proceed to the consideration of nominations for appointment as Notaries Public, sent to the Senate, by His Excellency, the Governor of the Commonwealth, on April 24, 1947.

Mr. TALLMAN. Mr. President, I second the motion.

The motion was agreed to.

The nominations were read as follows:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 24, 1947

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the dates set opposite their names:

ALLEGHENY COUNTY

Miss Ruth M. Erfort, Pittsburgh, 2600 Carson St. (3), Confirmation.

Miss Jessie M. Kaminski, Pittsburgh, 3550 Brownsville Rd., Confirmation.

C. R. Lynch, Pittsburgh, 21 Penn Ave., Confirmation.

R. E. Malone, Pittsburgh, 201 N. Braddock Ave., Confirmation.

BLAIR COUNTY

Mrs. Nancy Brumbaugh, Altoona, Confirmation.

DELAWARE COUNTY

Mrs. Florence E. Wilhelm, Upper Darby Twp., 3425 Garrett Rd., Drexel Hill, Confirmation.

McKEAN COUNTY

L. R. Brunner, Bradford, Confirmation.

MONTGOMERY COUNTY

Mrs. Elizabeth K. Gutekunst, Lower Providence Twp., R. D. 1, Collegeville, Confirmation.

PHILADELPHIA COUNTY

Mrs. Lorraine J. Alexander, Phila., 262 S. 12th St. (7), Confirmation.

Miss Irene Bernstein, Phila., 321 N. Broad St. (7), Confirmation.

Mrs. Helen W. Castle, Phila., 2405 N. Broad St., Confirmation.

Seymour Ghen, Phila., 427 Weightman Bldg., Confirmation.

Mrs. Adella Byrd Harper, Phila., 5922 Germantown Ave., Confirmation.

Hawthorne Winner, Phila., 2514 Coral St. (25), Confirmation.

VENANGO COUNTY

Howard E. Lindblad, Emlenton, Confirmation.

YORK COUNTY

Mrs. Gladys R. Stauffer, Hanover, Confirmation.

Mrs. Dorothy Winter, York, Confirmation.

ALLEGHENY COUNTY

John W. Ford, Pittsburgh, 700 Koppers Bldg., May 7, 1947.

JAMES H. DUFF.

NOMINATIONS FOR NOTARIES PUBLIC

A motion was made by Mr. WALKER and Mr. TALLMAN,

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39

Barr,	Farrell,	Letzler,	Tarr,
Becker,	Geltz,	Lord,	Taylor,
Berger,	Haluska,	Mahany,	Wagner,
Carr,	Hare,	Mallery,	Walker,
Chapman,	Heyburn,	Rahauser,	Watson,
Crider,	Holland,	Ruth,	Wilson,
Crowe,	Homsher,	Scarlett,	Wolfe,
Dent,	Klein,	Snowden,	Wood, L. H.,
Doehla,	Lane,	Stevenson,	Wood, T. N.,
Donlan,	Leader,	Tallman,	

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

He also presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows, and referred to the Committee on Executive Nominations.

ALDERMAN

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 24, 1947

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Thomas B. McDonough, 78 Easy Street, Uniontown, Fayette County, for appointment as Alderman in and for the Eighth Ward of the City of Uniontown, Fayette County, until the first Monday of January, 1948, vice Ralph D. Umbel, resigned.

JAMES H. DUFF.

HOUSE MESSAGES

The Clerk of the House of Representatives being introduced informed the Senate that the House has concurred in resolution from the Senate as follows:

TIME OF NEXT MEETING

In the Senate, April 23, 1947

Resolved (if the House of Representatives concur) That when the Senate adjourns this week it reconvene on Monday, April 28, 1947, at three o'clock p. m., Eastern Standard Time, and when the House of Representatives adjourns this week it reconvene on Monday, April 28, 1947, at three thirty o'clock p. m., Eastern Standard Time.

SENATE BILL No. 38, RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 38, entitled:

An Act to further amend sections one and two of the act approved the thirty-first day of May, one thousand eight hundred and ninety-three, (P. L. 188), entitled "An act designating the days and half days to be observed as legal holidays, and for the payment, acceptance and protesting of bills, notes, drafts, checks and other negotiable paper on such days" by making Saturdays bank holidays under certain conditions, and repealing inconsistent laws.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill as amended, will appear on Monday's Calendar.

SENATE BILL No. 293, RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 293, entitled:

An Act to further amend sections one thousand three, one thousand one hundred seven and one thousand eight hundred two and to amend section one thousand one hundred three of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-one (P. L. 1206), entitled "An act concerning townships of the first class; amending, revising, consolidating, and changing the law relating thereto," further regulating the powers and duties of township auditors and controllers and the letting of contracts.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill as amended, will appear on Monday's Calendar.

HOUSE BILLS FOR CONCURRENCE

He also presented for concurrence bills of the House, as follows:

House Bill No. 537, entitled:

An Act requiring owners of hotels, restaurants and places of amusement and entertainment to give notice to patrons thereof that concessions for certain services have been granted to other persons and that gratuities received by the employes of such concessions are the property of the owner thereof.

Which was committed to the Committee on Law and Order.

House Bill No. 678, entitled:

An Act to amend, or further amend, Sections five hundred six, seven hundred one, seven hundred sixteen, and clause (q) of section seven hundred thirty-one of the act approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "The Game Law," by reducing the penalty for the unlawful possession of live fawn deer; requiring the payment of a fee for raccoon possession permits; and making it unlawful to aid or assist in the purchase or sale of wild game.

Which was committed to the Committee on Forests and Waters, Game and Fish.

House Bill No. 914, entitled:

An Act to amend clauses (a) and (d) of section one thousand two hundred sixteen of the act approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "Public School Code," by further regulating sabbatical leaves for certain school employes.

Which was committed to the Committee on Education.

House Bill No. 955, entitled:

An Act to amend section five hundred ten of the act, approved the first day of May, one thousand nine hundred thirty-three (P. L. 103), entitled "The Second Class Township Law," by changing the title of township supervisors.

Which was committed to the Committee on Local Government.

House Bill No. 1022, entitled:

An Act to amend clause seventeen of section one of the act approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043), entitled "School Employes Retirement Law," by defining "salary" and redefining "final salary" as applied to contributors.

Which was committed to the Committee on Education.

House Bill No. 1165, entitled:

An Act to further amend section five hundred forty-five of the act, approved the first day of May, one thousand nine hundred thirty-three (P. L. 103), entitled "The Second Class Township Law" increasing the pay of auditors.

Which was committed to the Committee on Local Government.

House Bill No. 1210, entitled:

An Act to repeal the act, approved the fourth day of June, one thousand nine hundred forty-five (P. L. 1388), entitled "Administrative Agency Law."

Which was committed to the Committee on Judiciary General.

House Bill No. 1211, entitled:

An Act to repeal the act, approved the fourth day of June one thousand nine hundred forty-five (P. L. 1392), entitled "Pennsylvania Register Act."

Which was committed to the Committee on Judiciary General.

BILLS SIGNED

The PRESIDENT (Lieutenant-Governor Daniel B. Strickler) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

Senate Bill No. 148, entitled:

An Act to amend the act approved the fifth day of June, one thousand nine hundred thirty-seven (P. L. 1703), entitled "An act relating to criminal prosecutions; limiting the effect of demurrers by defendants at the close of the cases of the Commonwealth," providing for the disposition or cases where evidence has been improperly admitted and the court has failed to sustain the demurrer at the close of the Commonwealth's case.

House Bill No. 531, entitled:

A Supplement to the act approved the 7th day of March, one thousand nine hundred and one (P. L. 20), entitled "Second Class City Law," establishing a department of parks and reccreation in said cities; providing for its officers and employees; and defining the powers, duties and jurisdiction of said department.

House Bill No. 742, entitled:

An Act to amend section one hundred eighty-one of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "General County Law," permitting sheriffs to succeed themselves.

House Bill No. 1016, entitled:

An Act to amend section four hundred thirty-nine of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "Administrative Code of 1929," increasing the membership of the Sanitary Water Board and providing compensation for certain members of such board.

Whereupon,

The PRESIDENT (Lieutenant-Governor Daniel B. Strickler) in the presence of the Senate signed the same.

PERMISSION TO ADDRESS SENATE

Mr. RAHAUSER asked and obtained unanimous consent to address the Senate.

Mr. RAHAUSER. Mr. President, the Supreme Court of Pennsylvania eliminated the wholesale and retail license fees on the sale of margarine that were in effect in Pennsylvania for many years. But it did not strike down many provisions of these bills.

These license fees were discriminatory. They were in restraint of trade. They were aimed at placing restrictions on the distribution of margarine. They operated as bureaucratic control of a legitimate business. The provisions in force are of the same nature.

The Supreme Court eliminated the fees, but did not eliminate many phases of the acts which were archaic, out-dated and burdensome.

The bureaucratic control remains, without any reason for the control. It can not be said that the control is for the protection of the Pennsylvania farmer when 150,000,000, out of the 175,000,000 pounds of butter that are consumed in this state, are imported from outside of Pennsylvania.

The U. S. Department of Agriculture, in 1943, compiled a list of states where the sale of margarine was restricted, and a list of states where it was sold without any restrictions. In each of the states in which margarine was sold without restriction, the dairy farmers actually received a higher price for butterfat than did the dairy farmers in an adjoining state in which there were restrictions on the sale of margarine. In fact, the average was 6.8 cents per pound higher in those states upon which no objectionable restrictions were imposed on margarine by state law.

It is not contended that the unrestricted sale of margarine was responsible for the dairy farmer receiving a higher price in those states having no serious margarine restrictions. Other factors may have been responsible for this difference. In such event the other factors and not margarine should be studied in order to enable the dairy farmer to get full value for his butterfat. There was a factor, namely, the increased use of a spread in daily diet that was somewhat responsible for price increase.

This presentation is made to refute the false argument used by some that the unrestricted sale of margarine would destroy the butterfat market.

A few comparisons of prices in adjoining states will serve better to show that margarine has no effect on the price of butter.

In the state of Missouri the average price paid for all milk, according to the Department of Agriculture year

book, 1942, was in Missouri 35c. There are no restrictions in Missouri. The price in Iowa was 32c. The price in Illinois, in which there are no restrictions was 42c. The price in Wisconsin, in which there are no restrictions was 39c. The price in Kansas, in which there are no restrictions, other than a restriction on soybean oil, was 34c. The price in Nebraska is 31c. That makes an average difference in price of 37c in those states in which there was no restriction and an average price of 34c in the three adjoining states, in which there were restrictions.

In the Montana Food Distributor, February, 1947, page 15, it is stated:

"The University of Ohio and other research agencies have definitely established the fact that the unrestricted sale of margarine does not cut down the sale of butter."

Internal Trade Barriers in Farm Products contains this information:

"Margarine sale was virtually prohibited in Tennessee from 1931 to 1941. In 1932 creamery butter production was 16,518,000 pounds. In 1939 it was 16,270,000 pounds. Farm butter production remained staple, at about 32 to 33 million pounds. The prices received for butterfat rose and fell in the same proportion as in other states.

"In Kentucky an anti-margarine tax law, enacted in 1932, was declared unconstitutional in 1939. Between 1932-1939 farm butter production and creamery butter production remained about the same and in 1938, when there was no margarine tax, creamery butter production was higher than in any previous year in the ten year period.

We have, in a letter from Mr. Coombes, November 28, 1945, a table showing average weeking sales of butter and margarine in New York city.

"The following table is an interesting side-light on whether margarine adds to or subtracts from the sales of butter in each of the types of stores. With one exception the average weekly sales of butter per store, also handling margarine, were greater than the average weekly sales of butter in stores of the same type, handling butter alone. In fact on the average, for all types of stores, this increase in butter sales (51 lbs. more per store per week) is even greater than total margarine sales (30 lbs. per store per week)." Surely permitting free margarine sales will not injure the dairy interests.

Surely it can not be said that the bureaucratic control is for protection of health, when the Pennsylvania General Food Law of 1909, P. L. 520, amply protects the health of the people. The first section of this act provides against the offer for sale of any food article which is adulterated or misbranded.

The Administrative Code alone gives the Department of Agriculture sufficient authority to compel the people who sell margarine to inform the people that they are buying or eating margarine and not butter.

Senate Bill 190 would repeal those acts that hinder the corner grocery store from selling this product. There are so many restrictions in the present law, in the form of reports, keeping records, requiring each dealer to place a special wrapper on each package, and so many other restrictions, that the small grocer can not sell the product. Thus, the average family is deprived of the facility of purchasing this food.

There are millions of people in the low income group that have been unable to buy sufficient butter for the needed nourishment of a healthful diet.

Senate Bill 190 would repeal all the archaic restrictions on this food and place this food in stores where the average person could purchase it.

Senate Bill 190, repealing the useless, out-of-date and discriminatory legislation, should be called up for action, at least, by the first part of next week.

I have no desire to rush the opponents of a bill that deals with food. But I challenge the opponents of the Farrell Bill to give one reason why it should not be passed. If there is a reason, surely it can be discovered by next week. If there are no reasons, Senate Bill 190 should be passed, for there are many reasons for its passage.

There are twenty-two states that have abandoned these restrictive measures. The abandoning of these measures the use of a healthful diet. The abandoning of these measures permitted the corner grocery store and small dispensary to sell this nutritious and healthful food, a food that is a hundred per cent produced from the products of the American farm. It is important to note that the farmer will benefit by repeal of these archaic laws.

Farmers are among the substantial users of margarine, one reason being that the farmer who sells whole milk for butterfat and buys margarine for his table comes out of the transaction with good nutrition and a net cash income.

Margarine manufacturers use important quantities of farm products. In 1945, margarine makers used 253,997,000 pounds of cotton seed oil, 206,642,000 pounds of soybean oil, 105,002,000 pounds of milk, 10,215,000 pounds of peanut oil, and 9,174,000 pounds of corn oil. In all, 480,166,000 pounds of American-grown vegetable oils were used.

Pennsylvania, while not a leading producing state for these products, in 1944 produced 14,643,000,000 pounds of milk, of which 500,000,000 pounds were sold as wholesale milk; 493,000 bushels of soybeans; and 53,580,000 bushels of corn—for which margarine contributed an active demand.

The Grange should be favoring the passage of Senate Bill 190 and I hope that next week, when this bill is called up, they will see fit to support it.

REPORTS FROM COMMITTEES

Mr. LETZLER, from the Committee on Education, reported as committed Senate Bill No. 612, entitled:

An Act to further amend sections twenty-seven and forty-five and to add a new section to the act, approved the seventh day of June, one thousand nine hundred one (P. L. 493), entitled as amended "An act providing for the examination, licensure and registration of persons, firms or corporations engaged or engaging in the business or work of plumbing or house drainage, and prescribing certain rules, regulations and requirements for the construction of plumbing, house drainage and cesspools, in cities of the second class, second class A and third class and imposing fines, penalties and forfeiture for violation thereof," prescribing further rules, regulations and requirements for the construction of plumbing, house drainage and cesspools.

Mr. FARRELL, from the Committee on Education, reported as committed, House Bill No. 746, entitled:

An Act to further amend sections two and four of the act, approved the thirtieth day of April, one thousand nine

hundred forty-three (P. L. 145), entitled as amended "An act providing for and regulating the accumulation, investment and expenditure by counties, cities, boroughs, incorporated towns, townships and school districts of funds for post war projects," permitting contributions to fund after post war period and the purchase or replacement of school buses.

Mr. WAGNER, from the Committee on Education, reported as committed, House Bill No. 863, entitled:

An Act to further amend section three of the act approved the thirteenth day of May, one thousand nine hundred twenty-seven (P. L. 988), entitled "An act providing for and regulating the State registration of nurses and licensed attendants, the annual recording of registration certificates; and regulating the profession of nursing; and repealing certain existing laws," further providing for emergency registration of nurses.

He also, from the Committee on Education, reported as committed, House Bill No. 917, entitled:

An Act to repeal the act approved the nineteenth day of March one thousand nine hundred forty-three (P. L. 19) entitled "An act reducing for a limited period of time the training period of medical internship in hospitals in order to qualify for examination for license to practice medicine and surgery and suspending inconsistent laws."

He also, from the Committee on Education, reported as committed, House Bill No. 936, entitled:

An Act to further amend section one of the act approved the twenty-sixth day of May one thousand nine hundred forty-three (P. L. 607) entitled "An act authorizing administrative boards within the Department of Public Instruction for the duration of the present War to admit to examination and grant licenses or registration to certain applicants who are less than twenty-one but not less than twenty years of age" further regulating the professional examination licensure or registration of persons who are less than twenty-one but over twenty years of age.

Mr. BERGER, from the Committee on Education reported as committed, House Bill No. 921, entitled:

An Act to repeal the act approved the twenty-second day of April one thousand nine hundred forty-three (P. L. 71) entitled "An act authorizing the State Board of Medical Education and Licensure to issue temporary permits to doctors of medicine legally licensed in other states to practice medicine and surgery in this State under certain conditions for a limited period of time."

Mr. RUTH, from the Committee on Education, reported as committed Senate Bill No. 474, entitled:

An Act to add clause (1) to section one thousand three hundred four of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," authorizing the Department of Public Instruction to fix the fees to be charged by professional examining boards.

BILLS INTRODUCED AND REFERRED

Mr. MALLERY (by request) read in his place and presented to the Chair Senate Bill No. 646, entitled:

An Act to add clause twenty-eight point one to section two thousand four hundred three of the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto," authorizing cities of the third class to adopt ordinances defining disorderly conduct and providing penalties for the violation thereof.

Which was committed to the Committee on Local Government.

He also (by request) read in his place and presented to the Chair Senate Bill No. 647, entitled:

An Act to add clause thirty point one to section two thousand four hundred three of the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto," authorizing cities of the third class to adopt ordinances providing for the arrest and imposition of penalties on persons operating vehicles under the influence of intoxicating liquor or drugs.

Which was committed to the Committee on Judiciary General.

RESOLUTION INTRODUCED AND REFERRED

Mr. LANE. Mr. President, the resolution which I am about to present today pertains to legislation which we now have before us, namely, House Bill No. 7.

I believe that the Senate of Pennsylvania wishes to act in a constitutional manner and wishes to enact legislation which is constitutional, and there is a question in my mind as to whether or not we are attempting to amend a piece of legislation that is on the statute books and which I have reason to believe might be questioned as to its constitutionality.

I, therefore, submit this resolution and request that the committee to which it might be assigned act as soon as possible.

Incidentally, this is not a partisan measure, and I would appreciate a formal opinion from the Attorney General in regard to the Smoke Control Act of 1943.

RESOLUTION

ATTORNEY GENERAL TO RENDER AN OPINION AS TO THE CONSTITUTIONALITY OF P. L. 793 OF THE 1943 SESSION RE: SMOKE NUISANCES IN COUNTIES OF THE SECOND CLASS

Messrs. LANE and TARR offered the following resolution which was twice read and referred to the Committee on Rules:

In the Senate, April 24, 1947.

Whereas, House Bill No. 7 has been approved by the House of Representatives, and has been referred to the

Committee on Mines and Mining in the Senate, and has passed first reading, and

Whereas, Said bill proposes to amend the act approved the twenty-eighth day of May, 1943 (P. L. 793), relative to the regulation of smoke nuisances in counties of the second class, and

Whereas, It is considered by many inadvisable and futile to enact said bill into law due to the fact that the constitutionality of said act of 1943 is questionable, therefore be it

Resolved, That the Attorney General is hereby respectfully requested to render an opinion as to the constitutionality of said act of 1943 and submit his conclusion to the Senate at his earliest convenience.

CALENDAR

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 360, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to convey to the Borough of Bristol certain real property located in said Borough

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL NO. 360

Mr. TALLMAN. Mr. President, I move that the Senate concur in the amendments made by the House to Senate Bill No. 360.

Mr. WALKER. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39

Barr,	Farrell,	Letzler,	Tarr,
Becker,	Geltz,	Lord,	Taylor,
Berger,	Haluska,	Mahany,	Wagner,
Carr,	Hare,	Mallery,	Walker,
Chapman,	Heyburn,	Rahauser,	Watson,
Crider,	Holland,	Ruth,	Wilson,
Crowe,	Homsher,	Scarlett,	Wolfe,
Dent,	Klein,	Snowden,	Wood, L. H.,
Doehla,	Lane,	Stevenson,	Wood, T. N.,
Donlan,	Leader,	Tallman,	

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILL ON FINAL PASSAGE CALENDAR

BILL OVER IN ORDER

Mr. BARR. Mr. President, I ask unanimous consent that Senate Bill No. 195 on final passage, entitled:

An Act to further amend the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 364) entitled "An act relating to business corporations defining and providing for the organization merger consolidation reorganization winding up and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and shareholders prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the second class within the provisions of this act prescribing the terms and conditions upon which foreign business corporations may be admitted or many continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas and certain State departments commissions and officers authorizing certain State departments boards commissions or officers to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" changing the time of the inception of corporate existence or authority to do business and the requirements and effect of notices to shareholders in certain cases providing for cancellation of shares acquired by issuing corporation and limiting the rights of dissenting shareholders in certain cases

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON FINAL PASSAGE CALENDAR

BILLS OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 35, on third reading, entitled:

An Act to further amend the act, approved the twenty-fifth day of July, one thousand nine hundred thirteen (P. L. 1024), entitled "An act to protect the public health and welfare, by regulating the employment of females in certain establishments, with respect to their hours of labor and the conditions of their employment; by establishing certain sanitary regulations in the establishments in which they work; by requiring certain abstracts and notices to be posted; by providing for the enforcement of this act by the Commissioner of Labor and Industry and others; by prescribing penalties for violations thereof; by defining the procedure in prosecutions; and by repealing all acts and parts of acts inconsistent with the provisions thereof," providing for payment of time and one half for overtime; changing hours of labor and restrictions relative to age in certain employments; and extending provisions to include additional persons.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 72, on third reading, entitled:

An Act to further amend section three hundred twenty of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," by providing for the payment of retirement allowances to widows of deceased county employes and for crediting employes with time spent in military service, in counties, of the second class.

go over in its order temporarily.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 218, on third reading, entitled:

An Act to further amend the first paragraph of section nine hundred seventy-six of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333), entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," by further providing procedure for rejection of nomination petitions, papers or certficates.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 287, as follows:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to convey to the Borough of Towanda for use as an airport certain real estate located in the Township of Towanda County of Bradford and heretofore acquired by the Commonwealth for development as an airport

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Department of Property and Supplies acting on behalf of the Pennsylvania Aeronautics Commission Department of Commerce and subject to the approval of the Governor is hereby specifically authorized to grant and convey to the Borough of Towanda for use as an airport all that certain lot piece or parcel of land situate lying and being in the Township of Towanda County of Bradford and State of Pennsylvania consisting of two tracts more fully bounded and described as follows

Tract No 1 Beginning at a corner at the intersection of the road leading from Towanda to Durell with the public road leading to the Scott School House thence along the center of said road North twenty-eight (28°) degrees fifty (50′) minutes West along lands of Richard Sick one thousand two hundred twenty-eight and seven tenths (1228.7) feet to a corner in said road thence South seventy-one (71°) degrees thirty-seven (37′) minutes West along lands of J Meadows and Mrs Carrie Stroud six hundred forty-one and three hundred seventy-five thousandths (641.375) feet to a corner thence North fifty-five (55°) degrees fifty-one (51′) minutes West along land of Mrs Carrie Stroud and Mrs. H. Williams to a corner in the South line of the right of way of the Susquehanna and New York Railroad thence in a Southwesterly direction along the South side of the right of way of the Susquehanna and New York Railroad one thousand nine hundred seventy-eight (1978) feet to a point in the East line of the road leading to the Scott School House thence further on same course to the center of the said road thence South eighty-five (85°) degrees four (4′) minutes East along the center of the said road leading to the Scott School House seven hundred four (704) feet to a corner thence North seventy-three (73°) degrees forty-two (42′) minutes East still along the center of the said road lands of the grantor R J Crayton Harriet Stroud et al one thousand four hundred forty-one and three tenths (1441.3) feet to a corner thence North seventy-one (71°) degrees thirteen (13′) minutes East six hundred nine and seven tenths (609.7) feet to the place of beginning containing fifty-six and twenty-five hundredths (56.25) acres of land be the same more or less

Said description being made in accordance with a map or plot of said land made by Hiram E Bull County Surveyor of Bradford County dated the twenty-fifth day of June one thousand nine hundred thirty-one

Tract No. 2 Beginning at a stake at the Southwest corner of the lot owned by James Meadows in the line of land formerly of the New York Joint Stock Land Bank now of the Commonwealth of Pennsylvania said corner being one hundred fifty (150) feet from the West Line of the State road leading from Towanda to Liberty Corners and Durell thence by the line of said Commonwealth of Pennsylvania South seventy-one (71°) degrees thirty-seven (37′) minutes West four hundred seventy-three (473) feet to a stake for a corner at an angle in said line thence by the same Northy fifty-five (55°) degrees fifty-one (51′) minutes West one hundred seventy-two and five tenths (172.5) feet to a stake in said line at the Southwest corner of land of Mrs Hila Nobles Williams thence by the line of said Williams land North forty-seven (47°) degrees thirty-two (32′) minutes East five hundred seventy (570) feet to a stake for a corner distant one hundred fifty-three and two tenths (152.3) feet South forty-seven (47°) degrees thirty-two (32′) minutes West from the West line of the above mentioned West line of said State road thence by a line parallel with the West line of said State road by lands of Grantor Richard Vanderpool and the above mentioned James Meadows South twenty-eight (28°) degrees fifty (50′) minutes East three hundred ninety-eight and two tenths (398.2) feet to the place of beginning containing three and two tenths (3.2) acres be the same more or less

These being the same tracts of land which were purchased by the Commonwealth for use as an airport by deeds dated the eighth day of October one thousand nine hundred thiry-one and the twenty-ninth day of March one thousand nine hundred thirty-two respectively and recorded in the Record's Office in Bradford County in Deed Books Vol three hundred seventy-nine page one hundred sixty-two and Vol three hundred eighty page four hundred fifty-nine and of which tracts the deeds are now on file in the office of the Secretary of Internal Affairs

The conveyance herein authorized shall be subject to the same reservations and exceptions as expressed in the deeds to the Commonwealth hereinbefore described

Section 2 The grant or conveyance herein authorized may be made for such consideration or without consideration as the Governor may approve Said grant or conveyance shall be effected by execution of a deed in regular form from the Commonwealth executed and delivered by the Department of Property and Supplies to the Borough of Towanda

Section 3 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39

Barr,	Farrell,	Letzler,	Tarr,
Becker,	Geltz	Lord,	Taylor,
Berger,	Haluska	Mahany,	Wagner,
Carr,	Hare,	Mallery,	Walker,
Chapman,	Heyburn	Rahauser,	Watson,
Crider,	Holland	Ruth,	Wilson,
Crowe,	Homsher	Scarlett,	Wolfe,
Dent,	Klein,	Snowden,	Wood, L. H.,
Doehla,	Lane,	Stevenson,	Wood, T. N.,
Donlan,	Leader,	Tallman,	

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 391, as follows:

An Act to further amend section seven hundred one of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" permitting licenses for temporary possession of game or game flesh to be issued by supervisors or district game protectors and extending such licenses to game birds

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section seven hundred one of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" as last amended by the act approved the eighteenth day of July one thousand nine hundred forty-one (P. L. 422) is hereby further amended to read as follows

Section 701 Unlawful Taking Killing Possession Etc of Game Except as otherwise provided in this act it is unlawful for any person to take or kill or wound or attempt to take or kill or wound any game except during the open season or to have in possession either living or dead any game or any part thereof except game lawfully taken during the open season which may be had in possession during the open season therefor and for sixty days thereafter Provided however That any person upon application to the director or any supervisor or district game protector and the payment of a fee of one dollar ($1.00) may be issued a permit authorizing the possession of the flesh of a lawfully killed [big] game animal or bird or any part thereof for an additional period not to exceed [four] six months

The burden of proof that game or any part thereof found in possession of any person after the close of the open season was lawfully taken shall be upon the person in whose possession such game or part thereof is found

This section does not prohibit the possession at any time of game killed or taken outside of this Commonwealth or the possession of the tanned or cured skins or any parts thereof of birds or animals not unlawfully killed or the possession of live racoons when lawfully taken during the open season provided the owner thereof applies to the director for a permit within five days after the close of the season which shall be issued without charge

It is unlawful for any person to use any game that has been unlawfully killed or taken or to aid or assist in the taking possessing concealment or transportation of any game unlawfully killed or to have in possession for any purpose whatsoever or conceal the same any game or any part thereof that has been unlawfully killed or taken

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39

Barr,	Farrell,	Letzler,	Tarr,
Becker,	Geltz	Lord,	Taylor,
Berger,	Haluska	Mahany,	Wagner,
Carr,	Hare,	Mallery,	Walker,
Chapman,	Heyburn	Rahauser,	Watson,
Crider,	Holland	Ruth,	Wilson,
Crowe,	Homsher	Scarlett,	Wolfe,
Dent,	Klein,	Snowden,	Wood, L. H.,
Doehla,	Lane,	Stevenson,	Wood, T. N.,
Donlan,	Leader,	Tallman,	

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL POSTPONED

Mr. TALLMAN. Mr. President, I move that Senate Bill No. 411, on third reading, entitled:

An Act authorizing Andrew J. Herbster and Carrie M. Herbster of the Village of Laurelton Hartley Township Union County Pennsylvania to bring suit against the Commonwealth of Pennsylvania in the Court of Common Pleas of Union County for damage suffered by him by the diversion and use of the water of Stony Run and Laurel Run by Laurelton State Village at Laurelton Pennsylvania

be placed on the Postponed Calendar.

Mr. WALKER. Mr. President, I second the motion.

The motion was agreed to.

BILLS OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 506, on third reading, entitled:

An Act to further amend the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto." providing for fixing the number and compensation of all appointed officers, deputies, assistants, clerks and other persons whose compensation is paid out of the county treasury, whether employed by the county, the courts or by any judge thereof; creating a salary board in each county; defining its powers and duties; providing for appeals; and repealing inconsistent acts.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 507, on third reading, entitled:

An Act abolishing all existing county salary boards; and providing for the transfer of their books, records and property.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 515, as follows:

An Act to amend section three of the act approved the eleventh day of May one thousand nine hundred one (P. L. 166) entitled "An act providing for the commutation of sentences for good behavior of convicts in prisons penitentiaries workhouses and county jails of this State and regulations governing the same"

changing the day on which monthly reports shall be forwarded to the Governor

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section three of the act approved the eleventh day of May one thousand nine hundred one (P. L. 166) entitled "An act providing for the commutation of sentences for good behavior of convicts in prisons penitentiaries workhouses and county jails of this State and regulations governing the same" is hereby amended to read as follows

Section 3 On any day not later than the [twentieth] tenth day of each month the Board of Inspectors or Managers or the warden superintendent or keeper of each of the State prisons penitentiaries workhouses or county jails of this State shall forward to the Governor a report directed to him of any convict or convicts who may be discharged the following month by reason of the commutation of his or her sentence or sentences which shall contain the following information namely The full name of the convict together with any alias which he or she may be known to have the name of the county where the conviction was had a brief description of the crime of which the convict was convicted the name of the court in which the conviction was had the name of the presiding judge the date of the sentence the date of the reception in the prison or penitentiary the term and fine the amount of commutation recommended and the date for discharge from the prison penitentiary workhouse or jail if allowed

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39

Barr,	Farrell,	Letzler,	Tarr,
Becker,	Geltz,	Lord,	Taylor,
Berger,	Haluska,	Mahany,	Wagner,
Carr,	Hare,	Mallery,	Walker,
Chapman,	Heyburn,	Rahauser,	Watson,
Crider,	Holland,	Ruth,	Wilson,
Crowe,	Homsher,	Scarlett,	Wolfe,
Dent,	Klein,	Snowden,	Wood, L. H.,
Doehla,	Lane,	Stevenson,	Wood, T. N.,
Donlan,	Leader,	Tallman,	

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 516, as follows

An Act to amend section one of the act approved the fourth day of June one thousand nine hundred forty-five (Appropriation Acts No. 85-A page 61) entitled "An act making an appropriation to the Department of Commence to be used by the Pennsylvania Aeronautics Commission for the encouragement and development of aeronautics" by adding municipal authorities to the agencies receiving assistance

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one of the act approved the fourth day of June one thousand nine hundred forty-five (Appropriation Acts No. 85-A page 61) entitled "An act making an appropriation to the Department of Commerce to be used by the Pennsylvania Aeronautics Commission for the encouragement and development of aeronautics" is hereby amended to read as follows

Section 1 The sum of three million seven hundred twenty-five thousand dollars ($3,725,000) or so much thereof as may be necessary is hereby specifically appropriated out of moneys in the General Fund to the Department of Commerce for the two fiscal years beginning the first day of June one thousand nine hundred forty-five to be used by the Pennsylvania Aeronautics Commission for the encouragement and development of aeronautics for the development and maintenance of State airports for assistance to political subdivisions and municipal authorities of the Commonwealth in the construction and improvement of airports and other aeronautical facilities including the making of surveys and plans and the necessary construction work and equipment Provided however That no more shall be expended from this item for such purposes or any of them than may be required to match an equal sum contributed by any political subdivision or municipal authority of the Commonwealth or by the Federal Government or by a political subdivision or municipal authority and the Federal Government

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39

Barr,	Farrell,	Letzler,	Tarr,
Becker,	Geltz,	Lord,	Taylor,
Berger,	Haluska,	Mahany,	Wagner,
Carr,	Hare,	Mallery,	Walker,
Chapman,	Heyburn,	Rahauser,	Watson,
Crider,	Holland,	Ruth,	Wilson,
Crowe,	Homsher,	Scarlett,	Wolfe,
Dent,	Klein,	Snowden,	Wood, L. H.,
Doehla,	Lane,	Stevenson,	Wood, T. N.,
Donlan	Leader,	Tallman,	

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 532, on third reading, entitled:

An Act to amend section twenty of the act, approved the twenty-fifth day of May, one thousand nine hundred forty-five (P. L. 1050), entitled "An act relating to the collection of taxes levied by counties, county institution districts, cities of the third class, boroughs, towns, townships, certain school districts and vocational school districts; conferring powers and imposing duties on tax collectors, courts and various officers of said political subdivisions; and prescribing penalties," making a husband liable for his wife's per capita, poll and occupation taxes and providing for the collection thereof.

go over in its order

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 544, on third reading, entitled:

An Act to establish an Eastern Pennsylvania Psychiatric Institute conferring powers and imposing duties and obligations on the Department of Property and Supplies and providing for maintenance and operation by the Department of Welfare through a director and an advisory board appointed by it

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 553, as follows:

An Act to amend section one thousand seven hundred ten of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment and collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" by further imposing penalties in certain cases

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one thousand seven hundred ten of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" is hereby amended to read as follows

Section 1710 Failure of City or County Officer to Make Return and Payment to Department of Revenue Any city or county officer who shall refuse or neglect for the period of ten days after the same shall become due to make the return and payment required by section 901 of this act shall be notified by registered mail by the Department of Revenue that such return and payment have not been received If such return and payment are not made within ten days of such notification he shall forfeit his fees and commissions on the whole amount of money collected during the month and shall be subject to a penalty of ten percentum which shall be added to the amount of tax or fees found due Provided however That any subsequent refusal or neglect to make a return and payment for any subsequent period within the time prescribed shall without notification by the Department of Revenue constitute a violation of this section and subject the said officer to the penalties herein provided

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39

Barr,	Farrell,	Letzler,	Tarr,
Becker,	Geltz,	Lord,	Taylor,
Berger,	Haluska,	Mahany,	Wagner,
Carr,	Hare,	Mallery,	Walker,
Chapman,	Heyburn,	Rahauser,	Watson,
Crider,	Holland,	Ruth,	Wilson,
Crowe,	Homsher,	Scarlett,	Wolfe,
Dent,	Klein,	Snowden,	Wood, L. H.,
Doehla,	Lane,	Stevenson,	Wood, T. N.,
Donlan,	Leader,	Tallman,	

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order.

The Senate proceeded to the third reading and consideration of Senate Bill No. 554, as follows:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of a certain tract or parcel of land in York County Pennsylvania for use in connection with the New Cumberland General Depot and ceding jurisdiction to the United States

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The consent of the Commonwealth of Pennsylvania is hereby granted in accordance with the seventeenth clause eight section of the first article of the Constitution of the United States to the acquisition by the Unied States of America of a certain tract or parcel of land lying in Fairview Township York County Pennsylvania for use in connection with a military reservation officially designated New Cumberland General Depot bounded and described as follows

Beginning at a point said point being South 19° 9′ West 784 feet more or less from a concrete monument set in the center line of Springer Lane South 77° 6′ East 117.80 feet more or less from the established Southwest corner of the lands of the United States Government and the common Northwest corner of the lands of John J. Kestrevec the five following courses and distances through the lands of John J. Kestrevec South 81° 32′ East 187.84

feet more or less South 08° 28′ West 385 feet more or less North 81° 32′ West 440 feet more or less North 08° 28′ East 385 feet more or less and South 81° 32′ East 252.16 feet more or less to the point of beginning Containing 3.88 acres more or less

Section 2 Exclusive jurisdiction in and over the aforesaid parcel of land is hereby ceded to the United States of America by the Commonwealth of Pennsylvania for the erection of forts magazines arsenals dock yards and other needful buildings to be used by the United States for military and other public purposes with the exception of roads abutting on the said land which are not already under the jurisdiction of the United States

Section 3 The jurisdiction so ceded to the United States is granted upon the express condition that the Commonwealth of Pennsylvania shall retain concurrent jurisdiction with the United States in and over the land and buildings aforesaid in so far that civil process in all cases and such criminal process as may issue under the authority of the Commonwealth of Pennsylvania against anyone charged with crime committed outside said land may be executed thereon in the same manner as if this jurisdiction had not been ceded The United States shall retain such jurisdiction so long as the said land shall be used for the purposes for which jurisdiction is ceded and no longer

Section 4 The jurisdiction so ceded to the United States shall be upon the further condition that the Commonwealth reserves to itself and its political subdivisions whatever power of taxation it may constitutionally reserve to levy and collect all taxes now or hereafter imposed by the Commonwealth and its political subdivisions upon property persons and franchises within the boundaries so ceded

Section 5 This act shall become effective immediately upon its final enactment

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39

Barr,	Farrell,	Letzler,	Tarr,
Becker,	Geltz,	Lord,	Taylor,
Berger,	Haluska,	Mahany,	Wagner,
Carr,	Hare,	Mallery,	Walker,
Chapman,	Heyburn,	Rahauser,	Watson,
Crider,	Holland,	Ruth,	Wilson,
Crowe,	Homsher,	Scarlett,	Wolfe,
Dent,	Klein,	Snowden,	Wood, L. H.,
Doehla,	Lane,	Stevenson,	Wood, T. N.,
Donlan,	Leader,	Tallman,	

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 592, as follows:

An Act authorizing the conveyance to the Borough of Norristown of a certain tract of land in the Borough of Norristown County of Montgomery Pennsylvania

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Department of Property and Supplies with the approval of the Governor and the Attorney General is hereby authorized to garnt and convey to the Borough of Norristown to be used exclusively for public park purposes the title of the Commonwealth to all that certain lot or tract of land situate in the Borough of Norristown County of Montgomery and Commonwealth of Pennsylvania bounded and described as follows

Beginning at a monument the intersection of the center line of West Johnson Highway and the West side of Harding Boulevard thence extending in a Southerly direction along the West side of Harding Boulevard South 45° 06′ West 845.50 feet to a point thence extending in a general Northerly direction said line dividing lands of the Borough of Norristown and the Commonwealth of Pennsylvania North 4° 38′ East 563.12 feet to a point thence extending North 45° 01′ East 434 feet to a point in the center of Johnson Highway thence along the center of said John Highway South 42° 16′ East 366.74 feet to the place of beginning containing 5.3424 acres

Section 2 The grant hereby made is upon the condition that if said land should ever be abandoned by the Borough of Norristown for public park purposes or should become devoted to any private or commercial use as distinguished from a public use it shall revert to the Commonwealth of Pennsylvania

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39

Barr,	Farrell,	Letzler,	Tarr,
Becker,	Geltz	Lord,	Taylor,
Berger,	Haluska	Mahany,	Wagner,
Carr,	Hare,	Mallery,	Walker,
Chapman,	Heyburn	Rahauser,	Watson,
Crider,	Holland	Ruth,	Wilson,
Crowe,	Homsher	Scarlett,	Wolfe,
Dent,	Klein,	Snowden,	Wood, L. H.,
Doehla,	Lane,	Stevenson,	Wood, T. N.,
Donlan,	Leader,	Tallman,	

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 785, on third reading, entitled:

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and

employes of certain departments boards and commissions shall be determined" by creating the Public Service Institute Board in the Department of Public Instruction and defining its powers and duties.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

SENATE BILL NO. 72 CALLED UP

Mr. GELTZ. Mr. President, I ask that Senate Bill No. 72, on page 3 of the Third Reading Calendar be called up.

BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 72, entitled:

An Act to further amend section three hundred twenty of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by providing for the payment of retirement allowances to widows of deceased county employes and for crediting employes with time spent in military servise in counties of the second class

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third readings?

Mr. GELTZ. Mr. President, I ask unanimous consent to offer amendments at this time.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend title, page 1, last line of title by inserting after the word "service" "in time of war or national emergency"; Amend Sec. 1 (Sec. 320) page 3, line 10, by inserting after the word "States" "in time of war or national emergency, so proclaimed by the President of the United States"; Amend Sec. 1 (Sec. 320) page 3, line 12, by inserting after the word "service" "during the continuance of such war or national emergency."

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

BILL OVER IN ORDER

Mr. GELTZ. Mr. President, I ask unanimous consent that Senate Bill No. 72, on third reading, as amended, go over in its order.

The PRESIDENT. Is there Objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 327, entitled:

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certin other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" transferring from the Department of Public Instruction to the Department of Mines the Anthracite Mine Inspectors' Examining Board and the Mine Inspectors' examining Board for the Bituminous Coal Mines of Pennsylvania and providing reimbursement for certain expenses to members of such boards

And said bill having read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 358, on second reading, entitled:

An Act to further amend the act approved the nineteenth day of July one thousand nine hundred thirty-five (P. L. 1356) entitled "An act to regulate the sale and delivery of solid fuel as herein defined providing for appointment of licensed weighmasters prescribing their powers and duties authorizing substitute licensed weighmasters imposing certain duties on the Department of Internal Affairs and providing penalties" providing for transportation of solid fuel over a public highway making exceptions to the necessity of a weighmaster's certificate and designating certain acts as prima-facie evidence of short weight

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 361, on second reading, entitled:

An Act to further amend section two hundred twenty of the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" providing for free fishing licenses to certain disabled war veterans

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 390, on second reading, entitled:

An Act to amend section nine hundred six of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" authorizing the granting of the right to maintain radio stations or radio towers facilities for skiing

roadside rests and devices for flood control and recreational uses on lands acquired for the use of the Pennsylvania Game Commission

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 409, entitled:

An Act to further amend the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by further restricting the use of spotlights eliminating the right to kill elk as a protection to crops changing the dog training period and fixing the period covered by petitions for hunting foxes with dogs.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 415, entitled:

An Act to amend sections 501 and 502 of the Act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 1053) entitled "An act relating to the regulation of public utilities defining as public utilities certain corporations companies associations and persons providing for the regulation of public utilities including to a limited extent municipalities engaging in public utility business by prescribing defining and limiting their duties powers and liabilities and regulatng the exercise surrender or abandonment of their powers privileges and franchises defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons associations companies and corporations including to a limited extent municipal corporations subject to this act and administering the provisions of this act authorizing the commission to fix temporary rates placing the burden of proof on public utilities to sustain their rates and certain other matters authorizing a permissive or mandatory sliding scale method of regulating rates providing for the supervision of financial and contractual relations between public utilities and affiliated interests and supervision and regulation of accounts and securities or obligations issued assumed or kept by persons associations companies corporations or municipal corporations subject to this act conferring upon the commission power to vary reform or revise certain contracts conferring upon the commission the exclusive power to regulate or order the construction alteration relocation protection or abolition of crossings of facilities of public utilities and of such facilities by or over public highways to appropriate property for the construction or improvement of such crossings and to award or apportion resultant costs and damages authorizing owners of such property to sue the Commonwealth for such damages providing for ejectment proceedings in connection with the appropriation of property for crossings conferring upon the commission power to control and regulate budgets of public utilities imposing upon persons associations companies and corporations (except municipal corporations) subject to regulation the cost of administering this act prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings prescribing penalties fines and imprisonment for violations of the provisions of this act and regulations and orders of the commission and the procedure for enforcing such fines and penalties and repealing legislation supplied and superseded by or inconsistent with this act" limiting original cost accounting to those public utilities whose accounting systems are subject also to the jurisdiction of a Federal regulatory body

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 503, on second reading, entitled:

An Act to amend or further amend Sections eight hundred six eight hundred eight and eight hundred thirty of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by making it unlawful for certain persons to disturb wild birds or wild animals within safety zones during the open hunting or trapping season clarifying the law with reference to shooting within safety zones prohibiting the conveyance of certain firearms without being wrapped or in a case and clarifying the law with reference to hunting accident reports

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 542, on second reading, entitled:

An Act to amend Section six hundred seven of the act approved the tird day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by making it unlawful to disturb or tamper with traps set by agents of the Commission

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 570, entitled:

An Act to further amend sections one four five and six of the act approved the seventh day of May one thousand nine hundred twenty-three (P. L. 151) entitled "An act defining and regulating the business of dry cleaning and dyeing providing for the maintenance construction and inspection of dry cleaning and dyeing buildings and establishments providing for enforcing the act and penalties for violation thereof" by repealing exemptions from certain provisions of said act and providing for regulation of Class I and Class II dry cleaning and dyeing plants

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 601, entitled:

An Act to further amend section five of article three of the act, approved the ninth day of June, one thousand nine hundred eleven (P. L. 756), entitled "An act to provide for the health and safety of persons employed in and about the bituminous coal-mines of Pennsylvania, and for the protection and preservation of property connected therewith," by further regulating barrier pillars.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 609, entitled:

An Act to further amend the act approved the ninth day of June one thousand nine hundred eleven (P. L. 756) entitled "An act to provide for the health and safety of persons employed in and about bituminous coal mines of Pennsylvania and for the protection and preservation of property connected therewith" by further providing for the health and safety of persons employed in and about the bituminous coal mines of Pennsylvania

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 611, on second reading, entitled:

An Act to amend the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by making it unlawful for any person while hunting or trapping to carry any firearm with the safety off except during the momentary interval of time necessary to permit the discharge of such firearm and providing penalties

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 780, entitled:

An Act requiring public assistance milk orders to be presented for payment within a certain period otherwise to be canceled and the monies appropriated for their payments to be escheated to the Commonwealth and credited to the current appropriation for public assistance purposes

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 905, entitled:

An Act to amend and reenact section one of the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 491) entitled "An act reducing for a limited period of time the training period of intership in osteopathic hospitals in order to qualify for examination for license by the Osteopathic Surgeons' Examining Board to practice major surgery and suspending inconsistent laws" further regulating the training period of intership in osteopathic hospitals

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 1046, on second reading, entitled:

An Act to amend section two of the act approved the twenty-sixth day of May one thousand nine hundred twenty-one (P. L. 1172) entitled "An act to regulate the practice of pharmacy and sale of poisons and drugs and providing penalties for the violation thereof defining the words "drug" and "poison" and providing for the appointment of a board which shall have in charge the enforcemen tof said law and the power to make rules and regulations for the enforcement of said law and providing for the purchase of samples of drugs for determining their quality strength and purity "regulating the use of a corporate title in applying for a pharmacy permit and its use on labels signs and advertisements.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1215, entitled:

A Joint Resolution ratifying the proposed amendment to the Constitution of the United States relative to the terms of the President of the United States.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL ON FIRST READING

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 7, entitled:

An Act to amend sections one and four of the act approved the twenty-eighth day of May, one thousand nine hundred forty-three (P. L. 793), entitled "An act authorizing counties of the second class to regulate the production of smoke from chimneys, smokestacks or other source, including provisions for the payment of inspection and certificates of compliance fees incident thereto; authorizing the expenditure of money for the employment of persons, and the acquisition of property for effectuating such regulations; and providing penalties for the violation thereof," removing exemption regarding railroad locomotives and changing the effective date

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

BILL INTRODUCED AND REFERRED

Mr. HARE. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HARE read in place and presented to the Chair Senate Bill No. 648, entitled:

An Act to further amend the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellanous receipts; making an appropriation and providing for refunds," permitting aldermen, magistrates and justices of the peace to issue temporary registration plates.

Which was committed to the Committee on Judiciary General.

BILLS ON FIRST READING

Mr. TALLMAN. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. DONLAN. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 474, entitled:

An Act to add clause (1) to section one thousand three hundred four of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant-Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," authorizing the Department of Public Instruction to fix the fees to be charged by professional examining boards.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 612, entitled:

An Act to further amend sections twenty-seven and forty-five and to add a new section to the act, approved the seventh day of June, one thousand nine hundred one (P. L. 493), entitled as amended "An act providing for the examination, licensure and registration of persons, firms or corporations engaged or engaging in the business or work of plumbing or house drainage, and prescribing certain rules, regulations and requirements for the construction of plumbing, house drainage and cesspools, in cities of the second class, second class A and third class and imposing fines, penalties and forfeiture for violation thereof," prescribing further rules, regulations and requirements for the construction of plumbing, house drainage and cesspools.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 746, entitled:

An Act to further amend sections two and four of the act approved the thirtieth day of April one thousand nine hundred forty-three (P. L. 145) entitled as amended "An act providing for and regulating the accumulation investment and expenditure by counties cities boroughs incorporated towns townships and school districts of funds for post war projects" permitting contributions to fund after post war period and the purchase or replacement of school buses.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 863, entitled:

An Act to further amend section three of the act approved the thirteenth day of May one thousand nine hundred twenty-seven (P. L. 988) entitled "An act providing for and regulating the State registration of nurses and licensed attendants the annual recording of registration certificates and regulating the profession of nursing and repealing certain existing laws" further providing for emergency registration of nurses.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 917, entitled:

An Act to repeal the act, approved the nineteenth day of March, one thousand nine hundred forty-three (P. L. 19), entitled "An act reducing, for a period of time, the training period of medical internship in hospitals in order to qualify for examination for license to practice medicine and surgery, and suspending inconsistent laws."

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 921, entitled:

An Act to repeal the act, approved the twenty-second day of April, one thousand nine hundred forty-three (P. L. 71), entitled "An act authorizing the State Board of Medical Education and Licensure to issue temporary permits to doctors of medicine legally licensed in other states to practice medicine and surgery in this State, under certain conditions, for a limited period of time."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 936, entitled:

An Act to further amend section one of the act, approved the twenty-sixth day of May, one thousand nine hundred forty-three (P. L. 607), entitled "An act authorizing administrative boards within the Department of Public Instruction, for the duration of the present War, to admit to examination and grant licenses or registration to certain applicants who are less than twenty-one, but not less than twenty years of age," further regulating the professional examination, licensure, or registration of persons who are less than twenty-one, but over twenty years of age.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

ADJOURNMENT

Mr. TALLMAN. Mr. President, I move that the Senate do now adjourn until Monday, April 28, 1947, at 3:00 o'clock, p. m., Eastern Daylight Saving Time.

Mr. WATSON. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 1:25 o'clock, p. m., Eastern Standard Time until Monday, April 28, 1947, at 3:00 o'clock, p. m., Eastern Daylight Saving Time.

HOUSE OF REPRESENTATIVES

THURSDAY, April 24, 1947

The House met at 11:00 a. m.

The SPEAKER (Franklin H. Lichtenwalter) in the Chair.

PRAYER

The Chaplain, Rev. Lester C. Updegrove offered the following prayer:

O God, grant that in every problem we bring to Thee, in every question for which we ask Thy wisdom, that our souls may be blest. Always help us, dear Lord, to get our moral perspective right, and our spiritual proportions true. In our great responsibilities may we withhold nothing that shall serve our state, country and burdened world. Let the sublime truth of Calvary's Cross be our guide and inspiration. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of Wednesday, April 23, 1947.

The Clerk proceeded to read the Journal of Wednesday, April 23, 1947, when, on motion of Mr. BUCCHIN unanimously agreed to, the further reading was dispensed with and the Journal approved.

BILLS INTRODUCED AND REFERRED

By Mr. SPROUL. HOUSE BILL No. 1318.

An Act making an appropriation from the Public Buildings Construction Fund to the Department of Property and Supplies for use at any existing or new State-owned institutions within the Department of Welfare for purchase or condemnation of land, for construction of new buildings, for repair and alterations to and replacement of existing buildings and for architectural and engineering services, fixtures, equipment, sewage treatment plants, water supply, electrical and other facilities.

Referred to the Committee on State Government.

By Mr. DEMECH. HOUSE BILL No. 1319.

An Act to further amend subsection (a) of section four hundred eight of the act, approved the twenty-ninth day of November, one thousand nine hundred thirty-three (P. L. 15, 1933-34), entitled as amended "An act to regulate and restrain the sale, manufacture, possession, transportation, importation, traffic in, and use of alcohol, and alcoholic and malt or brewed beverages; conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents, the Department of Public Instruction, other officers of the State government, courts, and district attorneys; authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises; and the granting of licenses, subject to local option, to sell such beverages for consumption on and off the premises; forbidding importation or bringing of such beverages into the State except as herein provided; prohibiting certain sales or practices in, connection with, and transactions in such beverages by licensees and others; providing for the forfeiture of certain property; making disposition of the receipts from State stores and of fees; and imposing penalties," further providing for transfer of licenses in certain cases.

Referred to the Committee on Liquor Control.

By Mr. GREER. HOUSE BILL No. 1320.

An Act to amend the act, approved the twenty-eighth day of May, one thousand nine hundred thirty-seven (P. L. 955), entitled "An act to promote public health, safety, morals, and welfare by declaring the necessity of creating public bodies, corporate and politic, to be known as housing authorities to engage in slum clearance, and to undertake projects, to provide dwelling accommodations for persons of low income; providing for the organization of such housing authorities; defining their powers and duties; providing for the exercise of such powers, including the acquisition of property by purchase, gift or eminent domain, the renting and selling of property, and including borrowing money, issuing bonds, and other obligations, and giving security therefor; prescribing the remedies of obligees of housing authorities, authorizing housing authorities to enter into agreements, including agreements with the United States, the Commonwealth, and political subdivisions and municipalities thereof; defining the application of zoning, sanitary, and building laws and regulations to projects built or maintained by such housing authorities; exempting the property and securities of such housing authorities from taxation; and imposing duties and conferring powers upon the State Board of Housing, and certain other State officers and departments," authorizing authorities to undertake housing research and studies, and to enter into agreements to secure Federal contributions and providing for the creation of regional housing authorities and rural housing.

Referred to the Committee on State Government.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence, bills numbered and entitled as follows:

SENATE BILL No. 41.

An Act to further amend section eight of the act approved the nineteenth day of July one thousand nine hundred thirty-five (P. L. 1356) entitled "An act to regulate the sale and delivery of solid fuel as herein defined providing for appointment of licensed weighmasters prescribing their powers and duties authorizing substitute licensed weighmasters imposing certain duties on the Department of Internal Affairs and providing penalties" increasing the penalties for violations thereof.

Referred to the Committee on State Government.

SENATE BILL No. 169.

An Act authorizing the arbitration of death taxes when there are conflicting claims as to the domicile of the decedent and making uniform the law relating thereto.

Referred to the Committee on Judiciary.

SENATE BILL No. 170.

An Act authorizing the compromise of death taxes when there are conflicting claims as to the domicile of the decenent and making uniform the law relating thereto.

Referred to the Committee on Judiciary.

SENATE BILL No. 543.

An Act ratifying confirming and validating certain sales of unused and unnecessary lands sold by any Board of School Directors.

Referred to the Committee on Judiciary.

SENATE BILL No. 552.

An Act further prescribing the bonds required of foreign corporations contracting for public buildings public works or projects.

Referred to the Committee on Judiciary

SENATE BILL No. 557.

An Act providing for and regulating the merger and consolidation of corporations organized for the transportation and storage of oil by means of pipe lines and tanks defining the rights and powers of the surviving or new corporation providing for the service of process on foreign corporations and defining the rights of dissenting stockholders.

Referred to the Committee on Public Utilities.

REPORT FROM COMMITTEE

Mr. DeLONG from the Committee on Motor Vehicles, reported as committed, House Bill No. 1109, entitled:

An Act to further amend the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 1005), entitled "An act relating to and regulating tractors and trailers and their operation; providing for their registration, and the licensing of certain operators by the Department of Revenue upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of tractors and trailers; providing that records are admissible as evidence; imposing upon owners counties, cities, boroughs, incorporated towns, and townships, within the Commonwealth, liability for damages caused by the negligent operation of tractors and trailers; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees and miscellaeous receipts; maning an appropriation; and providing for refunds," by further providing for the classification, registration and regulation of tractors and the licensing of their operators.

The SPEAKER. The Chair requests the gentleman from Berks, Mr. Readinger, to preside during the first reading calendar.

MR. READINGER IN THE CHAIR

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 37, entitled:

An Act defining and providing for the licensing and regulation of private schools; conferring powers and imposing duties on the Department of Public Instruction; and imposing penalties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 95, entitled:

An Act to repeal the act, approved the sixteenth day of May, one thousand nine hundred forty-seven (P. L. 594), entitled "An act providing for the disposition of fines, penalties and forfeitures collected in summary proceedings; and imposing penalties."

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 445, entitled:

An Act to further amend section one thousand four hundred twelve of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" requiring the Commonwealth to pay the tuition of certain non-resident inmates of institutions attending public schools

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 749, entitled:

An Act to further amend section one thousand five hundred eight of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions

by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," entitling school nurses employed by first class school districts to same status and compensation as school teachers.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 874, entitled:

An Act to further amend the first three paragraphs of section one thousand two hundred one of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" further defining substitutes and regulating their employment and further providing for reimbursement of school districts employing substitutes

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 900, entitled:

An Act to add a new section to be known as section three hundred five point one to the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" to provide for leaves of absence of non-professional employes because of illness and other causes in school districts of the first class.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 974, entitled:

An Act to further amend section two thousand one hundred four of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" increasing the pay of teachers attending meetings called by the county superintendent.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1036, entitled:

An Act creating the Public School Building Fund within the Department of Public Instruction to aid in the construction and improvement of school buildings through grants to school districts; presenting procedure for applications; conferring powers and imposing duties upon the Department of Public Instruction and making an appriation.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1066, entitled:

An Act to amend section twenty of the act, approved the twenty-fifth day of May, one thousand nine hundred forty-five (P. L. 1050), entitled "An act relating to the collection of taxes levied by counties, county institution districts, cities of the third class, boroughs, towns, townships, certain school districts and vocational school districts; conferring powers and imposing duties on tax collectors, courts and various officers of said political subdivisions; and prescribing penalties," making a husband liable for his wife's per capita, poll and occupation taxes and providing for the collection thereof.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1112, entitled:

An Act to further amend subsection (b) of section two of the act, approved the twenty-ninth day of September, one thousand nine hundred thirty-eight (P. L. 53), entitled as amended "An act relating to institutions of counties, cities, wards, boroughs, townships, institution districts and other political subdivisions, for the care, maintenance, and treatment of mental patients; providing for the transfer to the Commonwealth for the care, maintenance and treatment of mental patients of such institutions, and all grounds, lands, buildings and personal property of such political subdivisions used for the care and maintenance of indigent persons connected with such mental institutions; providing for the management and operation or closing and abandonment thereof; and the maintenance of mental patients therein; including the collection of maintenance in certain cases; providing for the retransfer of certain property to counties, cities, wards, boroughs, townships, institution districts and other political subdivisions under certain circumstances; conferring and imposing upon the Governor, the Department of Welfare, the courts of common pleas and counties, cities, wards, boroughs, townships, institution districts and other political subdivisions certain powers and duties prohibiting cities, counties, wards, boroughs, townships, institution districts and other political subdivisions from maintaining and operating institutions, in whole in part, for the care and treatment of mental patients; and repealing inconsistent laws," authorizing the Department of Welfare, with the approval of the Governor, to transfer to institution districts for the care and maintenance of indigent persons property no longer required by the Commonwealth for mental hospitals.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1158, entitled:

An Act allowing treasurers of counties of the first class to succeed themselves in office.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1163, entitled:

An Act to further amend section seven and amend section ten of the act, approved the thirteenth day of May, one thousand nine hundred twenty-five (P. L. 644), entitled "An act relating to and regulating the solicitation of moneys and property for charitable, religious, benevolent, humane, and patriotic purposes," further regulating the solicitation of money and property.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1178, entitled:

An Act to further amend section six hundred seventeen point one of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," authorizing school districts under certain conditions to appropriate money to nonprofit corporations for the construction of school athletic stadia, including adequate equipment of the athletic field with fence enclosures and lighting system.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1230, entitled:

An Act to regulate the junk yard business in cities of the first class; to provide for the issuance of licenses for each junk yard; prescribing the method and manner of obtaining such licenses and prescribing the fees therefor; prohibiting junk yards within sight of a State highway and prescribing penalties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1280, entitled:

An Act to amend subsection (a) of section thirty of the act, approved the twenty-fifth day of May, one thousand nine hundred thirty-seven (P. L. 849), entitled "An act to provide for the permanent personal registration of electors in cities of the third class as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; imposing penalties; and repealing existing legislation," providing that reports of nonresidents' deaths be made to the registration commission of the county or city in which they resided.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1286, entitled:

An Act validating certain conveyances of real property made by a county home or by the directors of the poor.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 1, entitled:

An Act to further amend section three hundred forty-one of the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance, exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," further defining and amplifying the powers of foreign insurance companies with relation to real property in this Commonwealth.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 2, entitled:

An Act to further amend the act, aproved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 682), entitled "An act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," repealing sections four hundred four, four hundred five, and four hundred six thereof, and adding new sections restating and changing requirements relating to the investment of the capital reserves and surplus of and relating to the real estate which may be held by life insurance companies; and authorizing agreements between or among insurance companies concerning ownership and control of real estate

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 254, entitled:

An Act to amend the act, approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 289) entitled "An act relating to nonprofit corporations; defining and providing for the organization, merger, consolidation, and dissolution of such corporations; conferring certain rights, powers, duties, and immunities upon them and their officers and members; prescribing the conditions on which such corporations may exercise their powers; providing for the inclusion of certain existing corporations of the first class within the provisions of this act; prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth; conferring powers and imposing duties on the courts of common pleas, prothonotaries of such courts, recorders of deeds, and certain State departments, commissions, and officers; authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act; imposing penalties; and repealing certain acts and parts of acts relating to corporations." regulating the establishment and maintenance of common trust funds by nonprofit corporations.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 255, entitled:

An Act to further amend the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" authorizing second class counties to acquire land for and erect operate and maintain thereon garbage disposal plants.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 362, entitled:

An Act to amend section two of the act approved the eleventh day of April, one thousand nine hundred forty-five (P. L. 203), entitled "An act to provide assistance for typhoid fever carriers, and persons having typhoid fever carriers in their households, and imposing certain responsibilities upon the Secretary of Health, the Secretary of Public Assistance, and the Secretary of Welfare in connection therewith," by fixing the date on which financial assistance shall begin.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 369, entitled:

An Act to authorize railroad corporations incorporated in this Commonwealth or elsewhere as appointed by a majority of the directors

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 475, entitled:

An Act to further amend section two of the act, approved the tenth day of July, one thousand nine hundred thirty-five (P. L. 645), entitled "An act imposing certain requirements on certain hospitals receiving State aid; authorizing the withholding of appropriations; and imposing duties on the Department of Welfare," extending temporary wartime provisions.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

THE SPEAKER (Franklin H. Lichtenwalter) IN THE CHAIR.

The SPEAKER. The Chair thanks the gentleman from Berks, Mr. Readinger, for presiding.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 18, entitled:

An Act to further amend clause thirty-four and to amend clause forty-one of section two thousand four hundred three of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" including American Veterans of World War II (AMVETS) among the veterans organizations for which certain appropriations may be made and for which space for meetings may be given

The first section was read.

On the question,

Will the House agree to the section?

Mr. LAYER with the consent of the sponsor offered the following amendment:

Amend sec. 1 (sec. 2403), page 2, line 16 by inserting after the word "AMVETS)" "and to each detachment of the Marine Corps League."

It was agreed to.

The section was agreed to as amended.

The second section was read and agreed to.

The title was read.

On the question,

Will the House agree to the title?

Mr. LAYER with the consent of the sponsor offered the following amendment:

Amend title, page 1, third line from end of title, by inserting after the word "(AMVETS)" "and the Marine Corps League"

It was agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 19, entitled:

An Act to amend section one of the act approved the second day of June one thousand nine hundred thirty-seven (P. L. 1184) entitled "An act authorizing cities of the first and second class and second class A and incorporated towns to make appropriations to organizations of ex-service men to aid in defraying the expenses of Memorial Day and Armistice Day" including the American Veterans of World War II among the veterans' organizations to which certain appropriations may be made

The first section was read.

On the question,

Will the House agree to the section?

Mr. LAYER with the consent of the sponsor offered the following amendment:

Amend Sec. 1 (Sec. 1), page 2, line 13, by inserting after the word "(AMVETS)" the following: "and to each detachment of the Marine Corps League"

It was agreed to.

The section was agreed to as amended.

The second section was read and agreed to.

The title was read.

On the question,

Will the House agree to the title?

Mr. LAYER with the consent of the sponsor offered the following amendment:

Amend Title, page 1, next to last line of title, by inserting after the Roman Numeral "II" the following: "(AMVETS) and the Marine Corps League"

It was agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 20, entitled:

An Act to amend section four hundred thirty-one of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" including the American Veterans of World War II (AMVETS) among the veterans' organizations for which certain appropriations may be made

The first section was read.

On the question,

Will the House agree to the section?

Mr. LAYER with the consent of the sponsor offered the following amendment:

Amend Sec. 1 (Sec. 431) page 2, line 11, by inserting after the word "(AMVETS)" the following: "and to each detachment of the Marine Corps League."

It was agreed to.

The section was agreed to as amended.

The second section was read and agreed to.

The title was read.

On the question,

Will the House agree to the title?

Mr. LAYER with the consent of the sponsor offered the following amendment:

Amend the Title, page 1, next to last line of title, by inserting after the word "(AMVETS)" the following: "and the Marine Corps League."

It was agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 23, entitled:

An Act to further amend subsection (a) of section seven hundred twenty-two of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" including the American Veterans of World War II (AMVETS) among those organizations exempt from payment of registration fees of vehicles used by such organization

The first section was read.

On the question,

Will the House agree to the section?

Mr. LAYER with the consent of the sponsor offered the following amendment:

Amend Sec. 1 (sec. 722), page 4, line 19, by inserting after the word "(AMVETS)" "the Marine Corps League."

It was agreed to.

The section was agreed to as amended.

The second section was read and agreed to.

The title was read.

On the question,

Will the House agree to the title?

Mr. LAYER with the consent of the sponsor offered the following amendment:

Amend title, page 2, line 14 of title, by inserting after the word "(AMVETS)" "and the Marine Corps League."

It was agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 24, entitled:

An Act to further amend the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating teh law relating to boroughs" including American Veterans of World War II (AMVETS) among the veterans' organizations for which certain appropriations may be made and making more specific the veterans' organizations for which money may be appropriated for rental of meeting rooms of such organizations

The first section was read.

On the question,

Will the House agree to the section?

Mr. LAYER with the consent of the sponsor offered the following amendment:

Amend Sec. 1 (Sec. 1202) page 2, line 15 by striking out the word "and."

Amend Sec. 1 (Sec. 1202) page 2, line 16 by inserting after the word "(AMVETS)" the following: "and to each detachment of the Marine Corps League."

They were agreed to.

The section was agreed to as amended.

The second section was read and agreed to.

The title was read.

On the question,

Will the House agree to the title?

Mr. LAYER with the consent of the sponsor offered the following amendment:

Amend the title, page 1, line 5 of title by inserting after the word "(AMVETS)" the following: "and the Marine Corps League."

It was agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 25, entitled:

An Act to further amend section one of the act approved the third day of May one thousand nine hundred twenty-three (P. L. 134) entitled "An act making the proceedings of the conventions of the Departments of Pennsylvania of the Grand Army of the Republic and the United Spanish War Veterans a part of the public records of the State and providing for their publication and distribution" including American Veterans of World War II (AMVETS) among the veterans organizations entitled to the printing of convention reports

The first section was read.

On the question,

Will the House agree to the section?

Mr. LAYER with the consent of the sponsor offered the following amendment:

Amend Sec. 1 (Sec. 1) page 2, line 14 by striking out the word "and."

Amend Sec. 1 (Sec. 1) page 2, line 14 by inserting after the word "(AMVETS)" the following: "and the Marine Corps League."

Amend Sec. 1 (Sec. 1) page 3, line 4 by inserting after the word "post" the following: "or detachment."

They were agreed to.

The section was agreed to as amended.

The second section was read and agreed to.

The title was read.

On the question,

Will the House agree to the title?

Mr. LAYER with the consent of the sponsor offered the following amendment:

Amend the title, page 1, next to last line of title by inserting after the word "(AMVETS)" the following: "and the Marine Corps League."

It was agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 26, entitled:

An Act to further amend the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" prohibiting the unauthorized wearing of insignia or selling of the official flower of the American Veterans of World War II (AMVETS) and including such organizations among those whose members may wear military uniforms for certain purposes

The first section was read.

On the question,

Will the House agree to the section?

Mr. LAYER with the consent of the sponsor offered the following amendments:

Amend Sec. 1 (Sec. 889) page 2, line 13, by inserting after the word "(AMVETS)" the following: "or the Marine Corps League."

Amend Sec. 1 (Sec. 891) page 3, line 15, by inserting after the word "(AMVETS)" the following: "or the Marine Corps League."

They were agreed to.

The section was agreed to as amended.

The second section was read.

On the question,

Will the House agree to the section?

Mr. LAYER with the consent of the sponsor offered the following amendments:

Amend Sec. 2 (Sec. 892) page 4, line 11, by striking out the word "and."

Amend Sec. 2 (Sec. 892) page 4, line 11, by inserting after the word "(AMVETS)" the following: "and the Marine Corps League."

Amend Sec. 2 (Sec. 892) page 4, line 13, by striking out the word "and."

Amend Sec. 2 (Sec. 892) page 4, line 13, by inserting after the word "clover" the following: "and the poinsettia."

They were agreed to.

The section was agreed to as amended.

The title was read.

On the question,

Will the House agree to the title?

Mr. LAYER with the consent of the sponsor offered the following amendment:

Amend the title, page 1, line 6 of title, by inserting after the word "(AMVETS)" the following: "or of the Marine Corps League."

It was agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 216, entitled:

An Act authorizing the Joint State Government commission to study the educational facilities and needs of the citizens in certain educational fields the financing administration and other features of collegiate institutions prescribing the powers and duties and making an appropriation

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 309, entitled:

An Act to further amend section seven of the act approved the fourth day of June one thousand nine hundred forty-three (P. L. 883) entitled "An act authorizing and directing the Department of Highways to erect and maintain as a post war construction project a toll bridge over the Allegheny River between a point in or near the Borough of Tarentum Allegheny County and a point in Westmoreland County and to provide the necessary approaches and connections with State highways providing for the acceptance of Federal air empowering counties to pay certain damages providing for the collection of tolls on such bridge and making an appropriation" appropriating additional funds from the Motor License Fund for the construction of said bridge

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 682, entitled:

An Act making it unlawful for members of or persons who assist aid or abet any organization which is disloyal to the United States or to the government of the United States or which has pledged its allegiance to any foreign government or leader to hold public office or public employment or office in certain organizations or associations

Whereas a "citizen" is defined in Websters dictionary as "one who owes allegiance to a government and is entitled to protection from it" and

Whereas a "traitor" is defined to be "one who violates his allegiance and betrays his country" and

Whereas there are persons within this Commonwealth who by reason of birth or by reason of their oath of allegiance to and the operation of the laws of the United States have been admitted to citizenship in this country but who have transferred their allegiance to some foreign government by positive oath or statement or by joining an organization group or society of persons which openly among its own members pledges its allegiance to a foreign government or leader and

Whereas such persons though citizens of the United States in name are in fact disloyal to this country and by sneaking and surreptitious means seek to betray this country and overthrow the government thereof and to destroy the very form of government upon which this country was founded therefore

The first section was read.

On the question,

Will the House agree to the section?

BILL PASSED OVER

Mr. McKINNEY. Mr. Speaker, I would like to call the attention of the House to the fact that House Bill 682 was amended in committee. The printed copy of the bill does not show the amendments that were made and the calendar shows the same Printer's number. For that reason I ask that this bill be passed over.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 744, entitled:

An Act to add clause LXIV to section one thousand two hundred two of the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" authorizing charges for borough services and facilities

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 865, entitled:

An Act to further amend section nine hundred six and to amend section one thousand two hundred one of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" reducing the number of times publication of notice of officers to be elected and time of November elections shall be given in certain counties

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 885, entitled:

An Act to add section one thousand three hundred one point two to the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" authorizing the levy and collection of an additional tax to provide pensions retirement or the purchase of annuity contracts for municipal employes

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 891, entitled:

An Act to amend section eight hundred ten of the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" providing for the election and terms of councilmen in cases of invalid elections

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 922, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Board of Trustees of Woodville State Hospital to acquire a certain tract of land adjacent thereto for the use of said hospital and making an appropriation therefor

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 932, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Board of Trustees of the Harrisburg State Hospital to acquire by purchase or condemnation proceedings certain tracts of land for the use of said hospital and making an appropriation therefor

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1043, entitled:

An Act to amend the second paragraph of section two of the act approved the eighteenth day of July one thousand nine hundred thirty-five (P. L. 1303) entitled "An act to regulate the sale of certain hypnotic analgesic and body-weight reduction drugs in the interest of public health" prohibiting sale of inhalers at retail

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1121, entitled:

An Act to amend section one thousand two hundred five of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" changing the time for closing polls

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. SORG. Mr. Speaker, I move that this bill be recommitted to the Committee on Elections and Apportionment for the purpose of further study.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1279, entitled:

An Act to amend subsection (a) of section thirty of the act approved the first day of June one thousand nine hundred thirty-seven (P. L. 1132) entitled "An act to provide for the permanent personal registration of electors in cities of the second class A as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors and imposing penalties" providing that reports of nonresidents' deaths be made to the registration commission of the county or city in which they resided

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1281, entitled:

An Act to amend subsection (a) of section twenty-nine of the act approved the twenty-ninth day of April one thousand nine hundred thirty-seven (P. L. 487) entitled "An act to provide for the permanent personal registration of electors in boroughs towns and townships as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors requiring the county commissioners of the various counties to act as registration commission therefor and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors and imposing penalties" providing that reports of deaths of nonresidents be made to the registration commission of the county or city in which they resided

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1282, entitled:

An Act to amend subsection (a) of section thirty-one of the act approved the thirtieth day of March one thousand nine hundred thirty-seven (P. L. 115) entitled "An act to provide for the permanent personal registration of electors in cities of the first class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties bodies of electors registration commissions commissioners registrars inspectors of registration and other appointees of registration commission election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics real estate brokers rental agents certain

public service companies persons firms and corporations operating vehicles for moving furniture and household goods and boards of school directors and imposing penalties" providing that reports of deaths of nonresidents be made to the registration commission of the county or city in which they resided

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1298, entitled:

An Act to amend subsection (a) of section thirty of the act approved the twenty-fifth day of May one thousand nine hundred thirty-seven (P. L. 814) entitled "And act to provide for the permanent personal registration of electors in cities of the second class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and pramaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors and imposing penalties" providing that reports of nonresidents' deaths be made to the registration commission of the county or city in which they resided

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1313, entitled:

An Act to amend section one of the act approved the twenty-ninth day of May one thousand nine hundred forty-five (Appropriation Acts page 20 Act No. 26-A) entitled "An act making an appropriation to the Elwyn Training School at Elwyn in the County of Delaware Commonwealth of Pennsylvania and prescribing certain conditions upon which the appropriation will be available to the school" increasing the per capital annual maintenance rate of wards of the State and the amount of the total appropriation

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 66, entitled:

An Act making a deficiency appropriation to the Pennsylvania Institution for the Deaf at Mount Airy Philadelphia Pennsylvania

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

BILL PASSED OVER

There being no objection

Senate Bill No. 114 Printer's No. 21

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 342, entitled:

An Act making an appropriation to the Senate and the House of Representatives to pay the expenses of their committees directed to visit State institutions under the supervision of the Department of Welfare

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 371, entitled:

An Act to amend section six and section thirteen of the act approved the twenty-third day of May one thousand nine hundred forty-five (P. L. 926) entitled "An act for the protection of the public health by regulating the conduct and operation of public eating and drinking places within this Commonwealth requiring their licensing imposing certain duties on the Department of Health of this Commonwealth and on local health authorities and providing penalties" by conferring on local health authorities power to suspend or revoke licenses and making fines collected in cities boroughs and townships of the first class payable to these political subdivisions.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. SORG. Mr. Speaker, I move that this bill be recommitted to the Committee on Public Health and Sanitation for the purpose of further study.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 385, entitled:

An Act to amend subsection (b) of section four of the act, approved the twenty-fifth day of May, one thousand nine hundred forty-five (P. L. 1050), entitled "An act relating to the collection of taxes levied by counties, county institutions districts, cities of the third class, boroughs, towns, townships, certain school districts and vocational school districts; conferring powers and imposing duties on tax collectors, courts and various officers of said political subdivisions; and prescribing penalties," by providing that where borough taxes are collected by an appointee of council, the council may prescribe the bond that may be required for the borough taxes.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 447, entitled:

An Act to amend the act, approved the fourth day of June, one thousand nine hundred forty-five (Appropria-

tion Acts, page 106), entitled "An act making an appropriation for the preparation of the Eighteenth Division History, and creating a commission for such purposes," continuing the commission and reappropriating the unexpended balance.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

BILL ON FINAL PASSAGE

BILL PASSED OVER

The SPEAKER. Senate Bill 313, Printer's No. 215 on page 24 of today's calendar, bill on final passage, is not on file and will be passed over.

BILLS ON THIRD READING

BILLS PASSED OVER

There being no objection

House Bill No. 647, Printer's No. 340, and

House Bill No. 758, Printer's No. 386

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 949, entitled:

An Act to authorize political subdivisions and agencies thereof to participate in the Federal Social Security program in order to secure coverage for their officers and employes under the old-age and survivors insurance provisions of the Federal Social Security Act upon the extensions of the provisions of such Federal act to include such persons

On the question,

Will the House agree to the bill on third reading?

Mr. TURNER. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend title, page 1, first line of title, by inserting after the word "thereof" the following: "and municipality authorities."

Amend Sec. 1, page 2, line 3, by inserting after the word "thereof" the following: "and employes and officers of municipality authorities.'

Amend Sec. 1, page 2, line 5, by inserting after the word "thereof" the following: "and any municipality authority."

Amend Sec. 1, page 2, line 11, by inserting after the word "thereof" the following: "and any municipality authority."

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

BILLS PASSED OVER

There being no objection

House Bill No. 1020, Printer's No. 359,

House Bill No. 1090, Printer's No. 407,

House Bill No. 1098, Printer's No. 362 and

House Bill No. 1099, Printer's No. 364

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1122, entitled:

An Act providing for the payment of salary wages medical and hospital expenses of employes of a jail prison workhouse penitentiary penal reformatory or correctional institution hospitals for the insane or any institution for the feeble minded or epileptic persons for inebriates or for juvenile delinquent and dependents maintained in whole or in part by the Commonwealth or any county within the Commonwealth who are injured in the performance of their duty and providing that absence during such injury shall not reduce any usual sick leave period

On the question,

Will the House agree to the bill on third reading?

Mr. CHARLES C. SMITH. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend Sec. 1, page 2, lines 8 and 9, by striking out the words "until the disability arising therefrom has ceased" and inserting in lieu thereof the following: "for so long a period of time as such employe would have received compensation for such disability under the provisions of the Workmen's Compensation Act whether or not such employe is within the provisions of said act."

Amend Sec. 1, page 2, line 14, by striking out the word "capacity" and inserting in lieu thereof the word "incapacity."

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1210, as follows:

An Act to repeal the act approved the fourth day of June one thousand nine hundred forty-five (P. L. 1388) entitled "An act relating to the practice procedure regulations and adjudications of departments departmental administrative boards and commissions independent administrative boards and commissions officers and other administrative agencies of this Commonwealth and judicial review thereof and preserving equitable jurisdiction in certain cases"

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the fourth day of June one thousand nine hundred forty-five (P. L. 1388) entitled "An act relating to the practice procedure regulations and

adjudications of departments departmental administrative boards and commissions independent administrative boards and commissions officers and other administrative agencies of this Commonwealth and judicial review thereof and preserving equitable jurisdiction in certain cases" is hereby repealed

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—189

Aaronson,	Gallagher,	McKinney,	Sax,
Andrews,	Getchey,	McMillen,	Scanlon,
Bane,	Gibson,	Mihm,	Schuster,
Barrett,	Goff,	Mikula,	Scott,
Baumunk,	Goodling,	Miller,	Serrill,
Beech,	Gorman,	Mills,	Simons,
Bender,	Greenwood,	Mintess,	Smith, C. C.,
Bloom,	Greer,	Mohr,	Smith, C. M.,
Boles,	Griffiths,	Mooney,	Sollenberger,
Bonawitz,	Guthrie,	Moore, C. E.,	Sorg,
Boorse,	Haller,	Moore, H. A.,	Sproul,
Bower,	Helm,	Murray,	Stank,
Breisch,	Henry,	Myers,	Stimmel,
Brice,	Hewitt,	Najaka,	Stockham,
Brown,	Hocker,	Naumann,	Stonier,
Brunner,	Hoffman,	Needham,	Stuart,
Bucchin,	Horan,	Neff,	Swope,
Cadwalader,	Imbt,	Nelson,	Tahl,
Capano,	Jennings,	O'Connor,	Thomassy,
Cassidy,	Johnson,	O'Dare,	Thompson,
Chervenak,	Johnston,	O'Donnell,	Tittle,
Chudoff,	Jones,	O'Neill,	Tompkins,
Clevenger,	Jump,	Orban,	Toomey,
Cochran,	Kean,	Patten,	Turner,
Cole,	Kelley,	Petrosky,	Upshur,
Cook,	Kemp,	Pichney,	Vaughan,
Costa,	Kent,	Pickens,	Verona,
Crowley,	Kohl,	Polaski,	Wachhaus,
Dague,	Kirley,	Powers,	Wagner,
Dalrymple,	Kline,	Price,	Waldron,
Davison,	Kratz,	Propert,	Wallin,
De Long,	Krise,	Ragot,	Waterhouse,
Demech,	Kurtz,	Readinger,	Watkins,
Dennison,	Laughner,	Reagan,	Watson,
Depuy,	Layer,	Reese, D. P.,	Weidner,
Dix,	Lee,	Reese, R. E.,	Weiss,
Efenberg,	Leisey,	Reilly, J. M.,	Wescott,
Elder,	Livingston,	Reilly, W. J.,	West,
Erb,	Livingstone,	Richter,	Wheeler,
Evans,	Loftus,	Riley,	Wolf,
Ewing,	Lovett,	Robbins,	Wood,
Feola,	Lyons,	Robertson,	Yeakel,
Fish,	Madden,	Root,	Yester,
Fiss,	Madigan,	Rose,	Yetzer,
Flack,	Mazza,	Rowen,	Young,
Fleming,	McCormack,	Royer,	Lichtenwalter,
Foor,	McCullough,	Sarraf,	Speaker.
Frost,	McDonald,		

NAYS—0

NOT VOTING—16

Bentzel,	Graybill,	Hoopes,	Snider,
Cooper,	Gyger,	McCosker,	Trout,
Cordier,	Hall,	Morrison,	Walton,
Dye,	Haudenshield,	Shoemaker,	Worley,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1211, as follows:

An Act to repeal the act approved the fourth day of June one thousand nine hundred forty-five (P. L. 1392) entitled "An act providing for the Pennsylvania Register for the publication and distribution of certain orders regulations rules notices proclamations and similar instruments imposing powers and duties on the Legislative Reference Bureau and the Department of Property and Supplies creating the Pennsylvania Register Board and defining its powers and duties and making an appropriation for payment of expenses and costs of publication and distribution of the Pennsylvania Register"

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the fourth day of June one thousand nine hundred forty-five (P. L. 1392) entitled "An act providing for the Pennsylvania Register for the publication and distribution of certain orders regulations rules notices proclamations and similar instruments imposing powers and duties on the Legislative Reference Bureau and the Department of Property and Supplies creating the Pennsylvania Register Board and defining its powers and duties and making an appropriation for payment of expenses and costs of publication and distribution of the Pennsylvania Register" is hereby repealed

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—189

Aaronson,	Gallagher,	McKinney,	Sax,
Andrews,	Getchey,	McMillen,	Scanlon,
Bane,	Gibson,	Mihm,	Schuster,
Barrett,	Goff,	Mikula,	Scott,
Baumunk,	Goodling,	Miller,	Serrill,
Beech,	Gorman,	Mills,	Simons,
Bender,	Greenwood,	Mintess,	Smith, C. C.,
Bloom,	Greer,	Mohr,	Smith, C. M.,
Boles,	Griffiths,	Mooney,	Sollenberger,
Bonawitz,	Guthrie,	Moore, C. E.,	Sorg,
Boorse,	Haller,	Moore, H. A.,	Sproul,
Bower,	Helm,	Murray,	Stank,
Breisch,	Henry,	Myers,	Stimmel,
Brice,	Hewitt,	Najaka,	Stockham,
Brown,	Hocker,	Naumann,	Stonier,
Brunner,	Hoffman,	Needham,	Stuart,
Bucchin,	Horan,	Neff,	Swope,
Cadwalader,	Imbt,	Nelson,	Tahl,
Capano,	Jennings,	O'Connor,	Thomassy,
Cassidy,	Johnson,	O'Dare,	Thompson,
Chervenak,	Johnston,	O'Donnell,	Tittle,
Chudoff,	Jones,	O'Neill,	Tompkins,
Clevenger,	Jump,	Orban,	Toomey,
Cochran,	Kean,	Patten,	Turner,
Cole,	Kelley,	Petrosky,	Upshur,
Cook,	Kemp,	Pichney,	Vaughan,
Costa,	Kent,	Pickens,	Verona,
Crowley,	Kirley,	Polaski,	Wachhaus,
Dague,	Kline,	Powers,	Wagner,
Dalrymple,	Kohl,	Price,	Waldron,
Davison,	Kratz,	Propert,	Wallin,
De Long,	Krise,	Ragot,	Waterhouse,
Demech,	Kurtz,	Readinger,	Watkins,
Dennison,	Laughner,	Reagan,	Watson,
Depuy,	Layer,	Reese, D. P.,	Weidner,
Dix,	Lee,	Reese, R. E.,	Weiss,
Efenberg,	Leisey,	Reilly, J. M.,	Wescott,
Elder,	Livingston,	Reilly, W. J.,	West,
Erb,	Livingstone,	Richter,	Wheeler,
Evans,	Loftus,	Riley,	Wolf,
Ewing,	Lovett,	Robbins,	Wood,
Feola,	Lyons,	Robertson,	Yeakel,
Fish,	Madden,	Root,	Yester,
Fiss,	Madigan,	Rose,	Yetzer,
Flack,	Mazza,	Rowen,	Young,
Fleming,	McCormack,	Royer,	Lichtenwalter,
Foor,	McCullough,	Sarraf,	Speaker.
Frost,	McDonald,		

NAYS—0

NOT VOTING—16

Bentzel,	Graybill,	Hoopes,	Snider,
Cooper,	Gyger,	McCosker,	Trout,
Cordier,	Hall,	Morrison,	Walton,
Dye,	Haudenshield,	Shoemaker,	Worley,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 293, as follows:

An Act to further amend sections one thousand three one thousand one hundred three one thousand one hundred seven and one thousand eight hundred two of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" further regulating the powers and duties of township auditors and controllers and the letting of contracts

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one thousand three of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" as amended by the act approved the fifteenth day of May one thousand nine hundred forty-five (P. L. 520) is hereby further amended to read as follows

Section 1003 Surcharges Auditors Report Publication [and Filing] of Financial Statements [Financial Report to Be Made to Department of Internal Affairs] The auditors shall complete their audit settlement and adjustment within as short a time as possible and shall file copies thereof with the Secretary of the township the clerk of the court of quarter sessions and the Department of Internal Affairs not later than the fifteenth day of April Any officer or person whose act or neglect has contributed to the financial loss of the township shall be surcharged by the auditors with the amount of such loss They shall within ten days [thereafter] after the completion of their report publish by advertisement in at least one newspaper of general circulation published in the township or if no newspaper is published therein then in one newspaper [published in the county and] circulating generally in the township a concise [itemized] financial statement [of the receipts and expenditures of the several officers for the preceding fiscal year] setting forth the balance in the treasury at the beginning of the preceding fiscal year all revenues received during the fiscal year by major classifications all expenditures made during the fiscal year by major functions and the current resources and liabilities of the township at the end of the fiscal year the gross liability and net debt of the township the amount of the assessed valuation of the township the assets of the township with the character and value thereof the date of the last maturity of the respective forms of funded debt and the assets in the sinking fund Such publication shall be deemed compliance with the provisions of the Municipal Borrowing Law which requires the corporate authorities of townships of the first class to publish an annual statement of indebtedness [They shall also within ten days thereafter file a copy of such statement with the secretary of the township and another copy of such statement with the clerk of the court of quarter sessions When any two officers are exercised by the same person only one statement shall be required]

[The auditors shall also annually make a report of the financial condition of the township to the Department of Internal Affairs within sixty days after the close of the fiscal year] The auditor's report and financial statement shall be made on [a] uniform [form] forms prepared and furnished as provided in section [one thousand seven hundred and one A] 1701A of this act [Such] The auditor's report and financial statement shall be signed by all of the auditors and the auditor's report shall be duly verified by the oath of one of the auditors Any auditor refusing or wilfully neglecting to file [such] an auditor's report shall upon conviction thereof in a summary proceeding brought at the instance of the Department of Internal Affairs be sentenced to pay a fine of five dollars for each day's delay beyond [sixty days] the time fixed herein for the filing of such report and costs All fines recovered shall be for the use of the Commonwealth

Section 2 Section one thousand one hundred three of said act is hereby amended to read as follows

Section 1103 General Powers and Duties of Controller May Require Attendance of Witnesses Penalty The township controller shall superintend the fiscal affairs of the township He shall examine audit and settle all accounts whatsoever in which the township is concerned either as debtor or creditor where provisions for the settlement thereof are made by law and where no such provisions or an insufficient provision has been made he shall examine such accounts and report to the board of commissioners the facts relating thereto with his opinion thereon

In the examination audit and settlement of accounts the controller shall have all of the powers and perform all of the duties vested in and imposed on the auditors by this act He shall make and file an annual report of his audit and make and publish the annual financial report in the same form and manner and at the same time as in this act required of the auditors

[The controller in addition to the above audits shall annually audit settle and adjust the accounts for the immediately preceding fiscal year in which the township is concerned and for any preceding fiscal year of any officer which have not previously been audited settled and adjusted He shall finish said audit settlement and adjustment and file in the office of the clerk of the courts of the county in which such township may be situated a report thereof within sixty days after the beginning of the current fiscal year setting forth an itemized statement of the charges against and credits of said officers and any balance or surcharge against them The amount of any balance or shortage or of any expenditure of a kind or made in a manner prohibited or not authorized by statute or which causes a financial loss to the township shall be surcharged against any officer against whom such balance or shortage shall appear or who by vote act or neglect has made approved or permitted such expenditure Any balance or surcharge against any such officer shall by direction of the controller be certified by the clerk of the courts to the prothonotary who shall enter the same as a judgment against such officer unless he shall appeal from such report as hereinafter provided]

The township controller shall have supervision and control of the accounts of all departments bureaus and officers of the township authorized to collect receive or disburse the public moneys or who are charged with the management or custody thereof He shall audit their respective accounts and may at any time require from any of them a statement in writing of any moneys or property of the township in their hands or under their control and he shall immediately upon the discovery of any default irregularity or delinquency report the same to the board of commissioners He shall also audit and report upon the account of any such officer upon the death resignation removal or expiration of the term of the said officer

In the making of any audit or settlement and in the authentication of any account or claim or demand against the township the controller of any township shall have the same power and authority to obtain the attendance before him of parties and witnesses and the production of books and papers and to administer oaths and affirmations

as are given by law to county and township auditors All persons guilty of swearing or affirming falsely before him shall be liable to the penalty for perjury

Section 3 Section one thousand one hundred seven of said act as amended by the act approved the eighteenth day of July one thousand nine hundred thirty-five (P. L. 1176) is hereby further amended to read as follows

Section 1107 [Controller's Report Report of Financial Condition to Be Made to Department of Internal Affairs] Management and Improvement of Township Finances The township controller shall as often as he may deem expedient or the board of commissioners shall direct suggest plans to the board of commissioners for the management and improvement of the township finances [and he shall make report verified by oath or affirmation to the board of commissioners at the first stated meeting in January in each year of the public account of the township and of the trusts in its care exhibiting all of the expenditures thereof respectively the sources from which the revenue and funds are derived and the manner in which the same have been disbursed Each account shall be accompanied by a detailed statement of the several appropriations made by the board of commissioners the amount drawn on each appropriation and the balance standing to the debit or credit of such appropriation The report shall be published at the expense of the township once a week for tw oweeks in a newspaper circulating generally in the township

The controller shall also annually within sixty days after the close of the fiscal year make a report to the Department of Internal Affairs of the financial condition of the township in manner and form required to be made by the township auditors under the provisions of section one thousand and three of this act and subject to the penalties provided in said section for refusing or neglecting to file said report]

Section 4 Section one thousand eight hundred two of said act as last amended by the act approved the twenty-fifth day of May one thousand nine hundred thirty-nine (P. L. 185) is hereby further amended to read as follows

Section 1802 General Regulations Concerning Contracts (a) All contracts or purchases made by any township involving the expenditure of over five hundred dollars except those hereinafter mentioned shall be in writing and shall be made only after notice by the secretary published [once a week for two weeks] in one [or more newspapers] newspaper of general circulation published or circulating in the county in which the township is situated at least three times at intervals of not less than three days where daily newspapers of general circulaion are available for such publication and in case of weekly newspapers shall be published once a week for two successive weeks The first advertisement shall be published not less than ten days prior to the date fixed for the opening of bids All plans and specifications shall be on file at least [fifteen] ten days in advance of opening bids [This section shall not apply in the case of any township repairing its public highways except as to any purchases of materials or equipment for the purpose of such repairs nor in the case of any township entering into any contract of insurance authorized to be entered into by such township under the provisions of clause twenty-three of section one thousand five hundred and two of this act]

(b) In every instance in which any contract for any public work construction materials supplies or other matters or things for any township shall be awarded upon competitive bids it shall be the duty of the authorities authorizing the same to award said contract to the lowest responsible bidder Any published notice for bids shall contain full plans and specifications or refer to the places where copies thereof can be obtained and give the time and place of meeting of the township commissioners at which meeting bids shall be publicly opened and read If through lack of a quorum or other reason no meeting shall be held at such time and place notice of the same kind shall be repeated once at least six days before the meeting of the subsequent time and place fixed and the foregoing provisions as to bids shall apply The same course shall be pursued until a meeting shall actually be held for receiving and opening bids Any contract made in violation of the provisions hereof shall be void But nothing herein contained shall prevent the making of contracts for governmental services for a period exceeding one year but any contract so made shall be executory only for the amounts agreed to be paid for such services to be rendered in succeeding fiscal years Provided That if prior to the letting of any contract taxpayers of the township whose property valuation as assessed for taxable purposes within the township shall amount to sixty per centum or over of the total property valuation as assessed for taxable purposes within the township shall sign and file with the township secretary of the board of township commissioners of the township a written protest against such contemplated contract then such contract shall not be let

(c) The contracts or purchases made by the commissioners involving an expenditure of over five hundred dollars which shall not require advertising or bidding as hereinbefore provided are as follows

(1) Those for maintenance repairs or replacements for water electric light or other public works of the township provided they do not constitute new additions extension or enlargements of existing facilities and equipment but a bond may be required by the commissioners as in other cases of work done

(2) Those made for improvements repairs and maintenance of any kind made or provided by any township through its own employes Provided however That this shall not apply to construction materials used in a street improvement

(3) Those where particular types models or pieces of new equipment articles apparatus appliances vehicles or parts thereof are desired by the commissioners which are patented and manufactured products

(4) Those involving any policies of insurance or surety company bonds those made for public utility service under tariffs on file with the Pennsylvania Public Utility Commission those made with another political subdivision or a county the Commonwealth of Pennsylvania the Federal Government any agency of the Commonwealth or the Federal Government or any municipal authority including the sale leasing or loan of any supplies or materials by the Commonwealth or Federal Government or their agencies But the price thereof shall not be in excess of that fixed by the Commonwealth the Federal Government or their agencies

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—189

Aaronson,	Gallagher,	McDonald,	Sarraf,
Andrews,	Getchey,	McKinney,	Sax,
Bane,	Gibson,	McMillen,	Scanlon,
Barrett,	Goff,	Mihm,	Schuster,
Baumunk,	Goodling,	Mikula,	Scott,
Beech,	Gorman,	Miller,	Serrill,
Bender,	Greenwood,	Mills,	Simons,
Bloom,	Greer,	Mintess,	Smith, C. C.,
Boies,	Griffiths,	Mohr,	Smith, C. M.,
Bonawitz,	Guthrie,	Mooney,	Sollenberger,
Boorse,	Haller,	Moore, C. E.,	Sorg,
Bower,	Helm,	Moore, H. A.,	Sproul,
Breisch,	Henry,	Murray,	Stank,
Brice,	Hewitt,	Myers,	Stimmel,
Brown,	Hocker,	Najaka,	Stockham,
Brunner,	Hoffman,	Naumann,	Stonier,
Bucchin,	Horan,	Needham,	Stuart,
Cadwalader,	Imbt,	Neff,	Swope,
Capano,	Jennings,	Nelson,	Tahl,
Cassidy,	Johnson,	O'Connor,	Thomassy,
Chervenak,	Johnston,	O'Dare,	Thompson,
Chudoff,	Jones,	O'Donnell,	Tittle,

Clevenger,	Jump,	O'Neill,	Tompkins,
Cochran,	Kean,	Orban,	Toomey,
Cole,	Kelley,	Patten,	Turner,
Cook,	Kemp,	Petrosky,	Upshur,
Costa,	Kent,	Pichney,	Vaughan,
Crowley,	Kirley,	Pickens,	Verona,
Dague,	Kline,	Polaski,	Wachhaus,
Dalrymple,	Kohl,	Powers,	Wagner,
Davison,	Kratz,	Price,	Waldron,
De Long,	Krise,	Propert,	Wallin,
Demech,	Kurtz,	Ragot,	Waterhouse,
Dennison,	Laughner,	Readinger,	Watkins,
Depuy,	Layer,	Reagan,	Watson,
Dix,	Lee,	Reese, D P.,	Weidner,
Efenberg,	Leisey,	Reese, R. E.,	Weiss,
Elder,	Livingston,	Reilly, J. M.,	Wescott,
Erb,	Livingstone,	Reilly, W. J.,	West,
Evans,	Loftus,	Richter,	Wheeler,
Ewing,	Lovett,	Riley,	Wolf,
Feola,	Lyons,	Robbins,	Wood,
Fish,	Madden,	Robertson,	Yeakel,
Fiss,	Madigan,	Root,	Yester,
Flack,	Mazza,	Rose,	Yetzer,
Fleming,	McCormack,	Rowen,	Young,
Foor,	McCullough,	Royer,	Lichtenwalter, Speaker.
Frost,			

NAYS—0

NOT VOTING—16

Bentzel,	Graybill,	Hoopes,	Snider,
Cooper,	Gyger,	McCosker,	Trout,
Cordier,	Hall,	Morrison,	Walton,
Dye,	Haudenshield,	Shoemaker,	Worley,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

SENATE MESSAGE

AMENDED SENATE BILL CONCURRED IN BY SENATE

The Clerk of the Senate being introduced informed that the Senate has concurred in the amendments made by the House of Representatives to Senate Bill numbered and entitled as follows:

SENATE BILL No. 148.

An Act to amend the act approved the fifth day of June one thousand nine hundred thirty-seven (P. L. 1703) entitled "An act relating to criminal prosecutions; limiting the effect of demurrers by defendants at the close of the cases of the Commonwealth" providing for the disposition of cases where evidence has been improperly admitted and the court has failed to sustain the demurrer at the close of the Commonwealth' s case.

Mr. SORG IN THE CHAIR

QUESTION OF PERSONAL PRIVILEGE

Mr. ANDREWS. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER pro tempore. The gentleman from Cambria will state it.

Mr. ANDREWS. Mr. Speaker, yesterday in the Harrisburg Patriot, a newspaper of general circulation in this vicinity, there appeared the following paragraph:

> "Among the legislators who voted in favor of the seven hour sports period on Sunday was Representative Hiram G. Andrews, Democratic Minority Leader, who just last month as one of the speakers at a meeting called by the church forces of Pennsylvania promised the church group there would be no legislation detrimental to the churches adopted this session."

There, Mr. Speaker, we have a statement written in pure malice, actionable in any court in this Commonwealth. The malice is proven by the fact that the reported responsible, when his attention was called to the misstatement of the record replied to me that he would consult the record.

I have been in Harrisburg in the Legislature and in the Press gallery and around about here since 1909. In all of that time I have never had a single member of the Press gallery question my personal word, and the fact that this particular reporter when I personally assured him that I had voted against the Scanlon Amendment refused to take my word, indicates in my opinion, malice.

Now, this particular statement is a misrepresentation based upon a misrepresentation, which even in modern newspaper practice is something of an achievement.

I was originally misquoted as to what I said when Members of the General Assembly met with the members of the Lord's Day Alliance, and on that occasion in the course of a three-minute address I said that I would venture to make a prediction, but I was not expressing a personal conviction, regarding the measures involved, but I turned to Dr. Forney and I said "Doctor, it is my prediction you can bet your bankroll that there won't be a horse race bill at this session of the Legislature."

I didn't say whether I was going to vote for or against the horse racing bill. If a horse racing bill appears upon the floor of this House I will vote for it.

I also said "I make the prediction that this Legislature will not pass any bills impairing our Sunday statutes, and I say that if any bill impairing our Sunday statutes appears on the calendar I will vote against it.

I also made the prediction that this Legislature would not pass any legislation impairing the validity of our Sunday laws relating to the sale of liquor, and would not undermine our statutes in regard to law enforcement in connection with the sale of liquor, and I will say now that if any such bills are introduced impairing law enforcement standards as far as sales of liquor on Sunday are concerned I will vote against them.

I was quoted as saying that I promised as Monority Leader that none of those would pass. I made predictions, and I further said "It is unfortunate that the predictions I am making are not the predictions made by the Majority Leader," who was not present. And I was quoted in the morning paper as saying that as Minority Leader I promised that none of these bills would pass.

I was also quoted as saying that I spoke for the Majority Leader. I haven't brought this matter up before because the original misrepresentation, you couldn't catch up with; it was printed in the Church Journal and various publications throughout the land, clearly placing the Majority Leader in the wrong position and misinterpreting my position without any recourse, and without any reason—and I am referring to the paragraph of yesterday, because the young man having no knowledge as to how I voted had only to ask me as to how I voted and he would have been told, and when I told him how I voted he refused to take my word.

THE SPEAKER (Franklin H. Lichtenwalter) IN THE CHAIR

The SPEAKER. The Chair thanks the gentleman from Elk, Mr. Sorg, for presiding in the absence of the Speaker.

SENATE MESSAGE

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE Bill No. 531.

A Supplement to the act approved the seventh day of March one thousand nine hundred and one (P. L. 20) entitled "An act for the government of cities of the second class" establishing a department of parks and recreation in said cities providing for its officers and employees and defining the powers duties and jurisdiction of said department

HOUSE BILL No. 742.

An Act to amend section one hundred eighty-one of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," permitting sheriffs to succees themselves.

HOUSE BILL No. 1016.

An Act to amend section four hundred thirty-nine of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salares of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," increasing the membership of the Sanitary Water Board and providing compensation for certain members of such board.

With the information that the Senate has passed the same without amendment.

REPORTS FROM COMMITTEES

Mr. CAPANO from the Committee on Motor Vehicles, reported as committed, House Bill No. 612, entitled:

An Act to further amend subsections (a) and (b) of section four hundred eleven and section five hundred six of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and clerks thereof, owners of vehicles, and garage keepers; providing that records are admissable as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," providing for the transfer of motor vehicles, trailers, and semi-trailers from a husband to his wife, and from a wife to her husband.

Mr. O'CONNOR from the Committee on Municipal Corporations, reported as amended, House Bill No. 106, entitled:

An Act requiring that all meetings of legislative bodies of political subdivisions and of boards, commissions and authorities created by or operating as agencies of political subdivisions at which ordinances, resolutions, rules, regulations and other actions are adopted to be open to the public; permitting the holding of executive sessions from which the public is excluded but prohibiting the adoption of ordinances, resolutions, rules, regulations, and actions at such sessions.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 531.

A Supplement to the act approved the seventh day of March one thousand nine hundred and one (P. L. 20) entitled "An act for the government of cities of the second class" establishing a department of parks and recreation in said cities providing for its officers and employees and defining the powers duties and jurisdiction of said department

HOUSE BILL No. 742.

An Act to amend section one hundred eighty-one of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," permitting sheriffs to succeed themselves.

HOUSE BILL No. 1016.

An Act to amend section four hundred thirty-nine of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant-Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of

all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" increasing the membership of the Sanitary Water Board and providing compensation for certain members of such board

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

COMMITTEE MEETINGS

Education, Thursday, April 24, 1947, immediately after today's session in the room to the left of the Speaker's rostrum.

ADJOURNMENT

Mr. ERB. Mr. Speaker, I move that this House do now adjourn until Monday, April 28, 1947 at 3:30 p.m. Eastern Standard Time.

The motion was agreed to, and (at 12:09 p. m.) the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1947. 137th of the General Assembly.

Vol. 30. HARRISBURG, PA., MONDAY, APRIL 28, 1947. No. 46.

SENATE

MONDAY, April 28, 1947.

The Senate met at 3:00 o'clock, p. m., Eastern Standard Time.

The PRESIDENT (Lieutenant-Governor Daniel B. Strickler) in the Chair.

PRAYER

The Chaplain, Rev. W. MURRAY YOUNG offered the following prayer:

O Thou Divine Spirit of beauty and goodness, of truth and love, we would lay aside every care and distracting thought and enter into the light of Thy Holy presence. We seek a closer acquaintance with Thee, a better understanding of Thy creative will.

We seek to bring our intimate personal and corporate problems and troubles into the radiant light of Thy redeeming love. Here in this moment of devotion and reconsecration, may the lonely find fellowship; may the burdened feel refreshed; may the guilt-ridden experience forgiveness; may the worried be lifted out of their anxieties into a heroic, trustful faith in their Heavenly Father. In these critical days of tension and uncertainty, grant to our spirits the peace that passeth understanding.

We pray for all the sick and infirmed souls. Fill their hearts, we beseech Thee, with hopefulness and courage. May the thought of the life-giving, quiet strength of the Great Physician bring saving health to their ailing bodies and disturbed minds.

Deliver us from the poisons of hatred, misunderstanding and vindictiveness. Calm the violent emotions and prejudices aroused by industrial strife, and bring peace and harmony into all the camps of human activity. In They ineffable name, we pray. Amen!

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. WADE and Mr. WATSON, further reading was dispensed with, and the Journal was approved.

LEAVE OF ABSENCE

Mr. Wade asked and obtained leave of absence for Mr. DONLAN, on account of illness.

COMMUNICATIONS FROM THE GOVERNOR

The Secretary to the Governor being introduced presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows:

APPROVED AND SIGNED SENATE BILL No. 174, PRINTER'S No. 48

Commonwealth of Pennsylvania.
Governor's Office, Harrisburg, April 24, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 174, Printer's No. 48, entitled "An Act to amend clause XLVIII of section one thousand five hundred two of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled 'An act concerning townships of the first class amending revising consolidating and changing the law relating thereto' further regulating garbage and treatment works."

JAMES H. DUFF.

APPROVED AND SIGNED SENATE BILL No. 51, PRINTER'S No. 16

Commonwealth of Pennsylvania.
Governor's Office, Harrisburg, April 24, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 51, Printer's No. 16, entitled "An Act providing for the observance of September fourteenth of each year as National Anthem Day."

JAMES H. DUFF.

NOMINATIONS BY THE GOVERNOR

NOTARIES PUBLIC

He also presented in writing from His Excellency, the Governor of the Commonwealth, nominations for appointment as Notaries Public.

CONSIDERATION OF NOTARIES PUBLIC

Mr. KEPHART. Mr. President, I move that the Senate do now proceed to the consideration of nominations for appointment as Notaries Public, sent to the Senate, by His Excellency, the Governor of the Commonwealth, on April 28, 1947.

Mr. WOLFE. Mr. President, I second the motion.

The motion was agreed to.

The nominations were read as follows:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 28, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as Notaries Public, for terms of four years to compute from the dates set opposite their names:

McKEAN COUNTY

Miss Rita K. Murphy, Bradford, May 3, 1947.

LUZERNE COUNTY

Mrs. Olive E. Pace, Wilkes-Barre, May 4, 1947.

PHILADELPHIA COUNTY

Harry R. McKeon, Phila., 7312 N. 21st St., May 5, 1947.

DAUPHIN COUNTY

Homer C. Bradley, Harrisburg, May 8, 1947.

JAMES H. DUFF.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 28, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Edward Adams, Millvale.
Geo. S. Barr, Pittsburgh, 217 Stafford St.
Jack Cinkan, Pittsburgh, 940 Ridge Ave., N. S. (12).
Robert M. Constantin, Wilkinsburg.
William L. Crawshaw, Bridgeville.
Larry C. Jones, Pittsburgh, 801 Federal St.
Lee F. Joseph, Pittsburgh, 318 Warrington Ave.
Fred J. Litschge, Pittsburgh, Room 604, 526 Federal St. (12).

BLAIR COUNTY

Frank H. Fisher, Altoona.

CHESTER COUNTY

Mrs. Edna R. Leary, Tredyffrin Twp., Main Line, Builders, Inc., Box 541, Berwyn.

CRAWFORD COUNTY

Howard L. Brown, Saegertown.
Mrs. Ann D. Wood, Meadville.

DAUPHIN COUNTY

Mrs. Hadessa J. Cassel, Paxtang.

DELAWARE COUNTY

Robert P. Oglesby, Chester.
Miss Patricia O'Malley, Upper Darby Twp., 69th & Locust Sts., Upper Darby.
Mrs. Mary S. Ramsey, Ridley Twp., Crum Lynne.

ERIE COUNTY

Miss Anna I. Saeger, Erie.
Mrs. Kathryn W. Wickersham, Erie.

JEFFERSON COUNTY

Miss Marie F. Lindsay, Punxsutawney.

LUZERNE COUNTY

T. A. Krzywicki, Wilkes-Barre.

MONTGOMERY COUNTY

Mrs. Louise A. Dager, Norristown.

NORTHAMPTON COUNTY

Maurice W. Pritchard, Pen Argyl.

PHILADELPHIA COUNTY

Benjamin Boory, Phila., 2436 N. Stanley St.
Ovid D'Ambrosio, Phila., 1520 S. Broad St. (46).
William G. Kinkaid, Phila., 423 S. 16th St.
William F. Miller, Jr., Phila., 2017 E. Rittenhouse St
Samuel Toub, Phila., 1215-17 N. Broad St.

SCHUYLKILL COUNTY

Walter R. Dennis, Mahanoy City.

SOMERSET COUNTY

Miss Margaret E. Zeigler, Somerset.

WARREN COUNTY

Fred R. Smith, Warren.

WASHINGTON COUNTY

Raymond E. Goodridge, Washington.

WESTMORELAND COUNTY

Miss June L. Crowell, Scottdale.

JAMES H. DUFF.

NOMINATIONS FOR NOTARIES PUBLIC

A motion was made by Mr. KEPHART and Mr. WOLFE, that the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Geltz,	Lord,	Tarr,
Becker,	Haluska,	Mahany,	Taylor,
Berger,	Hare,	Mallery,	Tyler,
Blass,	Heyburn,	Margie,	Wade,
Carr,	Holland,	Rahauser,	Wagner,
Chapman,	Homsher	Rosenfeld,	Walker,
Crider,	Jaspan,	Ruth,	Watson,
Crowe,	Kephart,	Scarlett,	Wilson,
Dent,	Klein,	Snowden,	Wolfe,
DiSilvestro,	Lane,	Stevenson,	Wood, L. H.,
Doehla,	Leader,	Stiefel,	Wood, T. N.,
Farrell,	Letzler,	Tallman,	Woodring,
Frazier,			

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

He also presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations.

MEMBERS OF COUNTY BOARDS OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 28, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Members of County Boards of Assistance:

CAMBRIA COUNTY

Dr. David S. Bantley (Republican), 631 Coleman Avenue, Johnstown, from January 8, 1946, until December 31, 1947.

W. K. McHenry (Republican), 199 Worth Street, Johnstown, from January 8, 1946, until December 31, 1948, and until his successor is duly appointed and qualified.

Robert T. Ingram (Republican), 531 Wood Street, Johnstown, from August 1, 1945, until December 31, 1947, and until his successor is duly appointed and qualified.

William P. Brown (Republican), Chestnut Street, Barnesboro, to serve until December 31, 1949, and until his successor is duly appointed and qualified. (Reappointment)

Mrs. Leola Berkheimer (Republican), Apartment No. 1, 115 Helen Street, Johnstown, to serve until December 31, 1949, and until her successor is duly appointed and qualified, vice A. L. Hunt, Cresson, whose term expired.

Edward J. George (Republican), 701 Main Street, Lilly, to serve until December 31, 1949, and until his successor is duly appointed and qualified, vice L. B. Furry, Johnstown, deceased.

Neice Malloy, Esq. (Democrat), Carrolltown, to serve until December 31, 1948, and until his successor is duly appointed and qualified, vice Mrs. Augusta O'Donnell, Spangler, resigned.

HUNTINGDON COUNTY

Mrs. Elisabeth S. Phillips (Republican), 318 Mifflin Street, Huntingdon, from March 28, 1946, until December 31, 1948.

M. M. Geissinger (Republican), 601 13th Street, Huntingdon, from March 28, 1946, until December 31, 1947.

Mrs. Rosalie Andrews (Republican), 121 West Shirley Street, Mount Union, from January 1, 1947, until December 31, 1949.

E. Earl Davis (Democrat), R. D., Petersburg, from March 28, 1946, until December 31, 1948, and until his successor is duly appointed and qualified.

Rev. Charles H. Stong (Republican), Petersburg, from March 28, 1946, until December 31, 1947, and until his successor is duly appointed and qualified.

LACKAWANNA COUNTY

Morris Goodman (Republican), 633 Clay Avenue, Scranton, to serve until December 31, 1947, and until his successor is duly appointed and qualified, vice James P. Scoblick, Archbald, resigned.

LAWRENCE COUNTY

John E. Powell (Republican), 101 Second Street, Ellwood City, to serve until December 31, 1949, and until his successor is duly appointed and qualified, to fill a vacancy.

LEHIGH COUNTY

Stanley V. Printz (Republican), 714 Walnut Street, Allentown, to serve until December 31, 1949, and until his successor is duly appointed and qualified, vice Mrs. Ruth Siegfried, Allentown, whose term expired.

Rev. Francis F. Renoll (Republican), 127 South 15th Street, Allentown, to serve until December 31, 1949, and until his successor is duly appointed and qualified, vice Mrs. Eva Krum, Slatington, whose term expired.

Mrs. Marion S. Leidig (Democrat), 1105 Delaware Avenue, Fountain Hill, Bethlehem, to serve until December 31, 1948, and until her successor is duly appointed and qualified, vice Gurney F. Afflerbach, Allentown, whose term expired.

Horace Schantz (Republican), 250 Main Street, Emmaus, to serve until December 31, 1949, and until his successor is duly appointed and qualified, vice Mrs. Ruth Thornburg, Bethlehem, whose term expired.

Mrs. Helen S. Renfro (Republican), 3012 Greenleaf Street, Allentown, to serve until December 31, 1948, and until her successor is duly appointed and qualified, vice Dr. Thomas L. Smyth, Allentown, whose term expired.

Mrs. Blanche Hopkins (Republican), 848 Main Street, Slatington, to serve until December 31, 1947, and until her successor is duly appointed and qualified, vice Rev. Henry I. Aulenvach, Allentown, whose term expired.

WYOMING COUNTY

Mrs. Ruth Thomas (Republican), Factoryville, from January 23, 1946, until December 31, 1948, and until her successor is duly appointed and qualified.

Jay D. Smith (Republican), Meshoppen, to serve until December 31, 1949, and until his successor is duly appointed and qualified, vice Benton Whipple, Laceyville, resigned.

Mrs. Cecile Dickinson (Republican), Mill City, to serve until December 31, 1949, and until her successor is duly appointed and qualified, vice Mrs. Lula Gilmore, Noxen, whose term expired.

JAMES H. DUFF.

BILL SIGNED

The PRESIDENT (Lieutenant-Governor Daniel B. Strickler) announced that the Chief Clerk having reported that the following bill had passed both houses of the General Assembly and the same being correct, the title was publicly read as follows:

Senate Bill No. 360, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to convey to the Borough of Bristol certain real property located in said Borough

Whereupon,

The PRESIDENT (Lieutenant-Governor Danial B. Strickler) in the presence of the Senate signed the same.

COMMUNICATION

The Chair cleared his table and laid before the Senate the following communition which was read by the Clerk:

The Senate, State of Michigan, Lansing,

April 25, 1947

Fred I. Chase
Secretary of the Senate

Mr. G. Harold Watkins
Secretary of the Senate
Capitol Building
Harrisburg, Pennsylvania

Good Morning, Mr. Watkins:

I have the honor to transmit herewith a copy of Senate Concurrent Resolution No. 21 which has been adopted by both houses of the Michigan Legislature.

Sincerely yours,

FRED I. CHASE

STATE OF MICHIGAN

MICHIGAN LEGISLATURE

SENATE CONCURRENT RESOLUTION No. 21

By Mr. Bates

A CONCURRENT RESOLUTION RESPECTFULLY URGING MICHIGAN SENATORS AND CONGRESSMEN IN CONGRESS TO EXERT ALL THEIR EFFORTS IN ATTEMPTING TO STOP OR AT LEAST REDUCE THE OFFERING OF FEDERAL AID TO THE SEVERAL STATES AND TERRITORIES

Whereas, Our sister State of Indiana has shown the

courage to declare against the unsound financial practice of so-called federal aid, and the General Assembly of said state has passed a concurrent resolution calling upon its Senators and Congressmen "to vote to fetch its county courthouses and city halls back from Pennsylvania Avenue" and

Whereas, The said State of Indiana has called upon the Legislatures of her sister states to join with her in appealing to Congress for a cessation of this unsound political fiscal extravagance; and

Whereas, When a state legislature is confronted with a federal aid law, the legislature must either comply or forefeit money which has been or will be taken from the citizens of the state in taxes, the effect being virtual compulsion; and

Whereas, It is obvious that unless federal aid is discontinued to all states, it will not be refused by any state; and

Whereas, The members of the Senate and House of Representatives of the Michigan Legislature agree with Governor Thomas Dewey of New York when he said that, "It is a fundamental truth that when a unit of government spends money that has not been raised locally through taxes the inevitable result is irresponsibility and waste and it is old fashioned common sense that best government is that which is closest to the people and their pocketbooks"; and

Whereas, Our nation is financially embarrassed to the amount of one quarter of a trillion dollars and should divert so-called federal aid toward reducing its indebtedness; and

Whereas, Michigan and most other states are in sound financial condition able to handle their own fiscal responsibilities; now therefore be it

Resolved By The Senate (the House of Representatives concurring), That the Michigan Legislature joins forces with our neighboring State of Indiana in denouncing this practice of so-called "matching dollars"; and be it further

Resolved, That we respectfully petition and urge Michigan Senators and Congressmen in Congress to exert all their efforts in attempting to stop or at least reduce the offering of federal aid to the several states and territories; and be it further

Resolved, That a copy of this resolution be sent to the Legislatures or Assemblies of the 48 States, and to the Michigon Senators and Congressmen in Congress.

Adopted by the Senate March 13, 1947.

Adopted by the House of Representatives April 9, 1947.

NORMAN E. PHILLES,
Clerk of the House of Representatives

FRED I. CHASE,
Secretary of the Senate.

REPORT FROM COMMITTEE

Mr. CARR from the Committee on Public Health and Welfare, to which was referred on April 23, 1947, the following resolution from the House of Representatives reported the same without amendment as follows, which was laid over for one day under the rules:

DEPARTMENT, PROPERTY AND SUPPLIES TO MAINTAIN FIRST-AID ROOM IN MAIN CAPITOL BUILDING.

In the House of Representatives, April 17, 1947.

Whereas, The dictates of common sense require, and experience has proven, that where large numbers of persons are in daily attendance within a given area, first-aid facilities for the treatment and comfort of persons suffering minor accidents or illness should be maintained; and

Whereas, Hundreds of persons, particularly during the legislative sessions, are in daily attendance in the capitol buildings as visitors, interested parties and guests; and

Whereas, Frequently among such persons there are those who meet with a minor accident or suffer an illness, and no facilities presently exist where such persons may seek emergency aid or comfort, therefore be it

Resolved (if the Senate concur), That the Department of Property and Supplies be directed to establish and maintain at a central location in the main capitol building a first-aid room with adequate first-aid equipment, supplies and comfort facilities, and that during the sessions of the General Assembly the services of a registered nurse in daily attendance be supplied.

BILLS INTRODUCED AND REFERRED

Mr. FARRELL read in his place and presented to the Chair Senate Bill No. 649, entitled:

An Act for the protection of the public and the prevention of fraud by prohibiting any person individually or in association or partnership with another person or persons to practice as an accountant, auditor, certified public accountant, or public account under a false, assumed, fictitious, or trade name; prohibiting any corporation organized or registered after the effective date of this act from engaging in the practice as such and fixing the time when such practice by existing corporations shall entirely cease in this Commonwealth and providing penalties.

Which was committed to the Committee on Judiciary General.

Mr. SCARLETT read in his place and presented to the Chair Senate Bill No. 650, entitled:

An Act making an appropriation to the Trustees of the College of Lincoln University, Chester County.

Which was committed to the Committee on Appropriations.

Mr. LETZLER read in his place and presented to the Chair Senate Bill No. 651, entitled:

An Act making an additional deficiency appropriation to the Department of Public Assistance and providing for certain allocations therefrom for the purpose of carrying out the Public Assistance Law for the two fiscal years beginning June first one thousand nine hundred forty-five and for the payment of assistance and expenses accrued or incurred prior to and remaining unpaid on May thirty-first one thousand nine hundred forty-five.

Which was committed to the Committee on Appropriations.

Mr. WATSON read in his place and presented to the Chair Senate Bill No. 652, entitled:

An Act terminating the existence of the Pennsylvania Nautical School.

Which was committed to the Committee on Forests and Waters, Game and Fish.

Mr. FAZIER. Mr. President, during the recent war, certain conditions arose over which parents seemed to have no control, and one of those was the early marriage of their daughters. They became emancipated then, and a result of losses of husbands as a result of casualties, these daughters are now home with their parents, and some of them have the idea that once having been married, they are always emancipated. There is some uncertainty as to that. There seems to be some uncertainty as to the law, and therefore, in order to clarify this situation, I offer the following bill:

Mr. FRAZIER read in his place and presented to the Chair Senate Bill No. 653, entitled:

An Act providing for a status of parental control and authority over minors after termination of marriage of such minors.

Which was committed to the Committee on Judiciary General.

Mr. HARE read in his place and presented to the Chair Senate Bill No. 654, entitled:

An Act to reenact section one of the act, approved the twentieth day of April, one thousand eight hundred seventy-four (P. L. 110), entitled "An act to enable the officers of dissolved corporations to convey real estate held by such corporations."

Which was committed to the Committee on Corporations.

Mr. WALKER read in his place and presented to the Chair Senate Bill No. 655, entitled:

An Act to divide the State into senatorial districts as provided by the constitution and to regulate the election of senators and the terms of office of present and future senators.

Which was committed to the Committee on State Government.

RESOLUTIONS

CONGRATULATIONS EXTENDED TO THE PHILADELPHIA INQUIRER ON SUCCESSFUL CAMPAIGN TO BRING THE NATIONAL REPUBLICAN CONVENTION TO PHILADELPHIA

Messrs. JASPAN and DENT offered the following resolution which was twice read, considered and agreed to:

In the Senate of Pennsylvania, April 28, 1947.

As a result of the vigorous campaign of the Philadelphia Inquirer, the National Convention of the Republican Party will be held in Philadelphia.

That campaign inspired every Philadelphian and every Pennsylvanian. It rekindled the spirit of home pride which had suffered a considerable blow when it lost, by too narrow a margin, the United Nations Capital to New York City.

The Philadelphia Inquirer campaign not only inspired our citizens but united them and through their united action succeeded in bringing the convention to Philadelphia.

The National Committee of the Democratic Party has not, as yet, selected its convention city, and therefore the same opportunity exists for Philadelphia to win the National Democratic Convention; therefore, be it

Resolved, That the Senate of the Commonwealth of Pennsylvania hereby congratulates the Philadelphia Inquirer upon its vigorous and successful campaign to bring the National Republican Party Convention to Philadelphia, and hereby urges the said paper to immediately initiate a campaign to bring the National Democratic Party Convention to Philadelphia; and be it further

Resolved, That the Secretary of the Senate shall transmit a copy of this resolution to the Philadelphia Inquirer.

TIME OF NEXT MEETING

Mr. BECKER, offered the following resolution, which was twice read, considered and agreed to:

In the Senate, April 28, 1947.

Resolved (if the House of Representatives concur) That when the Senate adjourns this week it reconvene on Monday, May 5, 1947, at three o'clock, p. m., Eastern Standard Time; and when the House of Representatives adjourns this week it reconvene on Monday, May 5, 1947, at three-thirty o'clock p. m., Eastern Standard Time.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

FORMER MINORITY LEADER, HONORABLE BERNARD B. McGINNIS, PRESENTED TO SENATE

Mr. BARR. Mr. President, I note in the Senate Chamber this afternoon, a former minority leader of the Senate, in the sessions of 1941-43, the Honorable Bernard B. McGinnis, of Allegheny County.

The PRESIDENT. The Chair welcomes to this session of the Senate, the distinguished gentleman from Allegheny County.

Mr. DENT. Mr. President, I might say to Senator McGinnis, I wish he were still minority leader.

The PRESIDENT. Perhaps that can be arranged.

(The Senate was at ease while official photograph was taken.)

REPORT FROM COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. KEPHART. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. KEPHART from the Committee on Executive Nominations reported with a favorable recommendation the following nominations, made by His Excellency the Governor, which were laid over for one day under the rules.

MEMBERS OF THE STATE CIVIL SERVICE COMMISSION

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 17, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Members of the State Civil Service Commission:

Mrs. Ruth Pennell (Republican), Mifflintown, Juniata County, until April 9, 1952, and until her successor shall have been appointed and qualified. (Reappointment)

George Young (Republican), 353 North Wade Avenue, Washington, Washington County, from September 18, 1945, until April 9, 1948, and until his successor shall have been appointed and qualified.

JAMES H. DUFF.

JUSTICES OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 17, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Edward L. McKelvey, R. D. No. 1, Kittanning, Armstrong County, for appointment as Justice of the Peace in and for the Township of Manor, Armstrong County, until the first Monday of January, 1948, vice Clarence Charles Olinger, whose term expired.

JAMES H. DUFF.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 16, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominated for the advice and consent of the Senate George N. Highley, Malvern, Chester County, for appointment as Justice of the Peace in and for the Borough of Malvern, Chester County, until the first Monday of January, 1948, vice Harvey K. Shenk, resigned.

JAMES H. DUFF.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 15, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following:

Leroy S. Burkhart, Post Office Box 324, Johnstown, for appointment as Justice of the Peace in and for the Township of Conemaugh, Cambria County, until the first Monday of January, 1948, vice H. A. Malzi, resigned.

Harry L. Kennel, R. D. 2, Malvern, for appointment as Justice of the Peace in and for the Township of Willistown, Chester County, until the first Monday of January, 1948, vice Boyd M. Torelli, resigned.

JAMES H. DUFF.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 22, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Joseph M. Cribbs, Main Street, Saegertown, Crawford County, for appointment as Justice of the Peace in and for the Borough of Saegertown, Crawford County, until the first Monday of January, 1948, to fill a vacancy.

JAMES H. DUFF.

ALDERMAN

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 24, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Thimas B. McDonough, 78 Easy Street, Uniontown, Fayette County, for appointment as Alderman in and for the Eighth Ward of the City of Uniontown, Fayette County, until the first Monday of January, 1948, vice Ralph D. Umbel, resigned.

JAMES H. DUFF.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 16, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following:

MEMBERS OF THE BOARD OF TRUSTEES OF PENNSYLVANIA SOLDIERS' AND SAILORS' HOME

J. Clark Mansfield, 1213 Milton Avenue, Swissvale, Allegheny County, for the term of four years, and until his successor is appointed and qualified. (Reappointment)

Dr. Elmer E. Hess, Erie, Erie County, for the term of four years, and until his successor is appointed and qualified. (Reappointment)

Floyd B. Owens, 2707 German Street, Erie, Erie County, for the term of four years, and until his successor is appointed and qualified. (Reappointment)

Edward M. Muck, 933 Market Street, Meadville, Crawford County, for the term of four years, and until his successor is appointed and qualified. (Reappoinment)

Melvin G. Keller, Warren, Warren County, for the term of four years, and until his successor is appointed and qualified. (Reappointment)

Brigadier General Frank D. Beary, 214 Ridge Avenue, Allentown, Lehigh County, for the term of four years, and until his successor is appointed and qualified. (Reappointment)

Lieutenant Colonel W. S. Houghton, 154 East Congress Street, Corry, Erie County, from January 25, 1946, for the term of four years, and until his successor is appointed and qualified.

Major Guy J. Wadlinger, 125 Park Avenue, New Castle, Lawrence County, for the term of four years, and until his successor is appointed and qualified, vice Merle C. Quay, Erie, whose term expired.

MEMBERS OF THE STATE VETERANS' COMMISSION

Wm. Ellis Zimmerman, Lazy Creek Farm, Lansdale, Montgomery County, until the third Tuesday of January, 1951, and until his successor shall have been appointed and qualified. (Reappointment)

Carl W. Herdic, Esq., 429 Pine Street, Williamsport, Lycoming County, until the third Tuesday of January, 1951, and until his successor shall have been appointed and qualified. (Reappointment)

William C. McKelvie, Department Commander, Disabled American Veterans of Pennsylvania, 265 Ninth Avenue, Bethlehem, Lehigh County, until the third Tuesday of January, 1951, and until his successor shall have been appointed and qualified. (Reappointment)

Oscar M. Kamp, Department Commander, United Spanish War Veterans, 316 North Front Street, Milton, Northumberland County, until the third Tuesday of January, 1951, and until his successor shall have been appointed and qualified. (Reappointment)

John U. Shroyer, Department Commander, Veterans of Foreign Wars, 515 East Dewart Street, Shamokin, Northumberland County, until the third Tuesday of January, 1951, and until his successor shall have been appointed and qualified. (Reappointment)

Clyde E. Rankin, Department Commander, American Legion, 406 Chandler Street, Fox Chase, Philadelphia, Philadelphia County, until the third Tuesday of January, 1951, and until his successor shall have been appointed and qualified, to fill a vacancy.

David B. Ludwig, State Commander, AMVETS, 808 Heberton Street, East End, Pittsburgh, Allegheny County, until the third Tuesday of January, 1951, and until his successor shall have been appointed and qualified, vice Guy J. Wadlinger, New Castle, whose term expired.

JAMES H. DUFF.

BILLS INTRODUCED AND REFERRED

Mr. JASPAN. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. JASPAN read in place and presented to the Chair Senate Bill No. 656, entitled:

An Act to carry into effect section one of article fifteen of the Constitution giving cities of the first class the right and power to frame, adopt and amend their own charters and to exercise the powers and authority of local self-government, and providing the procedure, therefor; imposing certain restrictions, limitations and regulations; imposing duties upon city councils, city officers, county boards of elections, courts of common pleas and the Secretary of the Commonwealth and providing for the payment of certain expenses by such cities.

Which was committed to the Committee on Local Government.

Mr. HEYBURN. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN read in place and presented to the Chair Senate Bill No. 657, entitled:

An Act to authorize the Commonwealth of Pennsylvania to acquire, by gift from the Government of the United States, a certain tract of land in Tinicum Township, Delaware County, sometimes known as the "Old Lazaretto" for park purposes; providing for the control, management, supervision, restoration, improvement and maintenance thereof, by the Pennsylvania Historical and Museum Commission; and autorizing the Commission to make and to enforce rules and regulations for the preservation, maintenance and visitation thereof.

Which was committed to the Committee on State Government.

STATEMENT BY MINORITY LEADER

Mr. DENT. Mr. President, I desire, before presenting a bill for consideration, to read some prepared remarks relative to the fiscal problems of the State of Pennsylvania. With the permission of the Senate I would like to read from a prepared statement that I have. Each Senator will find a copy of this statement upon his desk.

Mr. President and Members of the Senate: I have been trying since the apperance of the Governor's budget and tax program to give the General Assembly an analysis of this program with the hope of giving the people of Pennsylvania a true and factual picture of our present and future needs.

At this time I am going to offer a positive program. This is contrary to the usual political procedure. Ordinarily the minority is relegated to the position of giving partisan criticism. However, it has long been my contention that this is a misconception and out of order in our present day economy of Government. I have maintained up to this moment the position that the Governor's Budget Director has deliverately falsified the budgetary figures. I make this statement again after a careful reflection upon the past performances of this same Budget Director.

However, in stating that the Governor needed no new taxes if he would give a more accurate estimation of the revenue to be raised, I had in mind enactment of the same tax program enacted in 1945. Although my program has been criticized, the opposition has yet to submit a breakdown of the Governor's Budget showing the need for new taxes.

I want to go further at this time and submit to you a program of taxes and allocation of our revenues having in mind the welfare of the people of this Commonwealth.

First: A realistic view of our responsibility to the Commonwealth with the welfare of its peoples is ever our goal. To do this one must set aside partisan narrowness and make an honest attempt to view our present problems with a dispassionate and calculated analysis.

I have come to the conclusion, and I am willing to listen to arguments to the contrary, that our problems can readily be solved on a more enduring basis if we do three things, namely:

A. The Governor is willing to re-submit his budget.

B. The Legislature is not blindly subservient to departmental needs and demands.

C. The private interests lobbyists act less selfish.

Second: Ever so often in the history of a state an opportunity presents itself to a Governor and a Legislature to perform a lasting service. This Governor and this Legislature have that opportunity now. Governor Duff has the training and the independence of nature and action that is the first requisite if we are to put forth the effort to solve our problems jointly.

This Legislature has within its membership enough men of independent thought and action, who would rather create in this session a monument of achievement for the people's welfare than to further their own political careers. I hope I analyze the situation correctly.

Remember too, that historically a minority would rather see the majority make mistakes than help the opposition make a good record.

Remember too, that in our political Democracy cooperation between the "ins" and the "outs" is restricted to after dinner speaking and funerals for outstanding party members. I do not propose that we change this historic plan of behavior, but I sincerely believe that there can be such a thing as overdoing another favorite political plan of action, namely, and that is our biennial comedy of errors, when the Legislature, following age-old custom surrenders its prerogative to the Executive, the Judicial and the lobbyists.

In Pennsylvania we suffer because of the apparent strangle hold upon the throat of the body politic by the Republican Party. I say this because, the strength of this political party is such that it can with reckless abandon pass legislation on all matters on any schedule selected by the party backers.

I believe there must be a day of reckoning with his haphazard method of taxing and spending.

At this time I am going to present to the Governor, the Members of the Senate and House of Representatives and to the people of Pennsylvania a plan for progress in Pennsylvania.

I have no pride of authorship and do not hesitate to say that I do not believe my plan and suggestions to be without fault. If any interested parties offer to sit around the table to put this or any similar plan into law I stand willing to cooperate to the best of my ability and to the limit of my knowledge and time.

First: I believe that all segments of our population should pay a just share of the taxes. Government is in a sense a police force safeguarding each man's stake and personal wealth. Therefore, it is logical to tax the holders of the largest stakes and possessors of the greatest

wealth in a ration to the protection and services rendered by Government.

Secondly: I believe the Commonwealth requires a budget of approximately $600,000,000 for a biennium if we are to render the services demanded by our mode of living and our level of government. I, therefore, put the revenue raising measures into seven categories, namely:

1. Manufacturing, Industrial Mining and Corporations

A. Corporate Net Incomes (increase 1%) $150,000,000.

Under "A" I would increase corporate net income tax by one percent, from 4 to 5 per cent.

B. Capital Stock—$54,000,000.

The capital stock tax would be re-enacted at the present rate.

C. Corporate Loan (present rate)—$5,000,000.

The corporate loan tax would be re-enacted at the present rate.

D. Bonus Tax (present rate)—$1,000,000.

The bonus tax would be re-enacted at the present rate.

2. Mercantile Establishments

A. Mercantile tax (8 mills)—$100,000,000.

The mercantile tax would raise in collection over a period of two years, $100,000,000, if collected on 70 per cent efficiency.

Gentlemen of the Senate, I think we ought to analyze that for a moment. I have heard a great deal of talk, Mr. President, about a sales tax, a sales tax which would be assessed directly against the consumer—the patron or client of mercantile establishments—Consumers we call them, I believe.

Mr. President, I believe I can show, and I will be glad to sit down with anybody interested, that a two per cent sales tax would yield approximately the same amount as an eight mills mercantile tax, properly assessed and properly collected. The machinery for collecting this tax is now here available. We have on hand the machinery in the state government to re-establish the mercantile tax and immediately start collecting the same. I believe, in the interest of good sound government it would be far better to assess an eight mills tax against the receipts of mercantile establishments, rather than a direct two or three per cent sales tax. In the end, it all comes from sales, but in the one case it costs the consumers two and one half times as much money to collect the same amount of money for state purposes. I can not find anything wrong with assessing against this segment of our population, this segment of life in our fair state, a fair share of the tax burden, when any person knows that mercantile establishments, by and large, are the greatest beneficiaries of all expenditures of public funds; they are the greatest beneficiaries of good streets, good roads, good transportation systems and good communication systems, and they carry in this state the least amount of direct taxation, when compared to corporations, industries and the consuming public. I do not believe that any argument can be made against the unsoundness, as it were, of this particular tax.

Next, I would take up the classification of tax known as the individual or personal sales taxes, on consumer goods, which are now assessed in the Commonwealth of Pennsylvania.

3. Individual or personal Sales Taxes on consumers goods (present taxes)

Cigarettes (recommended 3c tax)	$58,000,000
Liquor Sales (present rate)	43,000,000
Alcoholic Beverage (present tax rate)	23,640,000
Liquor Store Profits	85,000,000

I would re-enact the cigarette tax and accept Governor Duff's recommendation of a one cent increase, which would bring in $58,000,000. I would recommend that the liquor sales tax, which is presently assessed, be re-enacted, and which would bring in $43,000,000. I recommend that the liquor beverage tax be re-enacted at the present rate, which would bring in $23,640,000. I would also count in this particular category liquor store profits of $85,000,000.

The next group would be utility taxes.

4. Utility Taxes

Gross Receipts Tax (increase to 20 mills)—$20,000,000.

I believe, in all fairness with the increase in revenue to the Commonwealth in Pennsylvania, that the estimates are comparable to the estimates in 1935 and 1937, when we found it necessary to assess against utilities a gross receipts tax of twenty per cent. I would say to you gentlemen that we would increase the gross receipts tax and bring it up to a total of twenty mills, which would provide $20,000,000 for the Commonwealth of Pennsylvania, in even a light year collection.

5. Inheritance Taxes (rate 50% increase)—$60,000,000.

I have heard many arguments that this state should, when in need, and surely this is a time of need, if we are to believe the Governor's appeal for funds at this time, increase the inheritance tax from two to three per cent on direct heirs and from ten to fifteen per cent on collateral heirs, which would be a fifty per cent increase in inheritance taxes and would yield to the Commonwealth $60,000,000.

6. Service Industries

Insurance (present rates	$16,949,000
Trust Co., Bank Shares, (present rates)	6,300,000

I would re-enact the so-called service industries tax, trust company, bank shares and insurance taxes, totaling $16,949,000 and $6,300,000 respectively.

7. Miscellaneous Taxes and Income—$32,828,000.

Item Number 7, miscelleaneous taxes and income, as contained in the budget, show an income of $32,828,000.

This makes a grand total for state purposes of $655,717,000.

For future taxation—and this is important—and revenue for increased expenses for welfare, health and veterans, I would recommend a referendum at the earliest moment for:

A. A graduated income tax,

B. Legalized Horse Racing with pari-mutuel control.

Gentlemen of the Senate, I submit to you, and this is just one ilustration, I had dinner Saturday night with three employers in my community who are large producers of manufactured goods.

These gentlemen, without questioning on my part, volunteered the information that they are scouting the mid-western states of these United States, because they have found that in the mid-western states there is a forward-looking program being put into effect, that taxes are being assessed against those who are the privileged

persons in the community, as against the manufacturing end of the community's life. Only just recently I was informed by these same men that the state of Colorado has departed from its age-old adherence to strict blue laws and has recently passed by its legislature a bill taxing slot machines and other gambling devices, and it had passed on second reading, at the time they gave me the information, a bill legalizing pari-mutuel horse racing machinery.

Everybody knows the story in Nevada; all persons interested in this nation knows the story of New Mexico. All of us are becoming more and more aware of the fact that this great industrial state of ours, in this new and modern day of transportation and communication, has lost many of the pre-fabricated industries that have nothing to tie them to this Commonwealth and when I say that I mean the men who produce these goods, skilled and semi-skilled labor, who also have their eyes turned westward.

Those of us who sit here in the legislative halls must have the courage to face the facts as they are. I am going to present to the Senate, when I am through a bill that, if passed, will present to the people of Pennsylvania a simple question; without setting up any schedule of legislation, without creating any boards or commissions, it will submit to the people of this Commonwealth a very simple question, asking whether or not the citizens of this Commonwealth want to defray future expenses of government by having a pari-mutuel tax on horse racing.

When I first introduced a legalized horse racing bill in this legislative body, Mr. President, back in 1935, I was ridiculed by many who still now sit in this Senate and House: they said the bill was one that would destroy the morals of our great state. I predicted at that time, and the record will bear me out, that within the next decade, every state surrounding this state would legalize horse racing, because of the fact that they could not keep down the desire and the urge to gamble and go to horse races, and that every one of those states would milk this Commonwealth of many millions of dollars of revenue that they have no legal or moral right to. Now I want to say to this Senate, not in a spirit of saying I told you so, but I ask you gentlemen of this Senate if you can name one state that adjoins this Commonwealth of our that does not have legalized pari-mutuel horse racing within the last decade. Just as I said then, I say to you now—this probably will be my last session in the Legislature of this Commonwealth—I say to all of you that unless you have the courage to face the future and the facts as they are presented at the present time, you are going to lose in this Commonwealth much of its skilled labor and many lucrative industries.

I say that because persons are normal and human and they are looking with their eyes, ever looking westward.

And humbly I say to you that I, too, am intending to go westward.

This program will, if enacted, give to the people of this Commonwealth an anticipated revenue of at least $200,000,000 a year. If this money becomes available, Mr. President, then there can be a corresponding reduction in the various tax schedules previously recommended.

You will notice in the schedule of taxes the absence of any new tax on soda pop, cigars and tobacco. I left these items on the tax-free list, Mr. President, because the individual consumer is now paying the major share of the tax burden in this Commonwealth. In reality we have disguised sales and consumer goods taxes totaling $209,000,000 at the present time upon our books. This share of the tax burden is paid out of daily living expenditures of working men and women, along with all others in the Commonwealth.

The cigar and tobacco tax proposal of the Governor is particularly unsound in this Commonwealth, where the tobacco industry is a vital part of the economy of our state. I would recommend that this tax be dropped.

The soda pop tax is the creature of small minds. It is one of the most unsound tax proposals ever devised. It lacks character and is a reflection on the intelligence of the members of this Legislature. The only reason this tax has been proposed is that at present it is an industry without political influence.

It seems to me that in a state with the stature, historically, economically, industrially and politically possessed by the great Commonwealth of Pennsylvania, a more equitable revenue measure can be produced. There is something about a soda pop, chocolate milk, ice cream sundae tax that is unbecoming to our great state. There can be no justification for assessing against this low priced daily consumer goods industry an unfair share of our tax burden. However, aside from the unfairness and the unsoundness of this tax, the mere mention of this tax takes away from the fair State of Pennsylvania some of the bigness, some of the greatness, some of the grandeur which has been our heritage.

No tax should be placed upon the statute books merely because it is easily assessed and collected, or because it takes less political courage to pass it.

I have tried to show in previous statements that if we confine our apropriations to the amounts recommended by the Governor, we can do without new taxes. However, you will find upon examination that I have recommended a total revenue program calling for $655,717,000 for the present biennium. In doing this I propose to show why and how this sum can and should be allocated.

Accepting in total the Governor's recommended expenditures is contrary to good business. There can be no quarrel with our demands for a reduction in departmental administration expenditures. The Republican party in Washington, D. C., has slased budgetary needs as much as forty-seven per cent in vital departments of the Federeal Government, strictly on the basis of economy in government, and here, in Pennsylvania, you are adding as much as 22 per cent to 230 per cent increase in departmental expenditures for administration costs. There can be no soundness in that type of political philosophy.

For the purpose of this message I will accept the Governor's estimates of his needs.

With a total of $655,717,000 for appropiration purposes, I propose the following schedule for expending this sum:

$308,745,304—For all agencies including relief, excepting construction program for Public Institutions and public instruction program.

The only difference between this item and the amount recommended by the Governor is $4,000,000. That $4,000,000 is part of the $5,000,000 the Governor recomends for the highway patrol. I take the position, since motor funds are earmarked and safe-locked by a constitutional amend-

ment, that the state patrol should not be a burden beyond that part of the state patrol's expenditures that can be traced to the Commonwealth for detective and police work, other than highway safety and highway traffic account.

Therefore, Mr. President, I intend for the purposes of this message, to remove $4,000,000 from this expenditure and put it over in the motor fund, where it rightfully belongs.

$260,739,400—For Department of Public Instruction. This adds $52,000,000 to the Governor's recommendation, plus $21,000,000 in accordance with Act 403 of 1945.

And, gentlemen of the Senate, this will allow sufficient funds to put into effect the provisions of House Bill 417, so badly needed in the Commonwealth, if our school system is to survive.

$54,232,296—Institutional construction.

$5,000,000—Desilting Schuylkill River.

$27,000,000—Set up Housing Authority for public housing with Veteran preferential.

This is another item I have been able to add because of what I think is the sound tax program herein recommended, $27,000,000, Mr. President, to set up a housing authority for public housing with veteran preferential. This sum to be used as initial construction, financing, to be paid back as properties are sold.

One of the most vital problems in this Commonwealth, and in every state of the union, is the lack of housing, especially for veterans. We are making no provisions, this Legislature, including myself, is making no provisions for veteran's housing, or any other kind of public housing, except to pass some kind of smoke-screen legislation allowing insurance companies, if and when they desire, to build public housing. Two years ago, members of the Senate, I said upon this floor, when a similar bill was passed for insurance companies, to allow them to spend money or to invest in building to eradicate slums in blighted areas, I said then that was smoke-screen legislation and that was properly the function of state government and the responsibility of state government, and that we were not fulfilling our contract with the people by giving this to a private agency, if and when they wanted the power to do this work, and I said further that they would not clear up one blighted area or eradicate one slum, and I submit, and again this is not in a spirit of I told you so, that they have not eradicated one slum area, nor have they cleaned up one blighted area. I say the same about the legislaltion you have just passed, it is a smoke-screen.

We, the members of the Senate, have a direct responsibility and a moral obligation to the people of the Commonwealth.

Therefore, Mr. President, I have here the necessary finances to set up a $27,000,000 revolving fund, or authority, or whatever name you want to give it. I am not particular about names, I am only interested in doing the job. We can build houses for person who are homeless in Pennsylvania. This, gentlemen of the Senate, results in a total appropriation, for the purposes I have set forth above, of $655,717,000.

By following this program we can still leave untouched the $50,000,000 bond issue for emergency purposes as intended by the people and the Legislature.

The $9,412,125 postwar construction appropriation for State office buildings which Governor Duff proposed to allow to lapse, need not be lapsed and these much needed projects can be carried to their completion. This will save the Commonwealth many thousands of dollars now being expended in rentals, etc.

This is not the original program I proposed, but since the Governor appears to be willing to rely upon his Budget Director's estimate of needs, I cannot do other than accept his spending program in so far as institutional, relief and administrative appropriations are concerned.

I have, however, proposed the necessary revenue recommendations to take care of the school teacher salary raises and the veterans housing program in addition to his proposed schedule.

The final phase of this program has to do with the highway funds. Unless we are to witness a complete breakdown of local government because of added local government costs and inability to raise revenue from a local level, we must set a new standard of returning motor license and gasoline tax funds to the local governments.

With this in mind and knowing full well we can hardly spend from a statewide basis the recommended $250,000,000 proposed by Governor Duff, I propose the following:

There will be, in addition to the $250,000,000 allocated by the Governor approximately $67,000,000 surplus in the Highway Fund at the end of the biennium. I propose to take $4,000,000 more from this amount for the highway police appropriation plus a return to the local governments of $33,000,000. This sum will be returned in addition to the return made from the special one-cent gas tax as outlined in the gas tax return bill of 1945. This will relieve local real estate of its unfair share of the tax burden and will still allow a highway cushion of approximately $30,000,000.

If my estimates are out of line with returns in any appreciable degree, the funds set aside for institutional construction can be taken from the $50,000,000 bond issue created for just such an emergency.

I do not claim finality on figures, as claimed by the budget director; I admit that I am only human and may be in error, but I submit to the members of the Senate that we will have in our back-log $50,000,000 of untouched revenue bonds to be used for the purposes as outlined in this message.

I have tried to show what can be done if the Legislature and the Governor are willing and wish to establish an enduring and just progrom for Pennsylvania.

We can do this if we want to. We can do this if the people are made acquainted with the facts as they are, and

Finally, we can do this if we have the courage to try.

STATEMENT BY MAJORITY FLOOR LEADER

Mr. TALLMAN. Mr. President, I think every member of the Senate has been tremendously interested in this presentation of a program by the gentleman from Westmoreland. I was interested in it very intensely because it reflects several things. I have a colleague of mine on this side of the Senate who is very prone to say at appropriate times, "keep him confused," and I think that would be a proper statement to make at this time, so far as the remarks of the gentleman from Westmoreland are concerned, when you consider what he has said today in the light of

what he has said repeatedly and several times on the floor of the Senate prior to today.

I should like to point out, first of all, that after the period of time that we have had before us the Governor's budget message, there now has come this proposal from the gentleman from Westmoreland, which brings an entirely new and different light upon the budget which he has severely criticized prior to this time.

I direct the attention of the Senate to the fact that in this program which he has submitted today there is no menion of any state authority, which has been in the program which the gentleman from Westmoreland has advanced prior to this date.

I call attention to the fact, particularly, that heretofore he has suggested two things: one, that a General State Authority be formed and, secondly, that if it were formed, it would be unnecessary to have one single penny of additional new tax money come into the coffers of this Commonwealth.

And now, Mr. President, I submit that this entire statement today, which I realize is made in complete good faith, and I respect the manner in which it has been presented, and I respect also the purposes for which it has been made, but I suggest it reflects a complete turnabout of the position which the Minority has taken up to this point, because here today comes, for the first time, a realization by them, an admission by them, that new revenues are needed in order to carry out the work and the functions of this state government, and I say that if it serves no other purpose, then certainly it is a great and fortunate thing that at this time in this session, in spite of prior commitments that have been made from the other side, we now have come to at least a mutual understanding that we agree that there needs to be new revenue in this Commonwealth for carrying on the purposes of this government.

Mr. President, in going over the suggestions that have been offered, I should like to make a few observations. I have heard, as every other person on this floor has from time to time, criticism of the fact that small people were being taxed. I note in this proposal that there is to be the establishment of a mercantile tax of eight mills. I should like to call attention to the fact that, and my memory may be in error, but I believe that the heretofore existing mercantile taxes which were levied in this Commonwealth did not exceed one mill on retail business, and if I am in error about that I will stand corrected at any time that the correction is made.

Now it is suggested in this program that the little business people in this Commonwealth, the men and women who are running the corner grocery stores, the thousands and thousands of GI's who have come back after the war and established themselves in small businesses, electrical shops, grocery stores, retail establishments of many and varied kinds, shall be burdened with a tax of eight mills on their gross receipts.

It seems to me, Mr. President, that that is not the approach to this problem that does what the gentleman suggested elsewhere in his speech, when he said that he would like great diversification of the tax burden, so that everybody might be obliged to share in it and to help pay it, and I suggest that this program does not establish that kind of a program in which everybody joins in the paying.

As I understand it there has been leveled, from the other side of this Chamber, repeated attacks upon the liquor system and upon the liquor taxes, there has been an attack leveled at the administration of the Department of Welfare, and yet that tax forms a very important part of this program, to the extent of $43,000,000

I note with a great deal of interest, too, that it is proposed that the rate of inheritance tax shall be increased fifty per cent in this program, and the gentleman from Westmoreland estimates a yield of $60,000,000 out of that additional tax.

I should like to suggest, about that, that I have no fault to find with inheritance taxes, as such, and I do not propose to set myself up as a person who is capable of estimating yields, nor do I propose to indicate by any figures that I shall mention that I do know what the yield will be, but I remember, in 1939, I came here with an idea in my mind that a great deal of revenue could be raised in this Commonwealth by eliminating this exemption which occurs on inheritance taxes when a husband and a wife own property as tenants by entireties. I thought that might be a good way to secure more revenue, by taxing that kind of an estate, and I was amazed to find, when I made inquiry, that very little money would be raised in that way. I would like to suggest, in all probability, this estimate would not probably be produced for several reasons, first of all, it is a high one and, secondly, in addition to that, because it would merely be another means of urging people in Pennsylvania, husbands and wives, to create tenants-by-entireties in order that they might further avoid these inheritance taxes.

I should also like to, suggest, if I may, returning to this proposed mercantile tax, without setting myself up as an expert, that it is unlikely, in view of past experience, which we had when this tax was levied and collected in this Commonwealth, that the yield would be the amount indicated, $100,000,000.

Mr. President, I have only one more comment to make about this situation. Very hurriedly, I have jotted down the increases that are proposed in this plan.

The increase in revenue estimated by this proposal for a mercantile tax is $100,000,000; the gentleman from Westmoreland increases the corporate income tax by one per cent over what it is now and estimates a yield of $30,000,000; he accepts the Governor's proposal of an increase of one cent on the cigaret tax, at an estimated yield of $19,000,000; he increases the gross receipts tax by six mills—I believe it is fourteen now—and he estimates the increased yield from that to be $6,000,000; by increasing the inheritance tax fifty per cent he says there would be an estimated increase of $20,000,000. In addition to that, he accepts the Governor's proposal of the carry-back, eliminating that and keeping on the manufacturer's exemption tax, an increase of $44,000,000.

I want to point out to this Senate that the entire program which has been suggested will produce by new and increased taxes, $219,000,000, as against Governor Duff's proposal of increased moneys in the way of new taxes and increased existing taxes of $133,000,000, or an added new tax burden of $86,000,000.

I suggest, Mr. President, when we are dealing with this

subject, that we consider very carefully that you have now a proposal before you which makes new and increased taxes realizing $86,000,000, in addition to the amount suggested by the Governor, and every penny of it is new money, and that the whole program that has been advanced up to this point by the gentleman on the other side has been entirely scrapped.

I say, Mr. President, there is one refreshing fine thing about this entire proposal, and that is that we come to a common ground in agreement, that we do need new revenues in Pennsylvania.

Mr. DENT. First, Mr. President, I want to clear up for the gentleman on the other side one thing; if I did not have the courage to change my stand and position on any subject, I would not have the courage to be a member of the Senate.

The only reason that we have changed our position is because the Majority has completely outlawed any suggestions of a General State Authority. We still stand upon that premise, and if you will read the message I just gave you, you will find that we still stand upon the premise that permanent construction for future use ought to be met by payment from future taxes but, in order to expexedite the end of this session, which seems to be going far beyond the early anticipated short business-like session, I am willing to say to you that you can have the money that you say you need, and here is a program by which you can get it.

Certainly we have increased consumer costs and increased industrial costs and increased mercantile costs, but if you are going to have the things Governor Duff and the Republican Party promised in their campaign last year, you have got to have more money. You promised it and the people believed it. You told the school teachers they would get their necessities, they would get the things that they and everybody in this state know they need. I provide for that. The Governor has not provided for it. That is why there is an additional need for more money under my program. That is why there is more money required under the figures I have given you, than under the figures of Governor Duff and his budget director.

Certainly there is money hidden in the state. Does any man on the other side know how much money there is right now in the various departments unexpended, appropriated, yes but a liability, an appropriation liability going back to 1939, and that was as far as I cared to go back. But we have today in Pennsylvania $91,762,000 of unexpended funds lying in the various departments of the Commonwealth of Pennsylvania, an appropriation liability, but just as readily that money could be lapsed as any other fund recommended by the Governor. You said about the increased cost of welfare, that I complained against it. Yes, but you have refused to do anything about it—you will not pass resolutions to study it, you will not name committees to look into it, so I have to accept your figures, I have to accept the amounts the Governor wants, and I am providing the money for it.

It is only a question of whether you have resolved in your own mind whether or not you want to continue the policy started in 1943. In 1943 you started a policy of shifting the tax burden from the corporate and industrial interests of the Commonwealth of Pennsylvania, and have shifted it continuously and steadily upon the shoulders of the working people in this Commonwealth, upon the consumers.

In 1945 you said you gave a $96,000,000 tax reduction to the people of Pennsylvania, and I submit to any gentleman with an open mind, and even those whose minds are about ninety per cent closed, if he studies the message of the Governor he will find there was no such tax reduction. You claimed a tax reduction of one cent on gasoline, and all you did was to transfer that from an emergency tax to a tax of a permanent nature, and gave part of it back to the communities, but the people of the Commonwealth of Pennsylvania still pay it.

You claimed a tax reduction of $24,000,000 on the manufacturer's exemption, and yet you are not allowing the manufacturer's exemption to go on the books. You claim all these tax reductions and yet you never give them to the people. It is the same way with your program.

All I am doing here is putting into effect the campaign promises of the Republican party and the Democratic party, if you please. If the Democratic party would have been elected to control of this Commonwealth they would have had to put this program into effect, if they wanted to live up to their campaign promises, and I say to you that if the Democratic party would have been in control they would have eliminated a certain amount of ready cash, that you need now, by passing a General State Authority bill, the only sound method left under our Constitution in the Commonwealth of Pennsylvania for financing long term expenditures.

I do not care whether you do or whether you do not, but you take the position that it is already bad before you have an opportunity to study it, saying to the great number of people in this Commonwealth that you have set a course and you are going to sail it, you do not care whether the ship of state hits the rocks and shoals and all the citizens of this Commonwealth drown, just as long as you set your course, you are going to sail it.

I have yet to hear any person stand up and advocate that a consumer tax now be placed upon the shoulders of the people of this Commonwealth. You decry the fact that I say we ought to have an eight mill mercantile tax. I suggest to you that I have heard more Republican talk for a general sales tax than any other tax mentioned in the last six years, and yet you would not effect a direct tax upon gross receipts, which is the same as a sales tax, and the eight mills tax will give the same amount of revenue as a three per cent tax assessed against the people.

Where do I get my figure of $100,000,000? Why, from the very same source you get your figures as to what a two or three per cent sales tax would yield. It is the same amount of money, based on the same amount of income.

There can be no quarrel against a $100,000,000 mercantile tax, because a mercantile tax is a tax that can be and is passed on like every other tax, and when we can assess an eight mills tax, or eight-tenths of a cent, against the consumer, and still get the same amount of revenue, I submit that is a sounder tax policy and a sounder tax principle.

And I again repeat, when you start weeping and crying about the veteran going into business in the corner store and being driven out of business with a mercantile tax,

what do you think you are doing when you place the so-called special taxes? Are the veterans going into business in the little grocery stores any different from the veterans going into a shop? Are you picking or selecting the type of veterans you want to help or are they all in the same category? You are placing a tax against one type of person but you are holding your hands up in horror when we suggest a generalized tax on everybody that goes into business.

I submit to you that I am willing to listen to argument, but when anyone tries to hit whatever quality there is in this particular program by saying I have changed my mind, why, gentlemen, there is nothing wrong with that in sane society. What is wrong with that in a sane society? What kind of government would we have if one man set his mind on one course and everybody got behind him and marched to our doom because he said it. That is the kind of government the boys dispelled during the last war, that is the kind of government they got rid of. I am willing to change my mind if it means betterment for the people of Pennsylvania, and I have yet to hear arguments to the contrary.

I say to you, yes, this is more money, yes, this is new money, but it is needed money, if you are going to do the things you say you are going to do. You can not pass legislation over in the House, beneficial to the school teachers, and do what you did two years ago; you can not do it, gentlemen, because I am going to be standing here calling your attention to it. You are not going to pass a nice salary raise over in the House and lull the teachers to sleep and then bring it over here to the Senate and reduce it to a minimum before they have a chance to know about it. You promised them something in your campaign and I am going to do my best to see that you give it to them. I am determined they are going to know about it and I am saying to you and to every other citizen of this Commonwealth, you Republicans in your campaign allocated fourteen points to the school teachers, and seven points to agriculture, and in fact it got to the point you were giving out so many points I said they had enough points to be discharged. I am not convinced I was in error, because I say to you gentlemen you can not keep all your promises, but so long as I am a member of the Senate I am going to fight, and fight to the last ditch, to see to it that you keep at least this promise to the school teachers.

This is for all of us, for the benefits of every one of us here, because we do not want the people to lose faith in this type of government, we do not want them to think it was only talk during the campaign, and then we come into the Senate and do directly the opposite, because whatever errors you commit are a reflection upon the members of the Minority, whatever mistakes you make are assessed against us, and so, being aware of our own stake in this thing, we are going to try and keep you from making mistakes.

BILLS INTRODUCED AND REFERRED

Mr. DENT. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. DENT read in place and presented to the Chair Senate Bill No. 658, entitled:

An Act providing for a referendum to ascertain the will of the electors of this Commonwealth as to the conduct of legalized horse racing with pari-mutuel wagering and the imposition or levying by the Commonwealth of certain taxes thereon, the proceeds derived therefrom to be used for health, welfare and veterans' purposes.

Which was committed to the Committee on Law and Order.

Mr. BECKER. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BECKER read in place and presented to the Chair Senate Bill No. 659, entitled:

An Act to amend section one hundred one of the act approved the twenty-eighth day of May, one thousand nine hundred thirty-seven (P. L. 1019), entitled "An act relating to statutory laws; prescribing an enacting clause for statutes; fixing the effective date and time of statutes hereafter enacted; providing for notice of application for local and special legislation, for the correction of errors in statutes, and for the printing and publication of statutes; prescribing rules for the interpretation of statutes; defining certain words and phrases when used in statutes; and prescribing rules for the construction and operation of amendments, re-enactments and repeals of statutes," by defining "municipality authority" or municipal authority."

Which was committed to the Committee on State Government.

RESOLUTION

COMMITTEE TO ARRANGE MEMORIAL SERVICES FOR THE LATE HONORABLE FRANKLIN SPENCER EDMONDS

Mr. LLOYD H. WOOD. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDENT. Is there objections? The Chair hears none.

Mr. LLOYD H. WOOD, offered the following resolution which was twice read, considered and agreed to:

In the Senate, April 28, 1947.

Resolved, That a committee of six members of the Senate be appointed to draft suitable resolutions on the death of the Honorable Franklin Spencer Edmonds, late Senator from the Twelfth Senatorial District, who died on October twenty-nine, one thousand nine hundred and forty-five, and present said resolutions at the special meeting to be held on Wednesday, May 7, 1947, at two o'clock p. m., Daylight Saving Time.

COMMITTEE APPOINTED

The PRESIDENT. The Chair announces on behalf of the President pro tempore the appointment of the following committee: the gentleman from Montgomery, Mr. Lloyd H. Wood, Chairman; the gentleman from Lancaster, Mr. Homsher; the gentleman from Chester, Mr. Scarlett; the gentleman from Blair, Mr. Mallery; the gentleman from Philadelphia, Mr. DiSilvestro, and the gentleman from Philadelphia, Mr. Jaspan.

RESOLUTION

COMMITTEE TO ARRANGE MEMORIAL SERVICES FOR THE LATE HONORABLE HOWARD I. JAMES

Mr. WATSON. Mr. President, I ask unanimoush consent to offer a resolution at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WATSON, offered the following resolution which was twice read, considered and agreed to:

In the Senate, April 28, 1947.

Resolved, That a committee of six members of the Senate be appointed to draft suitable resolutions on the death of the Honorable Howard I. James, late Senator from the Tenth Senatorial District, who died on October twenty-one, one thousand nine hundred and forty-six, and present said resolution at the special meeting to be held on Wednesday, May 7, 1947, at two o'clock p. m., Daylight Saving time.

COMMITTEE APPOINTED

The PRESIDENT. The Chair anounces on behalf of the President pro tempore the appointment of the following committee: the gentleman from Bucks, Mr. Watson, Chairman; the gentleman from Delaware, Mr. Heyburn; the gentleman from Philadelphia, Mr. Farrell; the gentleman from Cumberland, Mr. Wade; the gentleman from Westmoreland, Mr. Dent, and the gentleman from Cambria, Mr. Haluska.

RESOLUTION

COMMITTEE TO ARRANGE MEMORIAL SERVICES FOR THE LATE HONORABLE ADRIAN H. JONES

Mr. T. NEWELL WOOD. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. T. NEWELL WOOD, offered the following resolution which was twice read, considered and agreed to:

In the Senate, April 28, 1947.

Resolved, That a committee of six members of the Senate be appointed to draft suitable resolutions on the death of the Honorable Adrian H. Jones, late Senator from the Twentieth Senatorial District, who died on June twelfth, one thousand nine hundred and forty-six, and present said resolutions at the special meeting to be held on Wednesday, May 7, 1947, at two o'clock p. m., Daylight Saving Time.

COMMITTEE APPOINTED

The PRESIDENT. The Chair announces on behalf of the President pro tempore the appointment of the following committee: the gentleman from Luzerne, Mr. T. Newell Wood, Chairman; the gentleman from Monroe, Mr. Crowe; the gentleman from Butler, Mr. Carr; the gentleman from Schuylkill, Mr. Wagner; the gentleman from Luzerne, Mr. Margie, and the gentleman from Berks, Mr. Ruth.

CALENDAR

BILLS ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 38, entitled:

An Act to further amend sections one and two of the act approved the thirty-first day of May, one thousand eight hundred and ninety-three, (P. L. 188), entitled "An act designating the days and half days to be observed as legal holidays, and for the payment, acceptance and protesting of bills, notes, drafts, checks and other negotiable paper on such days" by making Saturdays bank holidays under certain conditions, and repealing inconsistent laws.

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the Question,

Will the Senate concur in the same?

SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 38

Mr. LORD. Mr. President, I move that the Senate concur in the amendments made by the House to Senate Bill No. 38.

Mr. HEYBURN. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provision of the Constitution, and were as follows, viz:

YEAS—46

Barr,	Frazier,	Lord,	Taylor,
Becker,	Geltz,	Mahany,	Tyler,
Berger,	Hare,	Mallery,	Wade,
Blass,	Heyburn,	Margie,	Wagner,
Carr,	Holland,	Rahauser,	Walker,
Chapman,	Homsher	Rosenfeld,	Watson,
Crider,	Jaspan,	Ruth,	Wilson,
Crowe,	Kephart,	Scarlett,	Wolfe,
Dent,	Klein,	Snowden,	Wood, L. H.,
DiSilvestro,	Lane,	Stiefel,	Wood, T. N.,
Doehla,	Leader,	Tarr,	Woodring,
Farrell,	Letzler,		

NAYS—3

Haluska,	Stevenson,	Tallman,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 293, entitled:

An Act to further amend sections one thousand three one thousand one hundred three one thousand one hundred seven and one thousand eight hundred two of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206), entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto," further regulating the powers and duties of township auditors and controllers and the letting of contracts.

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 293

Mr. TALLMAN. Mr. President, I move that the Senate concur in the amendments made by the House to Senate Bill No. 293.

Mr. HEYBURN. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provision of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Geltz,	Lord,	Tarr,
Becker,	Haluska,	Mahany,	Taylor,
Berger,	Hare,	Mallery,	Tyler,
Blass,	Heyburn,	Margie,	Wade,
Carr,	Holland,	Rahauser,	Wagner,
Chapman,	Homsher	Rosenfeld,	Walker,
Crider,	Jaspan,	Ruth,	Watson,
Crowe,	Kephart,	Scarlett,	Wilson,
Dent,	Klein,	Snowden,	Wolfe,
DiSilvestro,	Lane,	Stevenson,	Wood, L. H.,
Doehla,	Leader,	Stiefel,	Wood, T. N.,
Farrell,	Letzler,	Tallman,	Woodring,
Frazier,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILL ON FINAL PASSAGE

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 195, as follows:

An Act to further amend the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 364) entitled "An act relating to business corporations defining and providing for the organization merger consolidation reorganization winding up and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and shareholders prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the second class within the provisions of this act prescribing the terms and conditions upon which foreign business corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas and certain State departments commissions and officers authorizing certain State departments boards commissions or officers to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" changing the time of the inception of corporate existence or authority to do business and the requirement and effect of notices to shareholders in certain cases providing for cancellation of shares acquired by issuing corporation and limiting the rights of dissenting shareholders in certain cases

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 8 of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 364) entitled "An act relating to business corporations defining and providing for the organization merger consolidation reorganization winding up and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and shareholders prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the second class within the provisions of this act prescribing the terms and conditions upon which foreign business corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas and certain State departments commissions and officers authorizing certain State departments boards commissions or officers to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" is hereby amended by adding at the end thereof two new subsections to read as follows

* * * * *

D Whenever any written notice is required to be given to shareholders of a business corporation under the provisions of the Constitution or of this act or the articles or by-laws of any corporation of a proposal to increase the indebtedness of the corporation to sell lease or exchange all or substantially all of its property or assets to reduce its stated capital without change in its share structure to amend its articles of incorporation or by-laws to merge or consolidate into or with one or more other corporations or to take any action as to which a vote of shareholders is necessary appropriate or desirable the proposal may be adopted with such modifications germane to the proposal as may be adopted at the meeting of shareholders called to consider the proposal by the same vote as is required for the adoption of the original proposal provided that no such modification shall increase the aggregate number or par value of the authorized shares or the indebtedness of any corporation beyond any increase included in the original proposal if such additional increase would necessitate sixty days' notice of the meeting under subsection E of this subsection 8 or under Section 309 of this act No notice of any such modification need be given prior to such meeting

E Whenever by this act written notice is required to be given to shareholders of a business corporation of a proposal to be considered at a meeting of shareholders such notice unless waived shall be given at least sixty days before such meeting in any case where the proposal would increase either the aggregate par value of shares of all classes having par value which the corporation is authorized to issue or the aggregate number of shares of all classes without par value which the corporation is authorized to issue provided however that this subsection shall not apply to (a) an increase by virtue of which issued shares of a corporation are changed into a greater equal or smaler number of shares of the same or a different class or classes whether with or without par value and if with par value whether with a greater equal or smaller aggregate par value through the issuance of dividends in shares of the corporation or otherwise provided that if the stated capital applicable to such issued shares is thereby increased surplus equal to the amount of such increase is at or before such increase transferred to stated capital (b) a change of unissued shares with par value into an equal or smaller number of shares without par value or (c) a change of unissued shares without par value into an equal or smaller number of shares with par value

Section 2 Section 207 of said act is hereby amended to read as follows

Section 207 Effect of Issuance of Certificate of Incorporation Upon the filing [issuance] of the articles [certificate] of incorporation by the Department of State the corporate existence shall begin and those persons who subscribed for shares prior to the issuance of the certificate of incorporation or their assignees shall be shareholders in the corporation The certificate of incorporation shall be conclusive evidence of the fact that the corporation has been incorporated but proceedings may be instituted by the Commonwealth to dissolve wind up and terminate a corporation which should not have been formed under this act or which has been formed without a substantial compliance with the conditions prescribed by this act as precedent to incorporation

Section 3 Section 210 of said act is hereby amended to read as follows

Section 210 Organization Meetings After the filing [issuance] of the articles [certificate] of incorporation the first meeting of the shareholders shall be held within or without this Commonwealth at the call of the shareholders who were the incorporators or a majority of them for the purpose of adopting by-laws unless the articles provide that by-laws shall be adopted by the board of directors and for such other purposes as shall be stated in the notice of the meeting The persons calling the meeting shall give to each shareholder at least ten days' written notice of the time place and purpose or purposes of the meeting

After the filing [issuance] of the articles [certificate] of incorporation an organization meeting of the board of directors named in the articles shall be held either within or without this Commonwealth at the call of a majority of the directors for the purpose of adopting by-laws if the articles authorize the directors to adopt by-laws of electing officers and of transacting such other business as may come before the meeting The directors calling the meeting shall give at least five days' written notice to each director named in the articles of the time and place of the meeting

Section 4 Section 513 of said act as amended by the act approved the seventeenth day of July one thousand nine hundred and thirty-five (P. L. 1123) is hereby further amended to read as follows

Section 513 Informal Action by Shareholders Except for the action required by Subsection E of Section 8 or Section 309 of this act to be taken at a meeting of shareholders held after sixty days' notice [for increasing the authorized capital stock or indebtedness of a corporation] any action required by this act to be taken at a meeting of the shareholders of a corporation may be taken without a meeting if a consent in writing setting forth the action so taken shall be signed by all of the shareholders who would be entitled to vote at a meeting for such purpose and shall be filed with the secretary of the corporation

Section 5 Article VII of said act is hereby amended by adding thereto a new section 708 to read as follows

Section 708 Cancellation of Shares Acquired by Corporation

A Whenever any business corporation shall have acquired any Shares of any class of its own capital stock either pursuant to the power granted it by subdivision (7) of Section 302 of this act or by the surrender of such shares to the corporation on the conversion thereof into or the exchange thereof for other shares pursuant to its articles of incorporation it may be resolution of its board of directors cancel any or all of such shares If the resolution so provides such corporation may thereby reduce the number of shares of the class so cancelled which the corporation is authorized to issue by the number of shares so cancelled if the articles of incorporation prohibit the reissue of such shares such resolution shall so provide Such corporation may apply to such cancellation an amount out of its stated capital which shall not be greater than that portion of the stated capital represented by such shares at the time of such cancellation and the stated capital of the corporation shall be deemed to be reduced to this extent

B In every such case a statement of cancellation shall be executed under the seal of the corporation signed and verified by two duly authorized officers thereof which shall set forth

(1) The name of the corporation and the address of its registered office

(2) The aggregate number of shares which the corporation had authority to issue itemized by classes and series

(3) The number of shares cancelled itemized by classes and series

(4) A copy of the resolution of the board of directors directing such cancellation which shall recite either the provision of the articles of incorporation prohibiting the re-issue of such shares or the absence of such provision

(5) The number of shares which the corporation has authority to issue itemized by classes and series after giving effect to such cancellation

(6 A statement of the aggregate number of issued shares itemized by classes par value of shares shares without par value and series if any within a class after giving effect to such cancellation

(7) A statement expressed in dollars of the amount of stated capital and the amount of the paid-in surplus of the corporation after giving effect to such canecllation

(8) Either a statement that at the time or times when the shares cancelled were acquired by the corporation the net assets of the corporation were not less than its stated capital and that their acquisition did not reduce its net assets below its stated capital or a statement that the cancelled shares were surrendered to the corporation on the conversion thereof into or the exchange thereof for other shares pursuant to its articles of incorporation

C The statement shall be delivered to the Department of State within thirty days after the adoption of the resolution aforesaid If the Department of State finds that the statement conforms to law it shall endorse its approval thereon shall file the statement and shall issue to the corporation or its representative a copy of the approved statement If the resolution aforesaid provided for a reduction in the number of shares which the corporation is authorized to issue the filing of such statement shall operate as an amendments to the articles of the corporation and shall reduce the number of shares of the class so cancelled which the corporation is authorized to issue by the number of shares so cancelled Otherwise the shares so cancelled shall upon such filing have the status of authorized but unissued shares Nothing contained in this section shall be construed to prohibit a reduction of authorized capital stock or a reduction of stated capital in any other manner permitted by this act

Section 6 Section 803 of said act as amended by the act approved the second day of July one thousand nine hundred and thirty-seven (P. L. 2828) is hereby further amended to read as follows

Section 803 Notice of Shareholders' Meetings Written notice shall not less than ten days before the shareholders' meetings called by the board of directors for the purpose of considering proposed amendments be given to each shareholder of record except [the written notice of any proposed amendment for increasing the authorized capital stock of the corporation (where such increase will involve an increase in the stated capital or paid-in surplus or both) shall be given to each shareholder of record at least sixty days before such meeting] that such notice shall be given sixty days before meetings called to consider proposals sixty days' notice of which is required by section 8 E of this act Such notice shall set forth the proposed amendment or a summary of the changes to be affected thereby

Section 7 Section 806 of said act is hereby amended to read as follows

Section 806 Articles of Amendment After an amendment has been adopted by the shareholders articles of amendment shall be executed under the seal of the corporation and verified by two duly authorized officers of the corporation and shall set forth

(1) The name and location of the registered office of the corporation

(2) The Act of Assembly under which the corporation was formed and the date when and the place where the original articles were recorded

(3) The time and place of the meeting of the shareholders of the corporation at which the amendment was adopted and the kind and period of notice to the shareholders

(4) The number of shares outstanding the number of shares entitled to vote on the amendment and if the shares of any class are entitled to vote as a class then the number of shares of each class and the number of shares of all other clases entitled to vote thereon

(5) The number of shares voted for and against such amendment respectively and if shares of any class are entitled to vote as a class the number of shares of such class and the number of shares of all other classes voted for and against such amendment respectively

(6) The amendment adopted by the shareholders which shall be set forth in full

[(7) If the total number of shares is to be increased or decreased the total number of shares including those previously authorized which the coporation will thenceforth be authorized to have the number of shares that have a par value thereof and the number of shares that have no par value and if shares are divided into more than one class a description of the classes and a statement of the number of shares in each class and of the relative rights voting powers preferences and restrictions granted to or imposed upon the shares of each class]

Section 8 Section 809 of said act is hereby amended to read as follows

Section 809 Effective Date of Amendment Upon the filing [issuance] of the articles [certificate] of amendment by the Department of State the amendment shall become effective and the articles of incorporation shall be deemed to be amended accordingly The certificate of amendment shall be conclusive evidence of the performance of all conditions required in this act in proceedings to amend the articles of incorporation except as against the Commonwealth No amendment shall affect any existing cause of action in favor of or against the corporation or any pending suit in which the corporation shall be a party or the existing rights of persons other than shareholders and in the event the corporate name shall be changed by the amendment no suit brought by or against the corporation under its former name shall be abated for that reason

Section 9 Subsections A B and C of Section 902 of said act are hereby amended to read as follows

Section 902 Approval of joint plan of merger or consolidation A the Board of directors of each of the domestic corporations which desire to merge or consolidate shall by resolution adopted by at least a majority vote of all the members of each board approve a joint plan of merger or consolidation as the case may be setting forth the terms and conditions of the merger or consolidation and mode of carrying the same into effect the manner and basis of converting the shares of each corporation into shares or other securities or obligations of the surviving or new corporation as the case may be and such other details and provisions as are deemed necessary

B The board of directors of each domestic corporation upon approving such plan of merger or plan of consolidation shall by resolution direct that the plan be submitted to a vote of the shareholders of such corporation entitled to vote thereon at an annual or special meeting of the shareholders Written notice shall not less than ten days before such annual or special meeting be given to each shareholder of record of such corporation whether or not entitled to vote on such plan unless the plan of merger or plan of consolidation contemplates an increase in the aggregate [of the authorized capital stock of the constituent corporations in which event sixty days' notice of such meeting shall be given to each shareholder] per value or aggregate authorized number of shares of the constituent corporations which if effectuated by amendment to the articles of incorporation of a domestic business corporation would necessitate a meeting of shareholders called on sixty days' notice under Subsection E of Section 8 of this act in which event sixty days' notice of such meeting shall be given to each shareholder of each domestic corporation party to such plan The notice shall state the place day hour and purpose of the meeting and a copy or a summary of the plan of merger or plan of consolidation as the case may be shall be included in or enclosed with such notice

C The plan of merger or consolidation shall be approved upon receiving the affirmative vote of the holders of at least the majority of the outstanding shares entitled to vote thereon of each of the merging or consolidating domestic corporations unless any class of shares of any such corporations is entitled to vote thereon as a class in which event as to such corporation the plan of merger or consolidation shall be approved upon receiving the affirmative vote of the holders of at least a majority of the outstanding shares of each class of shares entitled to vote thereon as a class and the affirmative vote of the holders of at least a majority of all outstanding shares entitled to vote thereon

Section 10 Section nine hundred two of said act is hereby amended by adding thereto after Subsection C thereof a new section to read as follows

Section 902 Approval of Joint Plan or Merger or Consolidation

* * * * *

D The plan of merger or consolidation shall be authorized adopted or approved by each of the foreign corporations which desire to merge or consolidate in accordance with the laws of the jurisdiction in which it was formed

Section 11 Section nine hundred three of said act is hereby amended to read as follows

Section 903 Articles of Merger or Consolidation Upon the approval of the plan of merger or the plan of consolidation by the [shareholders of the] corporations desiring to merge or consolidate as provided in the preceding section articles or merger or articles of consolidation as the case may be shall be executed under the seal of each corporation signed and verified by two duly authorized officers of each corporation and shall set forth

(1) The name and the location of the Registered office of the domestic surviving or new corporation or in the case of a foreign surviving or new corporation the name of such corporation and its domiciliary state together with the location of its office registered with such state

(2) The time and place of the meeting of the shareholders of each domestic corporation at which the plan of merger or consolidation as the case may be was adopted the kind and period of notice given to the shareholders and the total vote by which the plan was adopted

(2.1) The fact that the plan of merger or consolidation was authorized adopted or approved as the case may be by each of the foreign corporations in accordance with the laws of the jurisdiction in which it was formed

(3) Any changes desired to be made in the articles of the surviving domestic corporation in the case of a merger or in the case of a consolidation if a new corporation is to be a domestic corporation all of the statements required by this act to be set forth in original articles in the case of the formation of a corporation

(4) The number names and addresses of the persons to be the first directors of the surviving or new corporation

(5) The Plan of Merger or Consolidation

(6) If the surviving or new corporation is to be a foreign corporation a designation of the Secretary of the Commonwealth and his successor in office as the true and lawful attorney of such corporation upon whom may be served all lawful process in any action or proceeding against it for enforcement against it of any obligation of any constituent domestic corporation or any obligation arising from the merger or consolidation proceedings or any action or proceeding to determine and enforce the rights of any shareholder under the provisions of section nine hundred eight of this act and an agreement that the service of process upon the Secretary of the Commonwealth shall be of the same legal force and validity as if served on such corporation and that the authority for such service of process shall continue in force as long as any of the aforesaid obligations and rights remain outstanding in this Commonwealth

Section 12 Section nine hundred four of said act as last amended by the act approved the twenty-fourth day of May one thousand nine hundred forty-five (P. L. 937) is hereby further amended to read as follows

Section 904 Advertisement Each domestic constituent corporation shall advertise its intention to file articles of merger or articles of consolidation as the case may be with the Department of State in newspapers published in the county in which the registered office of such corporation is located in a maner similar to that heretofore prescribed in this act in the case of the formation of a business corporation advertisements shall appear at least three days prior to the day on which the articles of merger or articles of consolidation are presented to the Department of State and shall set forth briefly

(1) The name and location of the registered office of each of the corporations intending to merge or consolidate

(2) The name and the proposed location of the registered office of the domestic surviving or new corporation or in the case of a foreign surviving or new corporation the name of such corporation and its domiciliary state together with the location of its office registered with the State

(3) A statement that the articles of merger or consolidation are to be filed under the provisions of this act

(4) The purpose or purposes of the surviving or new corporation

(5) The time when the articles of merger or consolidation will be delivered to the Department of State

Section 13 Section nine hundred five of said act as last amended by the act approved the thirty-first day of July one thousand nine hundred forty-one (P. L. 636) is hereby further amended to read as follows

Section 905 Filing of Articles of Merger or Consolidation The articles of merger or articles of consolidation as the case may be and proof of the advertisement required by the preceding section and a certificate or certificates from the proper department or departments evidencing payment by the corporation of all bonus taxes and charges as required by law shall be delivered to the Department of State if the Department of State finds that such articles conform to law and that the certificate or certificates evidencing payment of bonus or taxes or charges delivered therewith is in proper form it shall upon payment of the filing fee forthwith but not prior to the day specified in the advertisement required by the preceding section endorse its approval thereon and file the articles and issue to the surviving or new corporation or its representative a certificate of merger or a certificate of consolidation as the case may be to which shall be attached a copy of the approved articles

Section 14 Section 906 of said act is hereby amended to read as follows

Section 906 Effective Date of Merger or Consolidation Upon the filing [issuance] of the articles [certificate] of merger or the certificate of consolidation by the Department of State the merger or consolidation shall be effective The certificate of merger or the certificate of consolidation shall be conclusive evidence of the performance of all conditions precedent to such consolidation or merger and the creation or existence of a new or surviving corporation except as against the Commonwealth The merger or consolidation of one or more domestic corporations into a foreign corporation shall be effective according to the provisions of law of the jurisdiction in which such foreign corporation was formed but not until articles of merger or articles of consolidation have been adopted and filed as heretofore provided in this act

Section 15 Section nine hundred seven of said act is hereby amended to read as follows

Section 907 Effect of merger or consolidation upon the merger or consolidation becoming effective the several corporations parties to the plan of merger or consolidation shall be a single corporation which in the case of a merger shall be that corporation designated in the plan of merger as the surviving corporation and in the case of a consolidation shall be the new corporation provided for in the plan of consolidation The separate existence of all corporations parties to the plan of merger or consolidation shall cease except that of the surviving corporation in the case of a merger the surviving or new corporation as the case may be if it be a domestic corporation shall not thereby acquire authority to engage in any business or exercise any right which a corporation may not be formed under this act to engage in or exercise all the property real personal and mixed of each of the corporations parties to the plan of merger or consolidation and all debts due on whatever account to any of them including subscriptions to shares and other choses in action belonging to any of them shall be taken and deemed to be transferred to and vested in the surviving or new corporation as the case may be without further act or deed the surviving or new corporation shall thenceforth be responsible for all the liabilities and obligations of each of the corporations so merged or consolidated but the liabilities of the merging or consolidating corporations or of their shareholders directors or officers shall not be affected nor shall the rights of the creditors thereof or of any persons dealing with such corporations or any liens upon the property of such corporations be impaired by such merger or consolidation and any claim existing or action or proceeding pending by or against any of such corporations may be prosecuted to judgment as if such merger or consolidation had not taken place or the surviving or new corporation may be proceeded against or substituted in its place in the case of a merger the articles of incorporation of [the] a domestic surviving corporation shall be deemed to be amended to the extent if any that changes in its articles are stated in the articles of merger and in the case of a new domestic corporation resulting from a consolidation The statements set forth in the articles of consolidation and which are required or permitted to be set forth in the articles of incorporation of corporations formed under this act shall be deemed to be the articles of incorporation of the new corporation The aggregate amount of the net assets of the merging or consolidating corporations which was available for the payment of dividends immediately prior to such merger or consolidation to the extent that the value thereof is not transferred to stated capital by the issuance of shares or otherwise shall continue to be available for the payment of dividends by such surviving or new corporation

Section 16 Subsections A and B of section nine hundred eight of said act as last amended by the act approved the thirty-first day of March one thousand nine hundred forty-one (P. L. 13) are hereby further amended to read as follows

Section 908 Rights of Dissenting Shareholders A If any shareholder of a domestic corporation which becomes a party to a plan of merger or consolidation shall file with such corporation prior to or at the meeting of shareholders at which the plan of merger or consolidation is submitted to a vote a written objection to such plan of merger or consolidation and shall not vote in favor thereof and such shareholder within twenty days after the merger or consolidation was effected shall also make written demand on the surviving or new corporation for the payment of the fair value of his shares as of the day prior to the date on which the vote was taken approving the merger or consolidation without regard to any depreciation or appreciation thereof in consequence of the merger or consolidation the surviving or new corporation shall pay to such shareholder the fair value of his shares upon surrender of the share certificate or certificates representing his shares the demand of the shareholder shall state the number and class of the shares owned by him [any shareholder failing to file such written objection or make] unless a shareholder files such written objection and also makes such demand within the twenty-day period he shall be conclusively presumed to have consented to the merger or consolidation and shall be bound by the terms thereof if within thirty days after the date on which such merger or consolidation was effected the value of such shares shall be agreed upon between the dissenting shareholder and the surviving or new corporation payment thereof shall be made in cash within ninety days after the date on which such merger or consolidation was effected upon the surrender of the share certificate or certificates representing his shares upon payment of the agreed value the dissenting shareholder shall cease to have any interest in such shares or in the corporation

B If within such period of thirty days the shareholder and the surviving or new corporation do not so agree then the dissenting shareholder may within sixty days after the expiration of the thirty-day period apply by petition to the court of common pleas in equity within the county in which the registered office of the surviving or new corporation is situated if it be a domestic corporation or if it be a foreign corporation to the court of

common pleas in equity within the county in which was situated the registered office of the corporation of which such petitioner was a shareholder which shall be deemed to be the county in which the cause of action of such petitioner arose and all process in such proceeding shall be served upon the surviving or new foreign corporation as provided in section one thousand eleven of this act for the appointment by the court of three disinterested persons to appraise the fair value of his shares without regard to any depreciation or appreciation thereof in consequence of the merger or consolidation the award of the appraisers or of a majority of them shall be submitted to the court for determination and the judgment of the court thereon shall be final and conclusive the cost of such appraisal including a reasonable fee to the appraisers shall be fixed by the court and shall be borne by the surviving or new corporation unless in the opinion of the court the action of any shareholder in refusing the offer of the corporation has been arbitrary vexatious or in bad faith in which case the costs shall be assessed in the discretion of the court the award shall be payable only upon and simulteously with the surrender to the surviving or new corporation of the share certificate or certificates representing the shares of the dissenting shareholders if the award shall not be paid by the surviving or new corporation within thirty days after the order of the court thereon the amount of the award shall be a judgment against the surviving or new corporation as the case may be and may be collected as other judgments in such court are by law collectible upon the payment of the award or judgment the dissenting shareholders shall cease to have any interest in such shares or in the surviving or new corporation such shares may be held and disposed of by the surviving or new corporation as it may see fit unless the dissenting shareholders shall file a petition within the time herein limited such shareholder and all persons claiming under him shall be conclusively presumed to have approved and ratified the merger or consolidation and shall be bound by the terms thereof

Section 17 Section nine hundred eight of said act is hereby further amended by adding thereto after subsection D thereof a new subsection to read as follows

Section 908 Right of Dissenting Shareholders

* * * * *

E The provisions of subsection A and B of this Section 908 shall not apply to the merger or consolidation of two or more corporations all of the outstanding shares of all but one of which were immediately prior to the approval of the plan of merger or consolidation by the shareholders of any corporation party thereto and at all times thereafter owned by the other corporation party thereto provided that neither the relative rights and preferences of the shareholders nor the state of incorporation of such other corporation are altered by such plan The shareholders of such other corporation shall have no right to dissent from any such merger or consolidation

Section 18 Section 1005 of said act as last amended by the act approved the second day of July one thousand nine hundred and thirty-seven (P. L. 2828) is hereby further amended to read as follows

Section 1005 Issuance of certificate of authority A If the Department of State finds that the provisions of this article have been complied with and that the applicant corporation is entitled to a certificate of authority to do business in this Commonwealth it shall forthwith but not prior to the day specified in the advertisement heretofore required in this article endorse its approval upon the application for a certificate of authority and when all bonus fees and charges have been paid as required by law shall file the application and the copy of the articles and shall issue to the corporation a certificate of authority to do business in this Commonwealth The certificate of authority shall set forth the name of the corporation the address of its registered office in this Commonwealth and the character and nature of the business it is authorized to transact in this Commonwealth Upon the filing of the application for a [issuance of the] certificate of authority by the Department of State the corporation may do in this Commonwealth any or all of the kinds of the business referred to in the certificate of authority and no other subject however to the right of the Commonwealth to cancel or revoke such right to transact business in this Commonwealth as provided in this act The certificate of authority shall be delivered to the corporation or its representative

B If the applicant corporation desires to transact any business in which a corporation may not engage without the approval of or license from any department board or commission of the Commonwealth the Department of State shall upon the filing of the application for a [issuance of the] certificate of authority promptly certify the fact of the filing of the application for a [issuance of such] certificate of authority to each such department board or commission setting forth the name of the corporation the name of the state or country under the laws of which it is formed the address of the proposed registered office in this Commonwealth the general character of the business it proposes to transact within Pennsylvania and the date of issuance of the certificate of authority

Section 19 Sections 1101 and 1105 of said act as amended by the act approved the thirty-first day of July one thousand nine hundred and forty-one (P. L. 636) are hereby further amended to read as follows

Section 1101 Voluntary Dissolution by Incorporators The incorporators of a business corporation which has not commenced business or which has not issued any shares may effect the disolution of the corporation by filing articles or dissolution with the Department of State The articles of dissolution shall be executed under the seal of the corporation signed and verified by a majority of the incorporators and shall set forth

(1) The name of the corporation

(2) The address including street and number if any of its registered office

(3) The date of its incorporation

(4) That the corporation has not commenced business and that none of its shares has been isued

(5) That the amount if any actually paid in on subscriptions to its shares less any part thereof disbursed for necessary expenses has been returned to those entitled thereto

(6) That no debts of the corporation remain unpaid

(7) That all the incorporators elect that the corporation be dissolved

The articles of dissolution shall be delivered to the Department of State together with a certificate or certificates from the proper department or departments evidencing payment by the corporation of all bonus taxes and charges as required by law If the Department of State finds that the articles conform to law and that the certificate delivered therewith evidencing payment of bonus or taxes or charges is in proper form it shall upon payment of the filing fee endorse its approval thereon and shall file the articles and issue a certificate of dissolution to the incorporators or their representative to which shall be attached a copy of the approved articles Upon the filing [issuance] of the articles [certificate] of dissolution the existence of the corporation shall cease

Section 1105 Articles of Dissolution When all debts liabilities and obligations of the corporation have been paid and discharged or adequate provision shall have been made therefor and all of the remaining property and assets of the corporation shall have been distributed to its shareholders articles of dissolution shall be executed under the seal of the corporation and signed and verified by two duly authorized officers of the corporation which shall set forth

(1) The name of te corporation

(2) The address including street and number if any of the registered office of the corporation

(3) A statement that the corporation has theretofore delivered to the Department of State a certificate of election to dissolve and the date on which the certificate was filed by the Department of State

(4) A statement that all debts obligations and liabilities of the corporation have been paid and discharged or that adequate provision has been made therefor

(5) A statement that all the remaining property and assets of the corporation have been distributed among its shareholders in accordance with their respective rights and interests

(6) A statement that there are no suits pending against the corporation in any court or that adequate provision has been made for the satisfaction of any judgment or decree which may be obtained against the corporation in each such pending suit

The articles of dissolution proof of the advertisement required by the preceding section and a certificate or certificates from the proper department or departments evidencing payment by the corporation of all bonus taxes and charges as required by law shall be delivered to the Department of State If the Department of State finds that such articles conform to law and that the certificate delivered therewith evidencing payment of bonus or taxes or charges is in proper form it shall upon payment of the filing fee endorse its approval thereon and shall file the articles and issue to the corporation or its representative a certificate of dissolution to which shall be attached a copy of the approved articles Upon the filing [issuance] of the articles [certificate] of dissolution the existence of the corporation shall cease

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

(During the calling of the roll the following occurred:)

Mr. BARR. Mr. President, on page 29 of this bill, I would like to call to the attention of the Senate the rights of dissenting shareholders, to show to the majority side how inconsistent they are. Last week there was ample provision made for the rights of dissenting shareholders in the pipe-line merger bill and I submit to you under the provisions of section "e" that the rights of dissenting shareholders, in my opinion, have been removed entirely.

If the gentleman from Allegheny, Senator Walker, wants to explain that to me, I would be very happy at this time to have him explain just how he is going to take care of the dissenting shareholders.

Mr. WALKER. Mr. President, I understand we are now discussing the bill as it appears on the final passage calendar, and I would like to call to the attention of the gentleman from Allegheny, Senator Barr, the fact that on page 29, clause "e", it amends section 908 of the act of 1933, which is the business corporation code. Section 908 has a number of provisions regarding rights of dissenting shareholders. Sub-paragraph "e" provides that where there is a merger or consolidation by the shareholders of a corporation, where all of the stock of one of the merging or consolidating corporations is owned by the other corporation, then, in that instance, the specific rights of the dissenting shareholders, or of the minority stockholders, are set forth. This is merely an additional right given to minority stockholders in mergers or consolidations.

Mr. President, when this bill was on the calendar last week, and it has been on the calendar since April 15, at the request of the gentleman from Allegheny, Senator Barr, following my usual railroading tactics, I put the bill over in its order until today, so that the gentlemen would have opportunity over the week-end to study it, if he so desires, I will get a copy of the Act of 1933 and read sub-paragraphs a, b, c and d, which are now in the law, so that he can understand sub-section "e" which is not a limitation of the rights of minority stockholders in a consolidation or merger but it is an additional right that is granted to them when the provisions of the merger or consolidation conform with what is set up in sub-section "e". I think that is sufficiently confusing.

Mr. BARR. Mr. President, that is the greatest amount of double talk I have ever heard in three minutes.

I would like to direct to the attention of the gentleman from Allegheny, Senator Walker, line 15, page 29, which states "the share-holders of such other corporations shall have no right to dissent from any such merger or consolidation."

As long as that is in the bill I ask the gentlemen on this side of the Senate to vote against this bill.

The PRESIDENT. The roll call has been taken. Does the gentleman from Allegheny desire to change his vote.

Mr. BARR. Mr. President, I did not answer to my name.

Mr. WALKER. Mr. President, I respectfully ask that the clerk re-call the roll, so that the gentleman from Allegheny, Senator Barr, will have an opportunity to be recorded in accordance with his conscience and best judgment.

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—33.

Becker,	Frazier,	Mahany,	Wade,
Berger,	Geltz,	Mallery,	Wagner,
Blass,	Hare,	Scarlett,	Walker,
Carr,	Heyburn,	Snowden,	Watson,
Chapman,	Homsher,	Stevenson,	Wilson,
Crider,	Kephart,	Tallman,	Wolfe,
Crowe,	Letzler,	Taylor,	Wood, L. H.,
Doehla,	Lord,	Tyler,	Wood, T. N.,
Farrell,			

NAYS—16.

Barr,	Holland,	Leader,	Ruth,
Dent,	Jaspan,	Margie,	Stiefel,
DiSilvestro,	Klein,	Rahauser,	Tarr,
Haluska,	Lane,	Rosenfeld,	Woodring,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 35, as follows:

An Act to further amend the act approved the twenty-fifth day of July one thousand nine hundred thirteen (P. L. 1024) entitled "An act to protect the public health and welfare by regulating the employment of females in certain establishments with respect to their hours of labor and the conditions of their employment by establishing certain sanitary regulations in the establishments in which they work by requiring certain abstracts and notices to be posted by providing for the enforcement of this act by the Commissioner of Labor and Industry and others by prescribing penalties for violations thereof by defining the procedure in prosecutions and by repealing all acts and parts of acts inconsistent with the provisions thereof" changing hours of labor and restrictions relative to age in certain employments and extending provisions to include additional persons

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section three of the act approved the twenty-fifth day of July one thousand nine hundred thirteen (P. L. 1024) entitled "An act to protect the public health and welfare by regulating the employment of females in certain establishments with respect to their hours of labor and the conditions of their employment by establishing certain sanitary regulations in the establishments in which they work by requiring certain abstracts and notices to be posted by providing for the enforcement of this act by the Commissioner of Labor and Industry and others by prescribing penalties for violations thereof by defining the procedure in prosecutions and by repealing all acts and parts of acts inconsistent with the provisions thereof" as amended in part by the act approved the fourth day of June one thousand nine hundred and thirty-seven (P. L. 1547) and as last amended in part by the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L.. 389) is hereby further amended to read as follows

Section 3 (a) Except as hereinafter provided no female shall be employed or permitted to work in or in connection with any establishment for more than [five and one-half] six (6) days in any one week or more than [forty-four] forty-eight (48) hours in any one week or more than [eight] ten (10) hours in any one day [Provided That one day of rest may be subdivided into two days of twelve hours each for women employes in hotels boarding houses and in charitable educational and religious institutions at the discretion of the Department of Labor and Industry with the approval of the Industrial Board And provided further That females employed in charitable or welfare institutions operated on a nonprofit basis shall be permitted to work for not more than ten hours in any one day which ten hours shall be all within one period of thirteen consecutive hours and not more than forty-eight hours in six days of any calendar week And provided further That during the present existing state of war between the United States and certain foreign countries and six months thereafter upon application of an employer to the Secretary of Labor and Industry with the approval of the Industrial Board females may be employed or permitted to work in or in connection with any establishment for forty-eight hours in any one week but not to exceed ten hours in any one day or more than six consecutive days in any one week provided such employment is directly or indirectly in furtherance of the war effort]

Where the strict application of the schedule of hours provided for by this section imposes an unnecessary hardship and violates the intent and purpose of this act the Department of Labor and Industry with the approval of the Industrial Board may make alter amend and repeal general rules and regulations prescribing variations from said schedule of hours Provided That if it should be held hereafter by the courts of this Commonwealth that the power herein sought to be granted to the said Department of Labor and Industry is for any reason invalid such holding shall not be taken in any case to effect or impair the remaining provisions of this section

(b) Whenever any female shall be employed or permitted to work in or in connection with more than one establishment in any one week or in any one day the aggregate number of hours during which she shall be employed or permitted to work in or in connection with such establishments shall not exceed [forty-four] forty-eight (48) in any one week or [eight] ten (10) in any one day [Provided That during the present existing state of war between the United States and certain foreign countries and six months thereafter upon application of an employer to the Secretary of Labor and Industry with the approval of the Industrial Board females may be employed or permitted to work in or in connection with such establishments for forty-eight hours in any one week but not to exceed ten hours in any one day nor more than six consecutive days in any one week provided such employment is directly or indirectly in furtherance of the war effort]

(c) Nothing in this section or any other provisions of this act shall apply to the employment of females in agricultural field occupations o rin domestic service in private homes [or to the work of females employed in orphans homes and industrial schools] nor shall any provisions of this act which relates to the regulation of hours of employment apply to the work of nurses in hospitals or to the work of females over twenty-one years of age earning at least [twenty-five dollars] thirty-five dollars ($35) a week in executive positions

(d) It shall be unlawful for any female to be employed or permitted to work in any occupation dangerous to life or limb or injurious to the health or morals as such occupation shall from time to time be determined and declared by the Industrial Board Before any occupation is prohibited the Board must give notice of its intention and hold a public heading

Section 2 Sections four and five of said act as last amended by the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 389) is hereby further amended to read as follows

Section 4 [No female shall be employed or permitted to work in any manufacturing establishment before the hour of six o'clock in the morning or after the hour of ten o'clock in the evening of any day except that in manufacturing establishments operating not more than two shifts females may be ebployed between the hours of six o'clock in the morning and twelve o'clock midnight Provided That employment in such cases shall not exceed eight (8) consecutive hours in any one day (exclusive of meal period) or five (5) days in any one week The provisions of this section shall not apply to managers superintendents or persons doing clerical or stenographic work And provided further That where the strict application of the night restrictions impedes or interferes with the war effort the Department of Labo and Industry with the approval of the Industrial Board may suspend the provisions of this section] Females may be employed in manufacturing establishments around the clock Provided That there is a compliance with the regulations established by the Industrial Board Applications for employment on a two or three shift basis shall be made to the Department of Labor and Industry

Section 5 No female under [twenty-one] eighteen (18) years of age shall be employed or permitted to work in or in connection with any establishment before the hour of six o'clock in the morning or after the hour of nine o'clock in the evening of any day [Provided That this section shall not apply to females over the age of eighteen years employed as telephone operators And provided further That where the strict application of the night restrictions impedes or interferes with the war effort the Department of Labor and Industry with the approval of the Industrial Board may suspend the provisions of this section]

Section 3 Section fourteen of said act is hereby amended to read as follows

Section 14 Whenever any female shall be employed or permitted to work in or in connection with any establishment before the hour of six o'clock in the morning or after the hour of nine o'clock in the evening of any day whi in the judgment of the Commissioner of Labor and Industry or his deputy is under [twenty-one] eighteen (18) years of age such officer may demand from any person employing or permitting any such female to work in or in connection with his establishment that such person shall either furnish to such officer within ten days satisfactory evidence such as shall be required by law for the issuing of employment certificates to minors that such female is in fact [twenty-one] eighteen (18) years of age or over or shall cease to employ or permit such female to work in or in connection with such establishment before or after the hours above named

In case such employer shall fail to furnish to said officer within ten days after making such written demand the required evidence of age and shall thereafter continue to employ such female or permit her to work in or in connection with such establishment before or ofter the hours aforesaid proof of the making of such demand

and of failure to produce the evidence required shall be prima facie evidence of the illegal employment of such female in any prosecution brought therefor

Section 4 All acts or parts of acts inconsistent with the provisions of this act are hereby repealed

Section 5 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Will the Senate agree to the bill on third reading?

Mr. TARR. Mr. President, I ask unanimous consent to offer amendments at this time.

The PRESIDENT. Is there objection?

Mr. TALLMAN. Mr. President, I object to the offering of amendments at this time.

MOTION FOR THE RECONSIDERATION OF HOUSE BILL No. 35

Mr. TARR. Mr. President, I move that the Senate do now reconsider the vote by which House Bill No. 35 passed second reading.

The PRESIDENT. How did the Senator vote?

Mr. TARR. Mr. President, I voted with the majority.

Mr. HALUSKA. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. HALUSKA. Mr. President, I voted with the majority.

On the question,

Will the Senate agree to the motion?

Mr. DENT. Mr. President, on the motion, I might say to the members on the other side how can they intelligently vote on this motion to re-consider because if they want to give any consideration to this legislation at all, they ought to know what kind of amendments the gentleman is offering. You are taking the position that these amendments are bad and you are judging them without even giving them the consideration of being heard.

Mr. TALLMAN. Mr. President, I will have no objection if the gentleman would ask the Clerk to read the amendments but I would like to remind the gentleman from Westmoreland that it has been the practice in this Senate, in matters of this kind, that when amendments are offered to bills on third reading, that the person proposing the amendments make it his business to discuss those amendments either with the sponsor of the bill, if he is a member of the Senate, or with somebody over on this side, or on the other side, as the case may be, before they are offered on the floor of the Senate, and I would like to suggest that it would be good practice if we continue to do that, in order to save time and prevent a lack of knowledge on these things that come about at the last moment.

Mr. TARR. Mr. President, I apologize to the gentleman from Lehigh and consider myself promptly and properly spanked for not having given that consideration to the men on the other side.

However, the amendments were just this moment completed and I was afraid I was not even going to get them done in time to have them read. In the future I will paddle my way hither and yon and see that the gentlemen on the other side get copies of amendments.

Mr. TALLMAN. Mr. President, I assure the gentleman from Fayette there is no need to apologize on his part at all, and I suggest now that the Clerk read the amendments he has offered.

And the question recurring,

Will the Senate agree to the motion?

MOTION FOR THE RECONSIDERATION OF HOUSE BILL NO. 35 WITHDRAWN

Mr. TARR. Mr. President, I withdrawn my motion that the Senate reconsider the vote by which House Bill No. 35 passed second reading.

Mr. HALUSKA. Mr. President, I withdraw my seconding of the motion.

The PRESIDENT. The motion is withdrawn.

Mr. TARR. Mr. President, I ask that my amendments be read.

The Clerk read the amendments as follows:

Amend Sec. 1 (Sec. 3), page 3, line 8, by striking out the words and figures "forty-eight (48)" and inserting in lieu thereof the words and figures "forty (40)"; Amend Sec. 1 (Sec. 3) page 5, line 11 by inserting after the word "effort]" the following:

Provided that, should the Secretary of Labor and Industry, with the approval of the Inrustrial Board, permit females to work up to but not more than forty-eight (48) hours in any one week, then time and one-half shall be paid for all hours over forty (40) a week.

On the question,

Will the Senate agree to the amendments?

Mr. TALLMAN. Mr. President, I object to consideration of the amendments.

And the question recurring,

Will the Senate agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. TARR. Mr. President, at the present time, on consideration of House Bill 35, which has passed the House of Representatives by a mere margin of thirteen votes, I would like to direct to the attention of the members of this Senate the fact that five minutes ago we concurred in amendments to a banking bill, we passed in this Senate a bill last week which would permit bank employes, male and female employes, to work five days a week, and yet here we are today considering passage of a bill which would permit women, and the word "permit" can be construed to mean that we will force women, in the Commonwealth to work 48 hours a week.

Mr. President, I would feel remiss in my duty, and I would feel ashamed to go back and face those women in my life, my mother, my wife and my daughter, if I were not to vote against this vicious piece of legislation.

For many years we in America have prided ourselves on the advances that we have made in the protection of our womenhood, and yet here, by one bold stroke we want to turn back the pages of time and progress and say that a woman can work the same number of hours in any industry as any man.

There should be a woman here to give her voice on this subject but I am going to read into the record a few excerpts I received from a woman in the city of Pittsburgh:

She says: "As a perfectly normal, healthy woman em-

ployee who has worked the forty-eight hour work-week during the exigent years of the war and felt herself, with each succeeding year of this pounding, draw closer and closer to a gibbering nervous wreck, I must throw my full weight against the passage of House Bill No. 35. And I would call to your attention that in my capacity of Interviewer with the Employment Service my work is office work, carried on in some noise and confusion incident to the going and coming of numerous people, but not to be compared for strain on a woman's nerves to the hammerings and poundings of shop work where so many of our women are employed. The Woman's Bureau of Washington states that 48 hours per week is unquestionably detrimental to Women's health and we who have worked them know this to be an undeniable fact.

"One argument for the passage of this bill, I believe, is that mothers work far longer hours than this without harm to themselves. Yes, but how do they work? There are pauses for telephone chats with friends, for marketing and shopping trips, walks in the fresh air with their babies in short a variety of occupations, many times in a completely silent house while children are at school and babies asleep. Quiet and fresh daytime air are no strangers to them, and it just so happens that human beings seem to need them. To come out from cooked air and fluorescent lighting into God's sunlight blinking like a mole is not what He intended, I am sure, but that is what we do—and the longer hours we are caged in, the more molelike we become.

"Another argument for the passage of the bill, I have heard, is that to ask equal pay for equal work done by women the latter must COMPETE and show themselves the equal of men.

Far be it from me to say that women are not equal to men in some respects. I will grant that in a good many respect that are far superior. "We all know and concede that they have their skills and abilities, but woman, the child bearer, with all the attendant functions of child bearing, can never be the equal of man at hard physical work; and unless you wish to fill our Insane Asylums even more overflowing than they are don't try to prove it. Discard this false premise even if women don't make quite as much money as men, and even if some employers leave the State if the bill isn't passed. Let them! If they are slave drivers we don't want them. But it is my opinion that our crippling Power Strike and others fomented largely by men have far more to do with employers' dissatisfaction with our area than the fact that our women are afforded some protection which was fought for against odds for them by beneficient persons. As to lowering the age for night work to eighteen years, it is going back to Dark Age work conditions. Our women of mature age RIGHT NOW are so terrified of the awful things happening on our streets at night that we can't get them out even on drug store jobs running only until eleven o'clock—and we should put our eighteen year olds out for the entire night?"

This bill, on page 7, says that females may be employed in manufacturing establishments during any hours of the day or night, so long as the provisions of this bill are complied with. This bill goes on further and reduces the age from twenty-one years to eighteen years.

Mr. President, I have had the privilege and opportunity of being a teacher in the public schools of this Commonwealth for nineteen years. I believe that eighteen years of age is far too young to allow our girls to be on the streets and in the factories at all hours of the day and night. There is only one question that we have to answer, and that is to our own consciences—do the members of this Senate want to take the responsibility of placing those girls who should be in school, on the streets, in the factories and in the plants after midnight. The question is up to you, but if you pass this bill it will come back to haunt us.

Mr. DENT. Mr. President, I listened very carefully to the remarks of the young man from Fayette and then I thought I would hear some justification for this legislation coming from the majority side.

I believe if we are to vote intelligently I would like to hear some reasons given for passage of this legislation. Is any person qualified to tell me, and the members on this side, what the reasons are, what the causes are, why do we want this, why do we need this legislation.

This is historical, but I might repeat for the gentlemen, that when we passed a 44-hour bill it was only to comply with the Federal act of 44 hours for women. The Federal act now in inter-state commerce is 44 hours per week, and we are continuing along with 44 hours for Pennsylvania women, but now we are going further and saying 48 hours. You are touching on another subject here which has been close to the hearts of all forward-thinking men and women; you are allowing a 10-hour day of labor for women. Long ago the men in the steel mills realized that an 8-hour day was even too long.

We are not moving backward, we are moving forward. In times gone by my father labored for sixty years in productive labor and he piled up a great big store, a great big heap of good that he produced; he started working when he was nine years old and he worked until he was sixty-nine years old, he worked and produced and piled up this great big heap of productive goods. I started to work at a later age and in 35 years of labor I could produce the same amount of goods. The next generation will produce even more goods in a less amount of time. What are we going to do, sit here in the Senate and pass legislation, because one or two industries feel that they must have this legislation? Are you going to condemn the women of the Commonwealth of Pennsylvania to work all around the clock in the production factories?

If you think women do not work in the steel mills, go there; if you think women do not work in rubber factories, go there; if you think women do not work in the production lines, go to the production lines of this great Commonwealth. The only thing you are doing is that you are putting them directly in competition with young men coming from high school and fiding themselves competing for jobs on round-the-clock shifts against women who receive 17½ per cent less wages in the Commonwealth of Pennsylvania, and these are statistics that the Department of Labor of this Commonwealth will bear out.

I recognize that certain seasonal occupations in this Commonwealth need some relief during certain periods of the year, but we have made provisons for that, because they can go to the Secretary of Labor and Industry and

get a concession by showing a need for a longer work week for the women in their industry during their peak production.

There is no need for this kind of legislation.

I doubt if any man in this room would vote for a ten hour day for men in industries in this Commonwealth. Why the workingmen and women of this state, about forty years ago, reduced the working day from ten hours to eight hours, and yet here you are in this Senate voting for a 10-hour day for women and voting for a 48-hour week for women. I do not know how many of you realize the Federal Government has a 40-hour week.

You say you speak for the women of this Commonwealth. Here is a telegram that speaks for 50,000 women of the lady garment workers, and they oppose this legislation. I know who is behind this legislation because I have debated it when I was co-sponsor with the gentleman from Cambria, Senator Haluska, for the forty-hour bill in this Commonwealth, and I debated this subject all over the Commonwealth of Pennsylvania.

Professional and business women are not restricted as to the hours they can work. We are not interested in business and professional women. If they desire to work longer hours in their businesses or professions, we do not care about that, that is their right and they can go to it, but we do care about the women who have no protection and must work in the factories all night, and I want to tell you men who have never been in the shops after midnight that you ought to make a visit to the production lines before you vote for this legislation.

During the war we reduced the standards, we let the bars down during the war, because we were in an all out effort to win the war, but surely you are not going to continue this low standard set up for labor during those years of peak production. I want to say that every man in this room witnessed the terrible cry that went out all over this Commonwealth to take women away from the productive jobs, especially married women, when we had millions of our citizens out on the streets, tramping the streets in despair because they had no gainful work, when there was a fight to bring about a situation where married women would be taken away from productive jobs and we found we could not do it under the Constitution, and here you are setting up legislation that will aggravate that problem.

I say to you it has already become a problem—it is not acute yet but it will be before many moons have passed. Many women are in industry that will never get out of industry. Now you are making it attractive for employers to employ women in industry. If you have some need in some particular high type of labor, some particular type of work which does not require manual labor, if you have some need in that industry, correct that or grant that industry the necessary reforms it needs, but do not try to put all the women in this Commonwealth in productive industry on a competive basis with men, which would be an unfair position than men, because they are paid seventeen and a half per cent less and the young men, the young boys, the future fathers of this county, the future fathers in this state, will find themselves unable to get jobs in light industries because women will take them.

Mr. HEYBURN. Mr. President, I have gotten a lot of mail with reference to this bill from women, and it is all for the bill.

Mr. President, what this bill sets out to do is to put women in industry on an equal footing with men. There are a lot of women that have to work to support themselves; some of them through no fault of their own have been left alone as widows, and maybe some of them have been left alone through no fault of their own—period.

Nevertheless, Mr. President, all the surrounding states permit women to work around the clock. In modern industry, with three shifts, I do not know how you can get around discrimination against women unless you let them also work three shifts.

This bill has been endorsed, as far as my mail is concerned at least, by women's clubs, associations and groups in the Commonwealth.

I think, Mr. President, if we believe in giving women equal opportunities we ought to vote for this bill. Men have no restrictions on them as to hours of work and the result is, Mr. President, unless we also put women in like position, necessarily they are going to lose employment in Pennsylvania.

Also, Mr. President, I might say that women during this war period have become very adept at doing certain jobs in industry and to remove them from the so-called third shift would seriously hamper production.

It is true, Mr. President, that the Secretary of Labor and Industry, as a war time measure, relaxed the law with respect to the third shift, when that interfered with production during the war but, Mr. President, that condition no longer exists, we are not in war, and the Secretary of Labor and Industry does not have that power and therefore there is only one thing to do, in my opinion, and that is to pass this bill or else the great group of women in Pennsylvania who have to work for a living to support themselves and their children will be thrown out of employment. All the states surrounding us, Mr. President, have this liberal legislation and I think we will put both the women of Pennsylvania and Pennsylvania industry at a distinct disadvantage unles we pas this legislation.

Mr. DENT. Mr. President, I believe the gentleman from Delaware will admit, if he is so desirous of helping women to an equal footing with men he ought at least to wait until they are guaranteed the same wages for like labor. I think the gentleman will agree with me, if you are so anxious to help women gain an equal footing with men on a competitive basis for jobs, you ought at least make sure they get the same money for the same type of work, and I think the only fair thing to do in order to show your sincerity, and I do not doubt your sincerity, is to let this bill rest as it is until the companion bill, giving equal pay for equal work hours, comes on the Senate calendar, known as House Bill 195.

You know, Mr. President, I do not object to club women working forty hours a week—I do not care how many hours they work, and it is perfectly agreeable with me that the club women go to their clubs for as many hours as they like, and I do not doubt that you have letters from them.

If you have letters from women in factories, industries and in the plants, I would like to have them and I also

would like to be informed whether or not you will support legislation introduced on this side for equal pay for equal work for women.

Mr. HEYBURN. Of course, Mr. President, I think women ought to get equal pay for equal work, and if I know anything about the women of Pennsylvania, Mr. President, they will demand that. After having been married eight or ten years, I am telling you the women of Pennsylvania will not stand for a condition whereby they do equal work with men and do not receive equal pay.

As far as House Bill 195 is concerned, Mr. President, it is not here and naturally I could not pledge myself to support it. I am in favor of the principle, however.

Mr. DENT. I thank the gentleman from Delaware very kindly. I expected that answer and I expect the same vote.

However, I might say to the gentleman from Delaware, although women may demand, up until the present moment there is a seventeen and a half per cent differential in women's labor all over the state of Pennsylvania. If you can account for that I will be glad to take a back seat and say I am entirely wrong on this matter and am not trying to do the right thing.

If you will hold this bill where it ought to be, hold it in committee until the companion bill comes over, and then take both bills up for consideration at the same time, I would say, Mr. President, that you will be showing the kind of sincerity I want to believe you have.

MOTION THAT HOUSE BILL No. 35 BE RECOMMITTED

Mr. DENT. Mr. President, I move that House Bill No. 35, the bill just read, be recommitted to the Committee on Labor and Industry.

Mr. LANE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. HEYBURN. Mr. President, I suggest to my colleagues that they vote against this motion to re-commit this bill. It is simply a trick to kill the bill.

Mr President, I would like the gentleman to tell me what they are going to do with all these women in industry that are supporting their families and have no other means of support; I would like him to please tell me what their plan is for taking care of these women here.

I have a statement here, Mr. President, concerning 456 women in one plant alone in Pennsylvania, working on this so-called third shift. If we do not pass this sort of legislation, Mr. President, these 456 women in this one plant will be out of employment.

Mr. DENT. Mr. President, I want to clear up one point with the gentleman from Delaware—I am not indulging in any trickery, I am in dead seriousness, I am in all seriousness, and I certainly do not believe the gentleman thinks that I could kill a bill in committee that is packed 12 to 4. I would suggest, Mr. President, that it would require pretty much of a stretch of the imagination to think any Democrat could kill a bill in committee.

I only say to you, Mr. President, that if he has 456 women, that for each of them I can give him two men who are unemployed, and for every women there is a young man who never had any employment and therefore never had any seniority and can not compete and I will measure against his 456 women 50,000 women working under this legislation today who do not want a 48-hour week.

And the question recurring,

Will the Senate agree to the motion?

Mr. LANE. Mr. President, I ask for a roll call.

The yeas and nays were required by Mr. LANE and were as follows, viz:

YEAS—16

Barr,	Holland,	Leader,	Ruth,
Dent,	Jaspan,	Margie,	Stiefel,
DiSilvestro,	Klein,	Rahauser,	Tarr,
Haluska,	Lane,	Rosenfeld,	Woodring,

NAYS—33

Becker,	Frazier,	Mahany,	Wade,
Berger,	Geltz,	Mallery,	Wagner,
Blass,	Hare,	Scarlett,	Walker,
Carr,	Heyburn,	Snowden,	Watson,
Chapman,	Homsher,	Stevenson,	Wilson,
Crider,	Kephart,	Tallman,	Wolfe,
Crowe,	Letzler,	Taylor,	Wood, L. H.,
Doehla,	Lord,	Tyler,	Wood, T. N.,
Farrell,			

So the question was determined in the negative.

And the question recurring,

Shall the bill pass finally?

Mr. HOLLAND. Mr. President and members of the Senate, I was quite amused today sitting in my seat here, to hear a man from a farming district, a farmer, who never worked in factory or a mill, give his opinion on women working in factories. I believe I have the distinction of representing the largest industrial district in Pennsylvania. I have in my district the mills which made a record during the war.

Over the week-end I went to the trouble of talking to women in the district who work in the mills, asking them pointblank if they are for this legislation, because I had not received any letters, except from professional women, saying that they wanted this legislation, and I wanted to find out from the girls working in the glass factory, in the Hines plant, in the Oliver Iron and Steel Company, in the Jones and Laughlin Steel Company, in Carnegie-Illinois Steel Company and in United States Steel Company, what their opinion was, and everyone said that this legislation, if passed, would not in any way help them but would result in a breaking down of health and morals.

I would like to ask the gentleman from Delaware if he ever worked in a mill all night.

Mr. HEYBURN. I worked in a hay mow all day.

Mr. HOLLAND. Well, if he did, he did most of it sleeping.

If he was in a mill all night, around four or five o'clock in the morning—this is serious, Mr. President, I know Mr. Heyburn has an unusually good sense of humor, but this is a serious condition, affecting the womanhood of Pennsylvania, and I tell you I resent, every time anything is discussed on this floor, it is passed off as a joke; if it is a joke, then let us all go home and take this Legislature and give it to the people who are passing bills underneath the tables, let them run the Legislature and let us go home.

If you ever worked in a factory and were in there till four or five o'clock in the morning, and these girls would

be leaving at seven o'clock, I say to you morally it is wrong, and I hope I do not have to be too explicit as to some of the experiences, some of these things that go on every day when, perhaps after a person has worked without sleep and dozes off here and there in the factories and in the mills—and this was told to me by women who work in the mills, not those who want to work in the mills, but those who have to work in the mills to support their families, and most of them are widows and they want to be home at night with their kiddies.

You talk about juvenile delinquency and you come down here and pass this bill and it will make only more juvenile delinquency.

In other words, I heard one of the majority members saying something about confusion, and there is nothing more confusing than the way bills are being passed at this session of the Senate. I have never seen it before; it is all confusion. One day we pass a bill doing this and the next day we pass a bill doing just the opposite, and then go out and make speeches to constituents worrying about the morals of America.

This bill is bad. The gentleman from Delaware stated he could not vote on a bill or give his word on a bill unless the bill was before him. I want to tell him that House Bill 195, as amended, right today is not worth the paper it is written on, and even the women, the professional women, if I might say so, who asked that the bill be introduced, have now completely divorced themselves from the bill as it now appears on the House calendar, and that was told to me just this morning by two of the women that helped write the bill.

I ask you to be fair. Why not wait until this bill comes over, if you are consistent. It is easy to talk about industry being driven out of Pennsylvania; we have heard it at every session, we heard it when we passed unemployment compensation, we heard it when we passed workmen's compensation. Every progress that was made in Pennsylvania, it was always the same cry—industry will leave Pennsylvania. Well, I think, by looking at the financial reports of industry in Pennsylvania, that industry in Pennsylvania would be very foolish to leave because, after all, remember they have the tools and the people who use the tools are people who live in Pennsylvania. We are living in a different world today than we lived in in the past, when men owned their own tools, but today industry owns the tools and the men who know how to use those tools are in Pennsylvania and there is no fear of those tools being taken away from Pennsylvania because the experienced workmen are here.

I beg of you that you ignore the pleadings of certain manufacturers in Pennsylvania who are greedy, who do not have a heart for the people of Pennsylvania, who worship the almighty dollar more than they worship the people who are a part of our great Commonwealth. Ignore them this time and defeat this bill.

This is a bill that will disrupt and destroy the home. This is a bill that will destroy the morals of the women who are forced to work in Pennsylvania. This is nothing but a greedy and grasping bill.

A lot of you, and all of you no doubt were in church on the Sabbath yesterday, and you come here today and you vote for the money changers. After all, it is only the money changers who are supporting this type of legislation.

I beg of you to defeat this bill. If you believe in a moral standard of living, give the right to those who must work to live a moral standard, just as you want our own families to enjoy.

Mr. HEYBURN. Mr. President, I do not want to unnecessarily prolong this debate. However, the Senator from Westmoreland asked me if I had a letter from a working girl that was in favor of this bill.

I would just like to read, Mr. President, rather hurriedly, a letter which comes from a young lady in Jeanette, Pennsylvania, which, as I understand, is the town the gentleman from Westmoreland comes from.

This letter says:

"I am an employe of the Pennsylvania Rubber Company, Jeannette, Pa. Our extension of the third shift (11 to 7) is up on May 1, 1947. We are hoping the company can get another extension as it will put a large number of girls out of work till Congress (she means the Legislature) votes on Bill 35. I am the only one working, as my dad died four years ago and I support mother and myself. There are a great number of girls in my department in the same circumstances. In fact on my shift there are six out of eight that really have to work."

Then she goes on, Mr. President, to cite other cases, and there are the signatures of a number of girls who work in the Jeanette plant of the Pennsylvania Rubber Company.

Mr. DENT. Mr. President, I can almost guess, without forcing the gentleman to read the names, as to who the person is, because I have received the same person in my home and discussed this matter. That is true, it is very very true.

But I want to inform the gentleman from Delaware that I was employed in the same Pennsylvania Rubber Company for a good many years of my life and we had employment under the old bill, where the women did not work around the clock, we maintained a certain number of jobs in that plant as women's work, female labor, and they performed that labor, and the young men took over the eleven to seven shift, or the midnight trick, as we called it.

Mr. President, that is no longer true in the city of Jeannette. Not only at the Pennsylvania Rubber Company but at the McKee Glass works, the Victory Glass Company and the Jeannette Shade Company, and I can give you all my industries.

You know what is true now in Jeannette? The women are working the eleven to seven shift and all the young boys are loafing on the streets in the city of Jeannette, they are no longer taking these boys in because the women's pay rate is lower than that of men.

I say to the gentleman from Delaware, in spite of the fact that he received a letter from a girl in Jeannette, and I might add that a great many women are like men, in many instances they are just as selfish, and if they can work they would like to get a little extra money to go to beauty parlors and doll up a little extra and that is the only way they can get the money because they can not afford it if they are not working. I am not saying they

should not work but I say to you it is more important for the morals and more important for the future growth and more important for the better citizenry of our state to allow the young men to get jobs, than it is to force young girls into the mills.

Mr. DiSILVESTRO. Mr. President, it is pretty hard to sit here hour after hour and listen to this talk like we have had to put up with here today about morality and women.

I am going to vote against this bill.

I simply wish to add this comment, as to morality, I know of so many more instances where people are immoral by broad daylight than I know of during the hours of the night. If I should become poetical for a moment it is just the result of taking in so much of the argument that has been given on this floor.

I am voting against this bill on principle, but please let us have more faith in womanhood.

Mr. WOODRING. Mr. President and members of the Senate, before we take a vote on this bill I think it ought to be pointed out on the record, and in the hearing of the members, just what this bill does because I do not want any of the majority to make a mistake.

In the first place, we are amending an old bill. We are amending an Act of 1913 and that old bill provided for a number of things. In the first place, it provided that women should not work excepting between the hours of six a. m. and ten p. m.; as I count, that is about sixteen hours of available work for women in shops and factories, and it seems to me sixteen hours might be a reasonable period to ask a woman to work.

The old Act of 1913, which is now sought to be amended, restricted women's hours to eight. That was 1913, a good many years ago, and now in 1947, we attempt to raise the eight hour day to a ten hour day. The old Act of 1913 said there should be a maximum of forty-four hours per week for women, and now we attempt to raise that to forty-eight hours a week.

It does seem as though we are turning our clocks backward instead of forward; it seems as though we are not holding the decent gains in social legislation which were made so many years ago and which have been on the books for so long a period. It seems to me, that giving the women of Pennsylvania the right to work during a sixteen hour period, we are supplying industry with enough available woman power and that this bill ought to be voted down.

Mr. HALUSKA. Mr. President; I just want to make a remark regarding the people in my own county. The gentlemen from Delaware, enator Heyburn, remarked that he had endorsements from practically all clubs of women. I do not know what he meant by clubs.

In the county of Cambria we have many thousand of women who work in the garment industry and I have talked with employers who are definitely opposed to the bill, along with the employes. The employers have pointed out to me that they made better progress and had more production, by cutting down from a forty-four hour week to a forty hour week; the female help were in better physical condition and able to produce more, both on a straight time basis and on a piece time basis.

New industries have come to our county and all of them are working forty hours a week, so I see nothing to be gained by working forty-eight hours a week. Human nature can stand only so much work. It is bad for the females and bad for the employers and bad for industry as a whole. I think we are making a great mistake by passing this bill, and I definitely oppose it. In my own town of Patton, where I live, there are quite a number of industries and every employer has gone on record as being opposed to the passage of this bill.

Mr. BARR. I just want to make one more point. I think all of you men on the other side should know that a woman's work is never done; when a woman finishes her work in the factory her work begins at home.

I have great faith in the Governor of this state, far more faith than I have in his members in the Senate, and if they do not have the intestinal fortitude to vote this bill down, I have faith in him and think he will veto it, the same as he did the magistrate bill.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—31

Becker,	Frazier,	Mahany,	Wade,
Berger,	Geltz,	Mallery,	Walker,
Blass,	Hare,	Scarlett,	Watson,
Carr,	Heyburn,	Snowden,	Wilson,
Chapman,	Homsher,	Stevenson,	Wolfe,
Crider,	Kephart,	Tallman,	Wood, L. H.,
Doehla,	Letzler,	Taylor,	Wood, T. N.,
Farrell,	Lord,	Tyler,	

NAYS—18

Barr,	Holland,	Margie,	Stiefel,
Crowe,	Jaspan,	Rahauser,	Tarr,
Dent,	Klein,	Rosenfeld,	Wagner,
DiSilvestro,	Lane,	Ruth,	Woodring,
Haluska,	Leader,		

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bll to the House of Reprsentatives with information that the Senate has passed the same without amendments.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 72, as follows:

An Act to further amend section three hundred twenty of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by providing for the payment of retirement allowances to widows of deceased county employes and for crediting employes with time spent in military service in time of war or national emergency in counties of the second class

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section three hundred twenty of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating

the laws relating thereto" as last amended by the act approved the fifteenth day of June one thousand nine hundred irty-nine (P. L. 365) is nereby further amended to read as follows

Section 320 Persons Entitled to Retirement Allowances Every county employe who has reached the age of sixty years or upwards and who shall have been a county employe during a period of not less than twenty years shall upon application to the board be retired from service and shall thereafter receive during life a retirement allowance as herein provided for The time spent in the employ as a county employe need not necessarily have been continuous Provided That when any employe has had twenty or more years of service not necessarily continuous and has reached the age of fifty years and shall be or shall have been separated from the service by reason of no cause or act of his own upon application to the board shall thereafter receive during life a retirement allowance as herein provided for

Whenever any retired county employe receiving a retirement llowance as herein provided shall die leaving a widow to survive him there shall be paid to such widow by the Retirement Board for and during the period of her widowhood an allowance equal to one-half of the amount being paid to such retired county employe at the time of his death

Any county employe who has been employed by the county for a period of six months and who thereafter shall enlist in or be inducted into the military service of the United States in time of war or national emergency so proclaimed by the President of the United States shall have credited to his employment record for retirement benefits all of the time spent by him in such military service during the continuance of such war or national emergency and such payments as are required to be made by such county employe into the county employes' retirement fund shall be paid into such fund by the county

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constiution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Geltz	Lord,	Tarr,
Becker,	Haluska	Mahany,	Taylor,
Berger,	Hare,	Mallery,	Tyler,
Blass,	Heyburn	Margie,	Wade,
Carr,	Holland	Rahauser,	Wagner,
Chapman,	Homsher	Rosenfeld,	Walker,
Crider,	Jaspan	Ruth,	Watson,
Crowe,	Kephart,	Scarlett,	Wilson,
Dent,	Klein,	Snowden,	Wolfe,
DiSilvestro,	Lane,	Stevenson,	Wood, L. H.,
Doehla,	Leader,	Stiefel,	Wood, T. N.,
Farrell,	Letzler,	Tallman,	Woodring,
Frazier,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Reprsentatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 218, as follows:

An Act to further amend the first paragraph of section nine hundred seventy-six of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by further providing procedure for rejection of nomination petitions papers or certificates

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The first pragraph of section nine hundred seventy-six of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" as amended by the act approved the twenty-eighth day of July one thousand nine hundred forty-one (P. L. 526) is hereby further amended to read as follows

Section 976 Examination of Nomination Petitions Certificates and Papers Return of Rejected Nomination Petitions Certificates and Papers When any nomination petition nomination certificate or nomination paper is presented in the office of the Secretary of the Commonwealth or of any county board of elections for filing within the period limited by this act it shall be the duty of the said officer or board to examine the same No nomination petition nomination paper or nomination certificate shall be permitted to be filed if (a) it contains material errors or defects apparent on the face thereof or on the face of the appended or accompanying affidavits or (b) it contains material alterations made after signing without the consent of the signers or (c) if does not contain a sufficient number of genuine signatures as required by law the genuineness of the signatures however need not be questioned for the purpose of this section unless any such signatures are patently fraudulent or (d) in the case of nomination petitions if nomination petitions have been filed for printing the name of the same person for the same office except the office of judge of a court of record upon the official ballot of more than one political party or (e) in the case of nomination papers if the candidate named therein has filed a nomination petition for the same office for the ensuing primary or has been nominated for the same office by nomination papers previously filed or (f) if the nomination petitions or papers are not accompanied by the filing fee or certified check required for said office or (g) in the case of nomination papers the appellation set forth therein is identical with or deceptively similar to the words used by any existing party or by any political body which has already filed nomination papers for the same office or if the appellation set forth therein contains parts of the name or an abbreviation of the name or part of the name of an existing political party or of a political body which has already filed nomination papers for the same office The invalidity of any sheet of a nomination petition or nomination paper shall not affect the validity of such petition or paper if a sufficient petition or paper remains after eliminating such invalid sheet The action of said officer or board in refusing to receive and file any such nomination petition certificate or paper may be reviewed by the court of common pleas of the proper county upon an application for a writ of mandamus to compel its reception as of the date when it was presented to the office of such officer or board Provided however That said officer or board shall be entitled to a reasonable time in which to examine any petitions certificates or papers and to summon and interrogate the candidates named therein or the presons

presenting said petitions certificates or papers and his or their retention of same for the purpose of making such examination or interrogation shall not be construed as an acceptance or filing

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—33

Becker,	Frazier,	Mahany,	Wade,
Berger,	Geltz	Mallery,	Wagner,
Blass,	Hare,	Scarlett,	Walker,
Carr,	Heyburn	Snowden,	Watson,
Chapman,	Homsher	Stevenson,	Wilson,
Crider,	Kephart,	Tallman,	Wolfe,
Crowe,	Letzler,	Taylor,	Wood, L. H.,
Doehla,	Lord,	Tyler,	Wood, T. N.,
Farrell,			

NAY—16

Barr,	Holland	Leader,	Ruth,
Dent,	Jaspan	Margle,	Stiefel,
DiSilvestro,	Klein,	Rahauser,	Tarr,
Haluska	Lane,	Rosenfeld,	Woodring,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 327, as follows:

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" transferring from the Department of Public Instruction to the Department of Mines the Anthracite Mine Inspectors' Examining Board and the Mine Inspectors' Examining Board for the Bituminous Coal Mines of Pennsylvania and providing reimbursement for certain expenses to members of such boards

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 As much as applies to the Department of Public Instruction and the Department of Mines of section two hundred two of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" as last amended by the act approved the twenty-fifth day of May one thousand nine hundred forty-five (P. L. 1015) and the act approved the sixth day of June one thousand nine hundred forty-five (P. L. 1398) is hereby further amended to read as follows

Section 202 Departmental Administrative Boards Commissions and Offices The following boards commissions and offices are hereby placed and made departmental administrative boards commissions or offices as the case may be in the respective administrative departments mentioned in the preceding section as follows

* * * * *

In the Department of Public Instruction
State Council of Education
State Real Estate Commission
Pennsylvania State Board of Censors
Public School Employes' Retirement Board
Board of Trustees of Thaddeus Stevens Industrial School
Board of Trustees of Pennsylvania State Oral School for the Deaf
Board of Trustees of Pennsylvania Soldiers' Orphan School
Board of Trustees of West Chester State Teachers' College
Board of Trustees of Millersville State Teachers' College
Board of Trustees of Kutztown State Teachers' College
Board of Trustees of East Stroudsburg State Teachers' College
Board of Trustees of Mansfield State Teachers' College
Board of Trustees of Bloomsburg State Teachers' College
Board of Trustees of Shippensburg State Teachers' College
Board of Trustees of Lock Haven State Teachers' College
Board of Trustees of Indiana State Teachers' College
Board of Trustees of California State Teachers' College
Board of Trustees of Slippery Rock State Teachers' College
Board of Trustees of Edinboro State Teachers' College
Board of Trustees of Clarion State Teachers' College
Board of Trustees of Cheyney Training School for Teachers
State Board of Medical Education and Licensure
State Board of Pharmacy
State Dental Council and Examining Board
State Board of Optometrical Examiners
State Board of Osteopathic Examiners
Osteopathic Surgeons' Examining Board
State Board of Examiners for the Registration of Nurses
State Board of Veterinary Medical Examiners

State Board for the Examination of Public Accountants
State Board of Examiners of Architects
[Anthracite Mine Inspectors' Examining Board
Mine Inspectors' Examining Board for the Bituminous Coal Mines of Pennsylvania]
State Registration Board for Professional Engineers
State Civil Service Commissions

* * * * *

In the Department of Mines
Anthracite Mine Inspectors
Bituminous Mine Inspectors
Anthracite Mine Inspectors' Examining Board
Mine Inspectors' Examining Board for the Bituminous Coal Mines of Pennsylvania

Section 2 Section four hundred and twenty-three of said acts is hereby amended to read as follows

Section 423 Mine Inspectors' Examining Board for the Bituminous Coal Mines of Pennsylvania The Mine Inspectors' Examining Board for the Bituminous Coal Mines of Pennsylvania shall consist of [the Superintendent of Public Instruction ex officio] the Secretary of Mines two mining engineers who shall have had at least five years' experience in the bituminous coal mines of Pennsylvania and three members who shall have passed successfully examinations qualifying them to act as mine inspectors or mine foremen in bituminous mines generating explosive gas and shall have had at least five years' practical experience as miners in the bituminous mines of Pennsylvania All members of the board shall be at least thirty years of age and shall be appointed by the Governor

The Secretary of Mines shall be chairman of the board

The board shall elect a secretary who need not be a member of the board

Each member of the board other than [the Superintendent of Public Instruction and] the Secretary of Mines shall receive fifteen dollars per diem while actually engaged in the performance of the work of the board and the secretary shall receive [such reasonable] like compensation [as shall be determined by the board with the approval of the Superintendent of Public Instruction] Provided That the Secretary of Mines shall have the right to determine from time to time the maximum number of days for which the members of the board and the secretary entitled thereto shall receive compensation

[Each member of the board except the Superintendent of Public Instruction shall receive fifteen dollars per diem while actually engaged in the work of the board and the secretary shall receive such reasonable compensation as shall be determined by the board with the approval of the Superintendent of Public Instruction]

The members of the board and the secretary shall receive mileage at the rate of five cents (5c) for each mile actually traveled going from the home of the member to the place of meeting of the board and returning therefrom and such other necessary traveling expense that may be incurred in connection with the work of the board

Section 3 Section four hundred twenty-four of said act as amended by the act approved the twenty-first day of June one thousand nine hundred thirty-seven (P. L. 1865) is hereby further amended to read as follows

Section 424 Anthracite Mine Inspectors' Examining Board The Anthracite Mine Inspectors' Examining Board shall consist of [the Superintendent of Public Instruction ex officio] the Secretary of Mines two mining engineers who shall have had at least five years' experience in the anthracite mines of Pennsylvania and three members who shall be coal miners in actual practice and who shall have had at least five years' practical experience in the anthracite mines of Pennsylvania

All members of the board shall be at least thirty years of age and shall be appointed by the Governor

The Secretary of Mines shall be chairman of the board

The board shall elect a secretary who need not be a member of the board

Each member of the board other than [the Superintendent of Public Instruction and] the Secretary of Mines shall receive fifteen dollars per diem while actually engaged in the performance of the work of the board and the secretary shall receive [such reasonable] like compensation [as shall be determined by the board with the approval of the Superintendent of Public Instruction] Provided That the Secretary of Mines shall have the right to determine from time to time the maximum number of days for which the members of the board and the secretary entitled thereto shall receive compensation

The members of the board and the secretary shall receive mileage at the rate of five cents (5c) for each mile actually traveled going from the home of the member to the place of meeting of the board and returning therefrom and such other necessary traveling expense that may be incurred in connection with the work of the board

Section 4 So much of section one thousand three hundred ten of said act as relates to the Anthracite Mine Inspectors' Examining Board and the Mine Inspectors' Examining Board for the Bituminous Coal Mines of Pennsylvania is hereby repealed

Section 5 Article XIX of said act as amended by the act approved the twenty-sixth day of June one thousand nine hundred thirty-nine (P. L. 1111) is hereby further amended by adding at the end thereof a new section to read as follows

Section 1905 Mine Inspectors' Examining Boards The Anthracite Mine Inspectors' Examining Board shall continue to exercise the powers and perform the duties by law vested in and imposed upon the said board

The Mine Inspectors' Examining Board for the Bituminous Coal Mines of Pennsylvania shall continue to exercise the powers and perform the duties of law vested in and imposed upon the said board and the Mine Inspectors' Examining Board created by the act approved the ninth day of June one thousand nine hundred eleven (P. L. 756) entitled "An act to provide for the health and safety of persons employed in and about the bituminous coal mines of Pennsylvania and for the protection and preservation of property connected therewith" and the amendments and supplements thereto

Section 6 The provisions of this act shall become effective on the first day of June one thousand nine hundred forty-seven

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

Mr. DENT. Mr. President, this is a House Bill. I would like to ask any person on the other side to give me a reason for transferring this function from the Department of Public Instruction and putting it in the Department of Mines.

The PRESIDENT. The gentleman will have to ask someone specifically.

Mr. DENT. I will take any one at all, Mr. President.

Mr. CROWE. Mr. President, the move was asked for by the Secretary of Mines because it is more expedient, more convenient and more efficient for them to examine the mine inspectors than the Department of Public Instruction, because they have better equipment to do so.

Mr. DENT. Mr. President, of course you will not mind if I look with suspicion upon that particular reason, since the certification bureau was set up in 1929, eighteen years ago, and for eighteen years the Department of Public Instruction has set up the department and the bureau to carry out the provisions of that act of 1929. And now, all of a sudden, we are taking it out of there and saying they are not efficient and can not do the work and we are going to turn it over to the Department of Mines, and yet everyone knows that the bulk of this work was

performed in the early days, when they had to certificate all the miners in the Commonwealth of Pennsylvania that up until that time needed no certification.

So, Mr. President, I can not see anything in this except perhaps a jurisdictional dispute between the Department of Mines and the Department of Public Instruction. I notice that the Senate is trying to get the Department of Mines of this Commonwealth to do this work before the anti-jurisdictional dispute bill passes, because after that bill passes they would not be permitted to do this little bit of a job.

You see, Mr. President, the Department of Mines is not the proper place, because this is a matter of instruction, it is a matter of learning, it is a matter of qualification. The Department of Mines is not the proper place for this function and should not be given this responsibility, for everyone knows that under every administration the Secretary of Mines comes under undue influence from persons that are more interested, and I say that advisedly because I too in my small way have been in the coal mining business, but he comes under an influence that is not fair to the men that come up for certification. I think the Department of Public Instruction has done an excellent job in Pennsylvania and they ought to be left along.

Mr. WOODRING. Mr. President, as I heard the reason given by the gentleman from Monroe, Senator Crowe, for the passage of this bill, it was because the Secretary of Mines had requested it. I am reminded that in the 1945 session this same gentleman requested that we take boiler inspection of mines away from the Department of Labor and Industry, where they were equipped to handle that dangerous inspection work for the protection of the citizens of our Commonwealth, and the resources of our Commonwealth.

May I have order, Mr. President.

The PRESIDENT. The Senator is entitled to be heard. The Senator from Northampton will proceed.

Mr. WOODRING. Mr. President, in my opinion this is an important bill because, as the gentleman has stated, it does attempt to place into the hands of a single man and his department the sole passage of qualifications of the inspectors.

As I was saying when I was so rudely interrupted, this same inspector of mines in the 1945 session came before this legislature with a request that we take out of the Department of Labor and Industry the inspection of boilers and steam heat vats and give it under his jurisdiction. When we investigated that, and I say we because members from both sides of this Senate investigated the request, we found out that the Department of Mines had no trained boiler inspectors, and had that bill been permitted to pass it might have resulted in the loss of a great many lives and a great deal of property.

I think the fact that this gentleman has made the request is no reason for the passage of this bill, but that the qualifications of these men, as in all such measures, should be passed on by the Department of Public Instruction.

Mr. CROWE. Mr. President, this proposition was by agreement between the two departments because the Department of Public Instruction thought the Department of Mines was more competent to handle examinations and qualifications of these inspectors.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—33

Becker,	Frazier,	Mahany,	Wade,
Berger,	Geltz	Mallery,	Wagner,
Blass,	Hare,	Scarlett,	Walker,
Carr,	Heyburn	Snowden,	Watson,
Chapman,	Homsher	Stevenson,	Wilson,
Crider,	Kephart,	Tallman,	Wolfe,
Crowe,	Letzler,	Taylor,	Wood, L. H.,
Doehla,	Lord,	Tyler,	Wood, T. N.,
Farrell,			

NAYS—16

Barr,	Holland	Leader,	Ruth,
Dent,	Jaspan	Margie,	Stiefel,
DiSilvestro,	Klein,	Rahauser,	Tarr,
Haluska	Lane,	Rosenfeld,	Woodring,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL RECOMMITTED

Mr. TALLMAN. Mr. President, I move that House Bill No. 409, on third reading, entitled:

An Act to further amend the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by further restricting the use of spotlights eliminating the right to kill elk as a protection to crops changing the dog training period and fixing the period covered by petitions for hunting foxes with dogs.

be recommitted to the Committee on Forests and Waters, Game and Fish.

Mr. LANE. Mr. President, I second the motion.

The motion was agreed to.

BILL ON THIRD READING

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 415, entitled:

An Act to amend sections 501 and 502 of the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 1053) entitled "An act relating to the regulation of public utilities defining as public utilities certain corporations companies associations and persons providing for the regulation of public utilities including to a limited extent municipalities engaging in public utility business by prescribing defining and limiting their duties powers and liabilities and regulatng the exercise surrender or abandonment of their powers privileges and franchises defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons associations companies and corporations including to a limited extent municipal corporations subject to this act and administering the provisions of this act authorizing the commission to fix temporary rates placing the burden of proof on public utilities to sustain their rates and cer-

tain other matters authorizing a permissive or mandatory sliding scale method of regulating rates providing for the supervision of financial and contractual relations between public utilities and affiliated interests and supervision and regulation of accounts and securities or obligations issued assumed or kept by persons associations companies corporations or municipal corporations subject to this act conferring upon the commission power to vary reform or revise certain contracts conferring upon the commission the exclusive power to regulate or order the construction alteration relocation protection or abolition of crossings of facilities of public utilities and of such facilities by or over public highways to appropriate property for the construction or improvement of such crossings and to award or apportion resultant costs and damages authorizing owners of such property to sue the Commonwealth for such damages providing for ejectment proceedings in connection with the appropriation of property for crossings conferring upon the commission power to control and regulate budgets of public utilities imposing upon persons associations companies and corporations (except municipal corporations) subject to regulation the cost of administering this act prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain procedings prescribing penalties fines and imprisonment for violations of the provisions of this act and regulations and orders of the commission and the procedure for enforcing such fines and penalties and repealing legislation supplied and superseded by or inconsistent with this act" limiting original cost accounting to those public utilities whose accounting systems are subject also to the jurisdiction of a Federal regulatory body

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. KEPHART. Mr. President, I ask unanimous consent to offer amendments at this time.

Mr. JASPAN. Mr. President, I object.

RECONSIDERATION OF SENATE BILL No. 415

Mr. HEYBURN. Mr. President, I move that the Senate do now reconsider the vote by which Senate Bill No. 415, passed second reading.

The PRESIDENT. How did the Senator vote?

Mr. HEYBURN. Mr. President, I voted with the majority.

Mr. WALKER. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. WALKER. Mr. President, I voted with the majority.

On the question,

Will the Senate agree to the motion?

(A voice vote having been taken the question was determined in the affirmative.)

BILL ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 415,

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. KEPHART offered the following amendments:

Amend Section 1 (Section 502), page 8, line 10, by taking out the following "A", and insert in lieu thereof the following, "a"; amend page 8, line 10 by inserting after the word "body" the following "to which such public utility is also subject",

They were agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time, as amended,

On the question,

Will the Senate agree to the bill on second reading?

BILL OVER IN ORDER

Mr. KEPHART. Mr. President, I ask unanimous consent that Senate Bill No. 415, on second reading, as amended, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 506, entitled:

An Act to further amend the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An Act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending, and consolidating the laws relating thereto," providing for fixing the number and compensation of all appointed officers, deputies, assistants, clerks and other persons whose compensation is paid out of the county treasury, whether employed by the county, the courts or by any judge thereof; creating a salary board in each county; defining its powers and duties; providing for appeals and repealing inconsistent acts.

An said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. STEVENSON. Mr. President, I ask unanimous consent to offer amendments at this time.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend title, page 2, line 1 of title on said page, by striking out the words "providing for appeals"; amend Section 23, (Section 307) page 35, lines 1 to 7 by striking out all of said lines,

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

BILLS OVER IN ORDER

Mr. STEVENSON. Mr. President, I ask unanimous consent that Senate Bill No. 506, on third reading, as amended, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. STEVENSON. Mr. President, I ask unanimous consent that Senate Bill No. 507, on third reading, entitled:

An Act abolishing all existing county salary boards; and providing for the transfer of their books, records and property.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 532, as follows:

An Act to amend section twenty of the act approved the twenty-fifth day of May one thousand nine hundred forty-five (P. L. 1050) entitled "An act relating to the collection of taxes levied by counties county institution districts cities of the third class boroughs towns townships certain school districts and vocational school districts conferring powers and imposing duties on tax collectors courts and various officers of said political subdivisions and prescribing penalties" making a husband liable for his wife's per capita poll and occupation taxes and providing for the collection thereof

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section twenty of the act approved the twenty-fifth day of May one thousand nine hundred forty-five (P. L. 1050) entitled "An act relating to the collection of taxes levied by counties county institution districts cities of the third class boroughs towns townships certain school districts and vocational school districts conferring powers and imposing duties on tax collectors courts and various officers of said political subdivisions and prescribing penalties" is hereby amended to read as follows

Section 20 Collection of Per Capita Poll and Occupation Taxes from Employers etc The tax collector shall demand receive and collect from all corporations political subdivisions associations companies firms or individuals employing any person or persons owing per capita poll or occupation taxes or whose wife owes per capita poll or occupation taxes or having in possession unpaid commissions or earnings belonging to any person or persons owing per capita poll or occupation taxes or whose wife owes per capita poll or occupation taxes upon the presentation of a written notice and demand containing the name of the taxable or the husband thereof and the amount of tax due Upon the presentation of such written notice and demand it shall be the duty of any such corporation political subdivision association company firm or individual to deduct from the wages commissions or earnings of such individual employes then owing or that shall within sixty days thereafter become due or from any unpaid commissions or earnings of any such taxable in its or his possession or that shall within sixty days thereafter come into its or his possession a sum sufficient to pay the respective amount of the per capita poll or occupation tax and costs shown upon the written notice or demand and to pay the same to the tax collector of the taxing district in which such delinquent tax is levided within sixty days after such notice shall have been given such corporation political subdivision association firm or individual shall be entitled to deduct from the moneys collected from each employe the costs incurred from the extra bookkeeping necessary to record such transactions not exceeding two per centum of the amount of money so collected and paid over to the tax collector Upon the failure of any such corporation political subdivision association company firm to deduct the amount of such taxes or to pay the same over to the tax collector less the cost of bookkeeping involved in such transaction as herein provided within the time hereby required such corporation political subdivision association company firm or individual shall forfeit and pay the amount of such tax for each such taxable whose taxes are not withheld and paid over or that are withheld and not paid over together with a penalty of ten per centum added thereto to be recovered by an action of assumpsit in a suit to be instituted by the tax collector or by the proper authorities of the taxing district as debts of like amount are now by law recoverable except that such persons shall not have the benefit of any stay of execution or exemption law

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—41

Barr,	Frazier,	Mallery,	Tyler,
Becker,	Geltz,	Rahauser,	Wade,
Berger,	Hare,	Rosenfeld,	Wagner,
Blass,	Heyburn,	Ruth,	Walker,
Carr,	Holland,	Scarlett,	Watson,
Chapman,	Homsher	Snowden,	Wilson,
Crider,	Kephart,	Stevenson,	Wolfe,
Crowe,	Letzler,	Stiefel,	Wood, L. H.,
Dent.	Lord,	Tallman,	Wood, T. N.,
Doehla,	Mahany,	Taylor,	Woodring,
Farrell,			

NAYS—8

DiSilvestro,	Jaspan,	Lane,	Margie,
Haluska,	Klein,	Leader,	Tarr,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL POSTPONED

Mr. TALLMAN, Mr. President, I move that Senate Bill No. 544, on third reading, entitled:

An Act to establish an Eastern Pennsylvania Psychiatric Institute conferring powers and imposing duties and obligations on the Department of Property and Supplies and providing for maintenance and operation by the Department of Welfare through a director and an advisory board appointed by it

be placed on the Third Reading Postponed Calendar.

Mr. HEYBURN, Mr. President, I second the motion.

The motion was agreed to.

BILLS OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 570 on third reading, entitled:

An Act to further amend sections one four five and six of the act approved the seventh day of May one thousand nine hundred twenty-three (P. L. 151) entitled "An act defining and regulating the business of dry cleaning and dyeing providing for the maintenance construction and inspection of dry cleaning and dyeing buildings and establishments providing for enforcing the act and penalties for violation thereof" by repealing exemptions from certain provisions of said act and providing for regulation of Class I and Class II dry cleaning and dyeing plants

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BARR. Mr. President I ask unanimous consent that Senate Bill No. 601, on third reading, entitled:

An Act to further amend section five of article three of the act approved the ninth day of June one thousand nine hundred eleven (P. L. 756) entitled "An act to provide for the health and safety of persons employed in and about the bituminous coal mines of Pennsylvania and for the protection and preservation of property connected therewith" by further regulating barrier pillars

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BARR. Mr. President, I ask unanimous consent that Senate Bill No. 609, on third reading, entitled:

An Act to further amend the act approved the ninth day of June one thousand nine hundred eleven (P. L. 756) entitled "An act to provide for the health and safety of persons employed in and about bituminous coal mines of Pennsylvania and for the protection and preservation of property connected therewith" by furthed providing for the health and safeyt of persons employed in and about the bituminous coal mines of Pennsylvania

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 780, as follows:

An Act requiring public assistance milk orders to be presented for payment within a certain period otherwise to be canceled and the monies appropriated for their payment to be escheated to the Commonwealth and credited to the current appropriation for public assistance purposes

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Department of Public Assistance shall take credit on its books and calculate as cash to the credit of the current appropriation to the department for public assistance purposes all amounts held in the form of cash for the payment of public assistance milk orders issued by said department which have not been presented for payment within six months after the effective date of this act The Department of Public Assistance shall cancel all such orders at the time credit is taken on its books and the full amount thereof shall be credited to the current appropriation to the department for public assistance purposes

All claims against the Commonwealth represented by public assistance milk orders issued by the Department of Public Assistance which are not presented for payment prior t othe time of cancellation shall be considered paid and all sums of money held or appropriated for the payment of such assistance milk orders not presented within said period are hereby escheated to the Commonwealth and shall be credited to the current appropriation to the department as hereinbefore provided

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49.

Barr,	Geltz,	Lord,	Tarr,
Becker,	Haluska,	Mahany,	Taylor,
Berger,	Hare,	Mallery,	Tyler,
Blass,	Heyburn,	Margie,	Wade,
Carr,	Holland,	Rahauser,	Wagner,
Chapman,	Homsher	Rosenfeld,	Walker,
Crider,	Jaspan,	Ruth,	Watson,
Crowe,	Kephart,	Scarlett,	Wilson,
Dent,	Klein,	Snowden,	Wolfe,
DiSilvestro,	Lane,	Stevenson,	Wood, L. H.,
Doehla,	Leader,	Stiefel,	Wood, T. N.,
Farrell,	Letzler,	Tallman,	Woodring,
Frazier,			

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 785, on third reading, entitled:

An Act to further amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing creating, reorgnaizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by creating the Public Service Institute Board in the Department of Public Instruction; and defining its powers and duties.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 905, as follows:

An Act to amend and reenact section one of the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 491) entitled "An act reducing for a limited period of time the training period of internship in osteopathic hospitals in order to qualify for examination for license by the Osteopathic Surgeon's Examining Board to practice major surgery and suspending inconsistent laws" further regulating the training period of internship in osteopathis hospitals

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one of the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 491) entitled "An act reducing for a limited period of time the training period of internship in osteopathic hospitals in order to qualify for examination for license by the Osteopathic Surgeons' Examining Board to practice major surgery and suspending inconsistent laws" is hereby amended and reenacted to read as follows

Section 1 [For the duration of the present war between the United States and any foreign country and one year after the cessation of hostilities] Until the thirtieth day of June one thousand nine hundred forty-eight a minimum of nine months for each year's required internship shall constitute the necessary legal training for an intern in an osteopathic hospital approved for intern training to qualify for admission to an examination for licensure by the Osteopathic Surgeons' Examining Board to practice major surgery in Pennsylvania

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Barr,	Geltz,	Lord,	Tarr,
Becker,	Hare,	Mahany,	Taylor,
Berger,	Heyburn,	Mallery,	Tyler,
Blass,	Holland,	Margie,	Wade,
Carr,	Homsher	Rahauser,	Wagner,
Crider,	Jaspan,	Rosenfeld,	Walker,
Crowe,	Kephart,	Ruth,	Watson,
Dent,	Klein,	Scarlett,	Wilson,
DiSilvestro,	Lane,	Snowden,	Wolfe,
Doehla,	Leader,	Stevenson,	Wood, L. H.,
Farrell,	Letzler,	Tallman,	Wood, T. N.,
Frazier,			Woodring,

NAYS—3

Chapman,	Haluska,	Stiefel,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 1215, on third reading, entitled:

A Joint Resoultion ratifying the proposed amendment to the Constitution of the United States relative to the terms of the President of the United States

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

SENATE BILL No. 366 CALLED UP

Mr. TALLMAN. Mr. President, on page 12 of the bills on Third Reading Postponed Calendar, I call up for consideration at this time Senate Bill No. 366.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 366, as follows:

An Act to amend section five of the act approved the sixteenth day of May one thousand nine hundred forty-five (P. L. 577) entitled "An act for the prevention control and cure of venereal diseases by requiring certain persons to submit to physical examination and blood tests providing for the treatment of certain persons requiring reports to be made to the State Department of Health imposing duties upon and authorizing and directing the Secretary of Health to make rules and regulations and to disseminate certain information regulating the advertisement and restricting the sale of certain drugs and remedies and imposing penalties" authorizing county jails to receive persons under quarantine and providing for reimbursement by the Commonwealth

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section five of the act approved the sixteenth day of May one thousand nine hundred forty-five (P. L. 577) entitled "An act for the prevention control and cure of venereal diseases by requiring certain persons to submit to physical examination and blood tests providing for the treatment of certain persons requiring reports to be made to the State Department of Health imposing duties upon and authorizing and directing the Secretary of Health to make rules and regulations and to disseminate certain information regulating the advertisement and restricting the sale of certain drugs and remedies and imposing penalties" is hereby amended to read as follows

Section 5 Treatment The State Department of Health shall provide or designate adequate facilities for the free diagnosis (including blood and other tests) of venereal diseases and for the free treatment and care of persons so infected when necessary for the public health

(a) Any person determined by the Secretary of Health to be infected with a venereal disease in a communicable stage may in the discretion of the Secretary of Health be dealt with in accordance with [his] quarantine of the State Department of Health until the disease of such person is determined by approved diagnostic procedure to be no longer in a communicable stage

(b) If a person is determined by the [secretary] Secretary of Health to be infected with a venereal diesase in a communicable stage and if such person refuses to submit to treatment approved by the Secretary of Health any court of record having equitable jurisdiction may upon application of the State Department of Health commit such person to an appropriate institution designated by the State Department of Health for treatment until the disease has been rendered noncommunicable

(c) Any county jail may receive persons who are under quarantine by the State Department of Health by reason of a venereal disease for the purpose of safe-keeping and treatment The State Department of Health shall reimburse institutions which accept such persons at the rate of maintenance that prevails in such institution The State Department of Health shall furnish necessary medical treatment to persons who are so quarantined

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were ts follows, viz:

YEAS—49

Barr,	Geltz,	Lord,	Tarr,
Becker,	Haluska,	Mahany,	Taylor,
Berger,	Hare,	Mallery,	Tyler,
Blass,	Heyburn,	Margie,	Wade,
Carr,	Holland,	Rahauser,	Wagner,
Chapman,	Homsher	Rosenfeld,	Walker,
Crider,	Jaspan,	Ruth,	Watson,
Crowe,	Kephart,	Scarlett,	Wilson,
Dent,	Klein,	Snowden,	Wolfe,
DiSilvestro,	Lane,	Stevenson,	Wood, L. H.,
Doehla,	Leader,	Stiefel,	Wood, T. N.,
Farrell,	Letzler,	Tallman,	Woodring,
Frazier,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

HOUSE BILL No. 838 CALLED UP

Mr. TALLMAN. Mr. President, on page 14 of today's Calendar, I call up from the Postponed Calendar House Bill No. 838, for consideration at this time.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 838, as follows:

An Act to further amend the definition of "Extension education" in section one of the act approved the second day of May one thousand nine hundred twenty-five (P. L. 492) entitled "An act to provide for the equalization of educational opportunity and the encouragement of the study of citizenship by recognition of extension education for boys and girls who are employed and for adults as a function of the public schools of this Commonwealth and to facilitate the proper organization and administration of such exservice for youth and children within the meaning of the term "extension education"

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The definition of "Extension education" in section one of the act approved the second day of May one thousand nine hundred twenty-five (P. L. 492) entitled "An act to provide for the equalization of educational opportunity and the encouragment of the study of citizenship by recognition of extension education for boys and girls who are employed and for adults as a function of the public schools of this Commonwealth and to facilitate the proper organization and administration of such extension education" as amended by the act approved the seventh day of May one thousand nine hundred thirty-seven (P. L. 599) is hereby further amended to read as follows

Section 1 The following words and phrases as used in this act shall unless a different meaning is plainly required by the context have the following meaning

"Extension education" shall designate any instructional recreational or social service provided and administered by the board of school directors of any school district which is organized primarily for out-of-school youth and for adults or any such recreational or social service which is so provided and administered for other youth and for childrei during out-of-school hours but shall not include the [school] work of [continuation and other] vocational schools which are subsidized under the provisions of Federal enactment nor the coaching or supervision of interscholastic athletic teams or games

And said bill having been read at leigth the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Geltz,	Lord,	Tarr,
Becker,	Haluska,	Mahany,	Taylor,
Berger,	Hare,	Mallery,	Tyler,
Blass,	Heyburn,	Margie,	Wade,
Carr,	Holland,	Rahauser,	Wagner,
Chapman,	Homsher	Rosenfeld,	Walker,
Crider,	Jaspan,	Ruth,	Watson,
Crowe,	Kephart,	Scarlett,	Wilson,
Dent,	Klein,	Snowden,	Wolfe,
DiSilvestro,	Lane,	Stevenson,	Wood, L. H.,
Doehla,	Leader,	Stiefel,	Wood, T. N.,
Farrell,	Letzler,	Tallman,	Woodring,
Frazier,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

PERMISSION TO ADDRESS SENATE

Mr. DiSILVESTRO asked and obtained unanimous consent to address the Senate.

Mr. DiSILVESTRO. Mr. President and gentlemen of the Senate, I wish to call to the attention of the Senate the fact that today our good Governor vetoed the Simons bill, the magistrate's bill, and I wish to commend him publicly for the good sense he used in vetoing that bill.

PERMISSION TO ADDRESS SENATE

Mr. STIEFEL asked and obtained unanimous consent to address the Senate.

Mr. STIEFEL. Mr. President, as a member of the loyal opposition I also desire to express my favorable comment on this matter.

I do not desire to encroach upon the province of Mr. Drew Pearson, but I made a prediction about the fate of the Philadelphia magistrate's bill, and the sole reason I made that prediction was because I think our Governor is a political scientist par-excellence. I am glad this bill has been vetoed by him.

PERMISSION TO ADDRESS SENATE

Mr. JASPAN asked and obtained unanimous consent to address the Senate.

Mr. JASPAN. Mr. President and members of the Senate, I think today marks a field day for good government in the city of Philadelphia.

BILLS ON SECOND READING CALENDAR

BILL OVER IN ORDER

Mr. LANE. Mr. President, I ask unanimous consent that House Bill No. 7, on second reading, entitled:

An Act to amend sections one and four of the act approved the twenty-eighth day of May one thousand nine hundred forty-three (P. L. 793) entitled "An act authorizing counties of the second class to regulate the production of smoke from chimneys smokestacks or other source including provisions for the payment of inspection and certificates of compliance fees incident thereto authorizing the expenditure of money for the employment of persons and the acquisition of property for effectuating such regulations and providing penalties for the violation thereof" removing exemption regarding railroad locomotives and changing the effective date

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 358, entitled:

An Act to further amend the act approved the nineteenth day of July one thousand nine hundred thirty-five (Pamphlet Laws 1356) entitled "An act to regulate the sale and delivery of solid fuel as herein defined providing for appointmentof licensed weighmasters prescribing their powers and duties authorizing substitute licensed weighmasters imposing certain duties of the Department of Internal Affairs and providing penalties' providing for transportation of solid fuel over a public highway making execptions to the necessity of a weighmaster's certificate and designating certain acts as prema-facie evidence of short weight

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL ON SECOND READING AMENDED

Agreeably to order

The rule requiring bills to be considered in Committee of the Whole being in this case dipsensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 361, entitled:

An Act to further amend section two hundred twenty of the act, approved the second day of May, one thousand nine hundred twenty-five (P. L. 448), entitled "An act relating to fish; and amending, revising, consolidating, and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth," providing for free fishing licenses to certain disabled war veterans.

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. WALKER offered the following amendment:

Amend Section 1 (Section 220) page 3, line 7, by inserting after the word "limbs" "or the loss of the use of one or more limbs or a veteran who is totally blind"

It was agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time, and agreed to, as amended,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 390, on second reading, entitled:

An Act to amend section nine hundred six of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" authorizing the granting of the right to maintain radio stations or radio towers facilities for skiing roadside rests and devices for flood control and recreational uses on lands acquired for the use of the Pennsylvania Game Commission

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 474, entitled:

An Act to add clause (1) to section one thousand three hundred four of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled: "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolising creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of ceraai nadministrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies an dall other assistants and employes of certain departments boards and commissions shall be determined" authorizing the Department of Public Instruction to fix the fees to be charged by professional examining boards

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration House Bill No. 503, entitled:

An Act to amend or further amend Sections eight hundred six eight hundred eight and eight hundred thirty of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by making it unlawful for certain persons to disturb wild birds or wild animals within safety zones during the open hunting or trapping season clarifying the law with reference to shooting within safety zones prohibiting the conveyance of certain firearms without being wrapped or in a case and clarifying the law with reference to hunting accident reports

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. KEPHART offered the following amendments:

Amend Section 1 (Section 806) page 3, line 10, by inserting a bracket before the word "to" and after the word "game" and inserting immediately thereafter "the regular small game hunting season which normally opens on the first day of November to the thirty-first day of December next following both dates inclusive"; amend Section 1 (Section 806) page 3, line 11, by inserting a bracket before the word "open" and after the word "game" and inserting immediately thereafter "period enumerated in subsection (a) of this section".

They were agreed to.

The section was agreed to as amended.

The second section was read.

On the question,

Will the Senate agree to the section?

Mr. KEPHART offered the following amendments:

Amend Section 2 (Section 808) page 5, line 7, by striking out the word "resident"; amend Section 2 (Section 808) page 5, line 14, by striking out the word "resident"; amend Section 2 (Section 808) page 6, line 1, by striking out the word "resident".

They were agereed to.

The section was agreed to as amended.

The third and four sections and title were read and agreed to.

And said bill having been read at length the second time, as amended,

On the question,

Will the Senate agree to the bill on second reading, as amended?

BILLS OVER IN ORDER

Mr. KEPHART. Mr. President, I ask unanimous con-

sent that House Bill No. 503, on second reading, as amended, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 542, on second reading, entitled:

An Act to amend Section six hundred seven of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by making it unlawful to disturb or tamper with traps set by agents of the Commission

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL POSTPONED

Mr. BARR. Mr. President, I move that Senate Bill No. 611, on second reading, entitled:

An Act to amend the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by making it unlawful for any person while hunting or trapping to carry any firearm with the safety off except during the momentary interval of time necessary to permit the discharge of such firearm and providing penalties

be placed on the Second Reading Postponed Calendar.

Mr. WALKER. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 612, entitled:

An Act to further amend sections twenty-seven and forty-five and to add a new section to the act approved the seventh day of June one thousand nine hundred one (P. L. 493) entitled as amended "An act providing for the examination licensure and registration of persons, firms or corporations engaged or engaging in the business or work of plumbing or house drainage and prescribing certain rules regulations and requirements for the construction of plumbing house drainage and cesspools in cities of the second class second class A and third class and imposing fines penalties and forfeiture for violation thereof" prescribing further rules regulations and requirements for the construction of plumbing house drainage and cesspools

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 746, entitled:

An Act to further amend sections two and four of the act approved the thirtieth day of April one thousand nine hundred forty-three (P. L. 145) entitled as amended "An act providing for and regulating the accumulation investment and expenditure by counties cities boroughs incorporated towns townships and school districts of funds for post war period and the purchase or replacement of school buses

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 863, on second reading, entitled:

An Act to further amend section three of the act approved the thirteenth day of May one thousand nine hundred twenty-seven (P. L. 988) entitled "An act providing for and regulating the State registration of nurses and licensed attendants the annual recording of registration certificatees and regulating the profession of nursing and repealing certain existing laws" further providing for emergency registration of nurses

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 917, entitled:

An Act to repeal the act approved the nineteenth day of March one thousand nine hundred forty-three (P. L. 19) entitled "An act reducing for a limited period of time the training period of medical intership in hospitals in order to qualify for examination for license to practice medicine and surgery and suspending inconsistent laws"

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 921, entitled:

An Act to repeal the act approved the twenty-second day of April one thousand nine hundred forty-three (P. L. 71) entitled "An act authorizing the State Board of Medical Education and Licensure to issue temporary permits to doctors of medicine legally licensed in other states to practice medicine and surgery in this State under certain conditions for a limited period of time"

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 936, entitled:

An Act to further amend section one of the act approved the twenty-sixth day of May one thousand nine hundred forty-three (P. L. 607) entitled "An act authorizing administrative boards within the Department of Public Instruction for the duration of the present War to admit to examination and grant licenses or registration to certain aplicants who are less than twenty-one but not less than twenty years of age" further regulating the professional examination licensure or registration of persons who are less than twenty-one but over twenty years of age

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL POSTPONED

Mr. TALLMAN. Mr. President, I move that House Bill No. 1046, on second reading, entitled:

An Act to amend section two of the act approved the twenty-sixth day of May one thousand nine hundred twenty-one (P. L. 1172) entitled A Supplement to the act approved the seventeenth day of May one thousand nine hundred seventeen (P. L. 208) entitled "An act to regulate the practice of pharmacy and sale of poisons and drugs and providing penalties for the violation thereof defining the words "drug" and "poison" and providing for the appointment of a board which shall have in charge the enforcement of said law and the power to make rules and regulations for the enforcement of said law and providing for the purchase of samples of drugs for determining their quality strength and purity requiring permits to conduct pharmacies providing for the revocation thereof and prescribing penalties "regulating the use of a corporate title in applying for a pharmacy permit and its use on labels signs and advertisements

be placed on the Second Reading Postponed Calendar.

Mr. HEYBURN. Mr. President, I second the motion.

The motion was agreed to.

BILLS INTRODUCED AND REFERRED

Mr. T. NEWELL WOOD. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. T. NEWELL WOOD read in place and presented to the Chair Senate Bill No. 660, entitled:

An Act establishing certain public roads and streets as a State highway, and providing for their construction, reconstruction and maintenance by the Department of Highways subject to certain terms and conditions.

Which was committed to the Committee on Highways.

Mr. LLOYD H. WOOD. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. LLOYD H. WOOD read in place and presented to the Chair Senate Bill No. 661, entitled:

An Act to reenact the act, approved the fourth day of April, one thousand nine hundred twenty-nine (P. L. 149), entitled "An act authorizing guardians of minors to expend parts of the income of said minors in life insurance policies, with leave of the orphans' court, and stipulating the rights of such minors in regard thereto upon becoming of age."

Which was committed to the Committee on Insurance.

BILLS SIGNED

The PRESIDENT (Lieutenant-Governor Daniel B. Strickler) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 287, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor, to convey to the Borough of Towanda for use as an airport, certain real estate located in the Township of Towanda, County of Bradford, and heretofore acquired by the Commonwealth for development as an airport.

House Bill No. 592, entitled:

An Act authorizing the conveyance to the Borough of Norristown of a certain tract of land in the Borough of Norristown County of Montgomery Pennsylvania

Whereupon,

The PRESIDENT (Lieutenant-Governor Daniel B. Strickler) in the presence of the Senate signed the same.

ADJOURNMENT

Mr. TALLMAN. Mr. President, I move that the Senate do now adjourn until Tuesday, April 29, 1947, at 1:00 o'clock, p. m., Eastern Standard Time.

Mr. DOEHLA. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 6:14 o'clock, p. m., Eastern Standard Time until Tuesday, April 29, 1947, at 1:00 o'clock, p. m., Eastern Standard Time.

HOUSE OF REPRESENTATIVES

MONDAY, April 28, 1947.

The House met at 3:30 p. m. Eastern Standard Time.

The SPEAKER (Franklin H. Lichtenwalter) in the Chair.

PRAYER

The Chaplain, Rev. Lester C. Updegrove offered the following prayer:

Our heavenly Father, Thou who hast given us life, help us to love Thy will and walk in Thy way. Upon these servants so much of our state's good and prosperity are dependent. O may the vision of our responsibility never pass until much wise and wholesome legislation is realized. May a day never go by without us asking Thee to bless our flag and all that it symbolizes. Whatever each day demands, enable us to be faithful to duty, and with reverent spirits always acquit ourselves like men. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of Thursday, April 24, 1947.

The Clerk proceeded to read the Journal of Thursday, April 24, 1947, when, on motion of Mr. CAPANO unanimously agreed to, the further reading was dispensed with and the Journal approved.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence, bills numbered and entitled as follows:

SENATE BILL No. 263

An Act to further amend section two, and amend sections three and five of the act, approved the eighteenth day of July, one thousand nine hundred thirty-five (P. L. 1303), entitled "An act to regulate the sale of certain hypnotic, analgesic, and body-weight reduction drugs, in the interest of public health," extending requirements as to contents of labels; conditions under which barbiturate drugs may be sold or handled and increasing penalties for violations thereof.

Referred to the Committee on Public Health and Sanitation.

SENATE BILL No. 284

An Act to further amend the act, approved the thirtieth day of March, one thousand nine hundred thirty-seven (P. L. 115), entitled "An act to provide for the permanent personal registration of electors in cities of the first class as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens, parties, bodies of electors, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commission, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, real estate brokers, rental agents, certain public service companies, persons, firms, and corporations operating vehicles for moving furniture and household goods, and boards of school directors; and imposing penalties," by imposing an additional penalty.

Referred to the Committee on Elections and Apportionment.

SENATE BILL No. 428

An Act to further amend clause (17) of subdivision (4) of subsection (L) of section four of the act, approved the fifth day of December, one thousand nine hundred thirty-six (1937 P. L. 2897), entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis; requiring employers to keep records and make reports, and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons; providing procedure and administrative details for the determination, payment and collection of such contributions and the payment of such compensation; providing for cooperation with the Federal Government and its agencies; creating certain special funds in the custody of the State Treasurer; and prescribing penalties," by expressly excluding from the definition of "employment" services of certain solicitors agents and salesmen who are compenstated on a commission basis.

Referred to the Committee on Workmen's Compensation.

SENATE BILL No. 478

An Act to further amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing, or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by extending the wartime purchasing powers of the Department of Property and Supplies for a period of not longer than two years after the state of war ceases; and by further prescribing the method of making purchases and entering into contracts by the Department of Property and Supplies.

Referred to the Committee on State Government.

SENATE BILL No. 492

An Act to amend Section 2 of the act, approved the third day of May, one thousand nine hundred and thirty-three (P. L. 227), entitled, "An act authorizing stock corporations, with certain exceptions, to make provision for, and to issue, shares of capital stock of any class or classes, or to change shares of authorized or outstanding capital stock of any class into one or more classes, with or without nominal or par value and with such designations, terms, relative rights, powers, privileges, preferences, limitations, restrictions and qualifications as may be specified; regulating such corporations; and the liabilities of their directors; making other provisions relating to the capital and capital stock of such corporation; and repealing all acts or parts of acts inconsistent herewith," by empowering, subject to certain conditions, the boards of directors of corporations to issue out of the authorized; but unissued shares of capital stock the kinds and classes of shares so authorized; regulating the creation and issuance of preferred or special stock in series and designating the variations in the relative rights and preferences as between different series; and empowering, subject to certain conditions, the boards of directors of corporations, as respects the authorized but unissued shares of preferred or special stock of the corporation, to divide the same into series and, subject to certain conditions and limitations, to fix and determine the relative rights and preferences of any series so established.

Referred to the Committee on Judiciary.

SENATE BILL No. 575

An Act concerning the ascertainment of principal and income, and the apportionment of receipts and expenses among tenants and remaindermen.

Referred to the Committee on Judiciary.

REPORT FROM COMMITTEE

Mr. CORDIER from the Committee on Municipal Corporations, reported as committed, Senate Bill No. 221, entitled:

An Act to add section sixteen point one to the act, approved the seventeenth day of June, one thousand nine hundred thirteen (P. L. 507), entitled "An act to provide revenue for State and county purposes, and, in cities coextensive with counties, for city and county purposes; imposing taxes upon certain classes of personal property; providing for the assessment and collection of the same; providing for the duties and compensation of prothonotaries and recorders in connection therewith; and modifying existing legislation which provided for raising revenue for State purposes." by extending the time for payment of the tax without interest in certain cases; staying distraint or execution on such taxes; and requiring counties to make certain refunds.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 106, entitled:

An Act requiring that all meetings of legislative bodies of political subdivisions and of boards commissions and authorities created by or operating as agencies of political subdivisions at which ordinances resolutions rules regulations and other actions are adopted to be open to the public permitting the holding of executive sessions from which the public is excluded but prohibiting the adoption of ordinances resolutions rules and regulations at such sessions

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 612, entitled:

An Act to further amend subsections (a) and (b) of section four hundred eleven and section five hundred six of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors stree cars trackless trolley omnibuses bicycles pedestrains and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerk thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" providing for the transfer of motor vehicles trailers and semi-trailers from a husband to his wife and from a wife to her husband

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1109, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1005) entitled "An act relating to and regulating tractors and trailers and their operation providing for their registration and the licensing of certain operators by the Department of Revenue upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of tractors and trailers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns and townships within the Commonwealth liability for damages caused by the negligent operation of tractors and trailers imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by further providing for the classification registration and regulation of tractors and the licensing of their operators

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

BILLS ON SECOND READING

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 32, entitled:

An Act to further amend subsection (b) of section four hundred twelve of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by fixing a minimum compensation for judges and elected inspectors of election

The first section was read.
On the question,
Will the House agree to the section?

BILL RECOMMITTED

Mr. SORG. Mr. Speaker, I move that this bill be recommitted to the Committee on Elections and Apportionment for further study.
The motion was agreed to.

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 95, entitled:

An Act to repeal the act approved the sixteenth day of May one thousand nine hundred forty-five (P. L. 594) entitled "An act providing for the disposition of fines penalties and forfeitures collected in summary proceedings and imposing penalties"

And said bill having been read at length the second time and agreed to,
Ordered, To be transcribed for third reading.

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 445, entitled:

An Act to further amend section one thousand four hundred twelve of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof that are or may be inconsistent therewith," requiring the Commonwealth to pay the tuition of certain non-resident inmates of institutions attending public schools

And said bill having been read at length the second time and agreed to,
Ordered, To be transcribed for third reading.

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 454, entitled:

An Act to amend the heading of Article III, and to amend, or further amend, Sections three hundred two, three hundred three. three hundred five. three hundred

six, three hundred seven, three hundred eight, three hundred nine, three hundred ten, three hundred eleven, three hundred twelve, three hundred thirteen, three hundred fourteen, three hunderd fifteen, three hundred eighteen, three hundred nineteen, and three hundred tweny-one, of the act approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals; and amendin, revising, consolidating, and changing the law relating thereto," by establishing a new schedule of resident and nonresident licenses and fees; fixing a termination date for the issuance of free resident licenses to military personnel; authorizing seizure of licenses of persons mentally or physically incapable of handling firearms safely; and changing penalties.

The first section was read.
On the question,
Will the House agree to the section?

BILL RECOMMITTED

Mr. ELDER. Mr. Speaekr, I move that this bill be recommited to the Committee on Game and Forestry for further study.

The motion was agreed to.

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 544, entitled:

An Act to further amend section one thousand four hundred thirteen of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing method of collecting such revenue and repealing all laws revenue to establish and maintain the same and the general special or local or any parts thereof that are or may be inconsistent therewith" providing special education for children afflicted with cerebral palsy or otherwise physically handicapped.

The first section was read.
On the question,
Will the House agree to the section?

BILL POSTPONED

Mr SCOTT. Mr. Speaker, I move that this bill be placed on the second reading postponed calendar.

The motion was agreed to.

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 682, entitled:

An Act declaring certain organizations groups or societies subversive and certain persons disloyal citizens or undesirable aliens within this Commonwealth and making it unlawful for any person to assist aid or abet such subversive associations or such persons to advocate or attempt to cause the overthrow of our federal government or to invalidate the constitution of the United States by defiance of its laws or those of this Commonwealth by mass action intimidation or violence of threats of same and making all persons violating this act ineligible to hold public office or public employment or office in certain other organizations or corporate bodies as well as subject to certain fines or imprisonment or both

The first section was read.
On the question,
Will the House agree to the section?

BILL RECOMMITTED

Mr. BENDER. Mr. Speaker, I move that this bill be recommitted to the Committee on Judiciary for the purpose of further study and possible amendment.

The motion was agreed to.

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 749, entitled:

An Act to further amend section one thousand five hundred eight of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" entitling school nurses employed by first class school districts to same status and compensation as school teachers

And said bill having been read at length the second time and agreed to
Ordered, To be transcribed for third reading.

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 874, entitled:

An Act to further amend the first three paragraphs of section one thousand two hundred one of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," further defining substitutes and regulating their employment; and further providing for reimbursement of school districts employing substitutes.

And said bill having been read at length the second time and agreed to
Ordered, To be transcribed for third reading.

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 889, entitled

An Act to add section one thousand three hundred one point two to the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" providing for amusement tax for general revenue purposes and providing penalties

The first section was read.
On the question,
Will the House agree to the section?

BILL RECOMMITTED

Mr. HOFFMAN. Mr. Speaker, I move that this bill be

recommitted to the Committee on Boroughs for further study.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 974, entitled

An Act to further amend section two thousand one hundred four of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" increasing the pay of teachers attending meetings called by the county superintendent

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 996, entitled:

An Act to prohibit organized dissemination of false and defamatory group propaganda based upon race creed color national origin or ancestry interfering with the exercise of civil rights and imposing penalties.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. SORG. Mr. Speaker, I move that this bill be recommitted to the Committee on Law and Order for further study.

On the question,

Will the House agree to the motion?

Mr. ROOT. Mr. Speaker, House Bill No. 996 has been on the calendar for about two weeks, and I rise to oppose the motion to recommit. This bill deals with a serious subject, and I felt before I called it up for second reading that every Member of this House should have an opportunity to read it carefully and consider it seriously.

After every war and often in peacetimes during periods of economic depression we find crackpots here and there who organize primarily for the purpose of manufacturing and distributing poison among the people of this Commonwealth, against certain groups in this state because of their creed, their race and their religion. This bill will stop this kind of nefarious practice. If you believe that these crackpots should be allowed to run loose, then you will vote to recommit the bill, but if you believe that this bill will help to solve a problem that we must face at some time, and that these crockpots should be told that their practices are not in the interests of the public, then you will vote against recommitting this bill.

Mr. Speaker, I ask the Members of this House to give this subject serious consideration before they vote on the motion to recommit.

Mr. Speaker, I ask for a roll call.

Mr. SORG. Mr. Speaker, I do not rise to debate the merits or demerits of this particular issue. I desire to have it known, however, that there is a conflict of information which comes to me from this particular Committee. One report has it that the Committee reported the bill out with the understanding that after it had remained on the calendar for some time a motion to recommit was agreed to. On the other hand I have it also from the Committee that it was to remain on the calendar for such time, but no motion to recommit was agreed to.

I make this motion, however, Members of the House, in order to clarify that particular issue and to ascertain what the Members of the House desire.

Mr. ROOT. Mr. Speaker, I hate to disagree with my Majority Leader, but the only request made at the meeting of the Committee was that I do not rush this bill to passage, that it be printed and be allowed to stay on the calendar for every Member to be allowed an opportunity to read it.

There is no use kidding anyone about this. We know what the purpose is of the motion to recommit. If we vote for it there won't be any more bills like this on the calendar. If you favor that attitude then you will vote for this motion, but if you believe that these crack-pots ought to be put where they belong, then you will vote not to recommit the bill.

Mr. CHUDOFF. Mr. Speaker, I would like to interrogate the gentleman from Elk, Mr. Sorg.

The SPEAKER. Will the gentleman from Elk permit himself to be interrogated?

Mr. SORG. I shall, Mr. Speaker.

Mr. CHUDOFF. I should like to know from the gentleman, Mr. Speaker whether or not if this bill should pass and become law an organization like the Ku Klux Klan would be committing a crime in advocating discrimination.

Mr. SORG. Mr. Speaker, if this bill were passed it is my opinion that an organization like the Ku Klux Klan would be committing a crime in advocating or disseminating propaganda such as they do, which practice certainly is to be condemned.

Mr. CHUDOFF. Mr. Speaker, I feel it would be a mistake to recommit this bill, because anybody who voted to recommit it would be advocating a policy of perpetuating an organization like the Ku Klux Klan. We have been trying for years to get rid of such organizations, and here is a chance to do it.

Mr. SORG. Mr. Speaker, as I said before, I did not care to debate the merits or demerits of this particular measure. I cannot, however, allow the statement to stand on the record as it is at the present time.

While I fully agree that it would operate as an absolute prohibition of the activities of the Ku Klux Klan, it does certainly seem to me that it would carry with it far more activity on the part of not only organizations but any two individuals that the bill perhaps in itself does not even contemplate.

On the question recurring,

Will the House agree to the motion?

The years and nays were required by Messrs. Root and C. M. Smith and were as follows:

YEAS—108.

Baumunk,	Getchey,	Laughner,	Robbins,

Bonawitz,	Gibson,	Layer,	Robertson,
Boorse,	Goodling,	Lee,	Rose
Bower,	Graybill,	Leisey,	Royer,
Breisch,	Greer,	Livingstone,	Scott,
Brunner,	Guthrie,	Lyons,	Serrill,
Cadwalader,	Gyger,	Madden,	Shoemaker,
Clevenger,	Haller,	Madigan,	Sorg,
Cook,	Haudenshield,	McCullough,	Sproul,
Cooper,	Helm,	McKinney,	Stimmel,
Cordier,	Hewitt,	McMillen,	Stonier,
Dague,	Hocker,	Miller,	Thomassy,
Dalrymple,	Hoffman,	Moore, C. E.,	Tittle,
Davison,	Hoopes,	Moore, H. A.,	Tompkins,
De Long,	Imbt,	Morrison,	Toomey,
Demech,	Jennings,	Majaka,	Vaughan,
Dennison,	Johnson,	Neff,	Wachhaus,
Depuy,	Jones,	Nelson,	Wagner,
Dix,	Jump,	Orban,	Waterhouse,
Dye,	Kelley,	Pickens,	Watkins,
Elder,	Kemp,	Propert,	Wescott,
Erb,	Kent,	Ragot,	West,
Ewing,	Kline,	Reagan,	Wolf,
Fiss,	Kohl,	Reese, D. P.,	Wood,
Flack,	Kratz,	Reilly, J. M.,	Yeakel,
Foor,	Krise,	Richter,	Young,
Frost,	Kurtz,	Riley,	Lichtenwalter, Speaker.

NAYS—65.

Aaronson,	Crowley,	Mintess,	Scanlon,
Andrews,	Efenberg,	Mohr,	Schuster,
Bane,	Evans,	Mooney,	Smith, C. C.,
Barrett,	Feola,	Needham,	Smith, C. M.,
Bender,	Fish,	O'Connor,	Snider,
Bentzel,	Goff,	O'Dare,	Stank,
Bloom,	Henry,	O'Donnell,	Swope,
Boies,	Kean,	O'Neill,	Turner,
Brown,	Kirley,	Patten,	Upshur,
Bucchin,	Livingston,	Polaski,	Walton,
Capano,	Loftus,	Powers,	Watson,
Cassidy,	Lovett,	Readinger,	Weiss,
Chervenak,	Mazza,	Reilly, W. J.,	Wheeler,
Chudoff,	McCosker,	Root,	Worley,
Cochran,	McDonald,	Rowen,	Yester,
Cole,	Mikula,	Sax,	Yetzer,
Costa,			

NOT VOTING—32.

Beech,	Horan,	Petrosky,	Stuart,
Brice,	Johnston,	Pichney,	Tahl,
Fleming,	McCormack,	Price,	Thompson,
Gallagher,	Mihm,	Reese, R. E.,	Trout,
Gorman,	Mills,	Sarraf,	Verona,
Greenwood,	Murray,	Simons,	Waldron,
Griffiths,	Myers,	Sollenberger,	Wallin,
Hall,	Naumann,	Stockham,	Weidner,

So the question was determined in the affirmative and the motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1036, entitled:

An Act creating the Public School Building Fund within the Department of Public Instruction to aid in the construction and improvement of school buildings through grants to school districts presenting procedure for applications conferring powers and imposing duties upon the Department of Public Instruction and making an appropriation

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. McMILLEN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1066, entitled:

An Act to amend section twenty of the act approved the twenty-fifth day of May one thousand nine hundred forty-five (P. L. 1050) entitled "An act relating to the collection of taxes levied by counties county institution districts cities of the third class boroughs town townships certain school districts and vocational school districts conferring powers and imposing duties on tax collectors courts and various officers of said political subdivisions and prescribing penaltines" making a husband liable for his wife's per capita poll and occupation taxes and providing for the collection thereof

And said bill hacing been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1112, entitled:

An Act to further amend subsection (b) of section two of the act approved the twenty-ninth day of September one thousand nine hundred thirty-eight (P. L. 53) entitled as amended "An act relating to institutions of counties cities wards boroughs townships institutions districts and other political subdivisions for the care maintenance and treatment of mental patients providing for the transfer to the Commonwealth for the care maintenance and treatment of mental patients of such institutions and all grounds lands buildings and personal property of such political subdivisions used for the care and maintenance of indigent persons connected with such mental institutions providing for the management and operation or closing and abandonment thereof and the maintenance of mental patients therein including the collection of maintenance in certain cases providing for the retransfer of certain property to counties cities wards boroughs townships institution districts and other political subdivisions under certain circumstances conferring and imposing upon the Governor the Department of Welfare the courts of common pleas and counties cities wards boroughs townships institution districts and other political subdivisions certain powers and duties prohibiting cities counties wards boroughs townships institution districts and other political subdivisions from maintaining and operating institutions in whole or in part for the care and treatment of mental patients and repealing inconsistent laws" authorizing the Department of Welfare with the approval of the Governor to transfer to institution districts for the care and maintenance of indigent persons property no longer required by the Commonwealth for mental hospitals

An said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1158, entitled:

An Act allowing treasurers of counties of the first class to succeed themselves in office.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. LIVINGSTON. Mr. Speaker, I move that this bill be recommitted to the Committee on City and County—First Class for further study.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1178, entitled:

An Act to further amend section six hundred seventeen point one of the act approved the eighteenth day of May one thousand nine hundred (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" authorizing school districts under certain condition to appropriate money to nonprofit corporations for the construction of school athletic stadia including adequate equipment of the athletic field with fence enclosures and lighting system

An said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1280, entitled:

An Act to amend subsection (a) of section thirty of the act approved the twenty-fifth day of May one thousand nine hundred thirty-seven (P. L. 849) entitled "An act to provide for the permanent personal registration of electors in cities of the third class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers department and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors imposing penalties and repealing existing legislation" providing that reports of nonresidents' deaths be made to the registration commission of the county or city in which they resided

An said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

BILLS PASSED OVER

There being no objection

Senate Bill No. 1, Printer's No. 18,

Senate Bill No. 2, Printer's No. 62 and

Senate Bill No. 114, Printer's No. 21,

were passed over at the request of Mr. SORG.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 254, entitled:

An Act to amend the act, approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 289), entitled "An act relating to nonprofit corporations; defining and providing for the organization, merger, consolidation, and dissolution of such corporations; conferring certain rights, powers, duties, and immunities upon them and their officers and members; prescribing the conditions on which such corporations may exercise their powers; providing for the inclusion of certain existing corporations of the first class within the provisions of this act; prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth; conferring powers and imposing duies on the courts of common pleas, prothonotaries of such courts, recorders of deeds, and certain State departments, commissions, and officers; authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act; imposing penalties; and repealing certain acts and parts of acts relating to corporations," regulating the establishment and maintenance of common trust funds by nonprofit corporations .

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

BILL PASSED OVER

There being no objection

Senate Bill No. 255, Printer's No. 174,

was passed over at the request of Mr. SORG.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 362, entitled:

An Act to amend section two of the act approved the eleventh day of April, one thousand nine hundred forty-five (P. L. 203), entitled "An act to provide assistance for typhoid fever carriers, and persons having typhoid fever carriers in their households, and imposing certain responsibilities upon the Secretary of Health, the Secretary of Public Assistance, and the Secretary of Welfare in connection therewith," by fixing the date on which financial assistance shall begin.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and considered of Senate Bill No. 369, entitled:

An Act to authorize railroad corporations incorporated in this Commonwealth to hold directors' meetings at such place within this Commonwealth, or elsewhere, as appointed by a majority of the directors.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 475, entitled:

An Act to further amend section two of the act approved the tenth day of July, one thousand nine hundred thirty-five (P. L. 645), entitled "An act imposing certain requirements on certain hospitals receiving State aid; authorizing the withholding of appropriations; and imposing duties on the Department of Welfare," extending temporary wartime provisions.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

BILLS ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 949, as follows:

An Act to authorize political subdivisions and agencies thereof and municipality authorities to participate in the Federal Social Security program in order to secure coverage for their officers and employes under the old-age and survivors insurance provisions of the Federal Social Security Act upon the extensions of the provisions of such Federal act to include such persons

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 In the event the Congress of the United States extends the provisions of the Federal Social Security Act to include employes and officers of political subdivisions and agencies thereof and employes and officers of municipality authorities under the old-age and survivors provisions of said act any political subdivision or agency thereof and any municipality authority is hereby authorized to participate in the Federal Social Security program by withholding from the compensation of said employes such amounts as are required by Federal law or regulation by appropriating and contributing such amounts as may be required by Federal law or regulation and by reporting and making payment thereof

Provided however That any political subdivision or agency thereof and any municipality authority may include in or exclude from the provisions of this act policemen firemen or any elected official

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Frost,	McCosker,	Sax,
Andrews,	Gallagher,	McCullough,	Scanlon,
Bane,	Getchey,	McDonald,	Schuster,
Barrett,	Gibson,	McKinney,	Scott,
Baumunk,	Goff,	McMillen,	Serrill,
Beech,	Goodling,	Mihm,	Shoemaker,
Bender,	Gorman,	Mikula,	Simons,
Bentzel,	Graybill,	Miller,	Smith, C. C.,
Bloom,	Greenwood,	Mills,	Smith, C. M.,
Boies,	Greer,	Mintess,	Snider,
Bonawitz,	Griffiths,	Mohr,	Sollenberger,
Boorse,	Guthrie,	Mooney,	Sorg,
Bower,	Gyger,	Moore, C. E.,	Spro
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Handenshield,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Bucchin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,
Clevenger,	Jennings,	O'Dare,	Tompkins,
Cochran,	Johnson,	O'Donnell,	Toomey,
Cole,	Johnston,	O'Neill,	Turner,
Cook,	Jones,	Orban,	Upshur,
Cooper,	Jump,	Patten,	Vaughan,
Cordier,	Kean,	Petrosky,	Verona,
Costa,	Kelley,	Pichney,	Wachhaus,
Crowley,	Kemp,	Pickens,	Wagner,
Dague,	Kent,	Polaski,	Waldron,
Dalrymple,	Kirley,	Powers,	Wallin,
Davison,	Kline,	Price,	Walton,
De Long,	Kohl,	Propert,	Waterhouse,
Demech,	Kratz,	Ragot,	Watkins,
Dennison,	Krise,	Readinger,	Watson,
Depuy,	Kurtz,	Reagan,	Weidner,
Dix,	Laughner,	Reese, D. P.,	Weiss,
Dye,	Layer,	Reese, R. E.,	Wescott,
Efenberg,	Lee,	Reilly, J. M.,	West,
Elder,	Leisey,	Reilly, W. J.,	Wheeler,
Erb,	Livingston,	Richter,	Wolf,
Evans,	Livingstone,	Riley,	Wood,
Ewing,	Loftus,	Robbins,	Worley,
Feola,	Lovett,	Robertson,	Yeakel,
Fish,	Lyons,	Root,	Yester,
Fiss,	Madden,	Rose	Yetzer,
Flack,	Madigan,	Rowen,	Young,
Fleming,	Mazza,	Royer,	Lichtenwalter,
Foor,	McCormack,	Sarraf,	Speaker.

NAYS—0

NOT VOTING—2

Hall, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1122, as follows:

An Act providing for the payment of salary wages medical and hospital expenses of employes of a jail prison workhouse penitentiary penal reformatory or correction hospitals for the insane or any institution for the feeble minded or epileptic persons for inebriates or for juvenile delinquent and dependents maintained in whole or in part by the Commonwealth or any county within the Commonwealth who are injured in the performance of their duty and providing that absence during such injury shall not reduce any usual sick leave period

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Any employe of any jail prison workhouse penitentiary penal reformatory or correctional institution hospital for the insane or any institution for the feeble minded or epileptic persons for inebriates or for juvenile delinquents and dependents maintained in whole or in part by the Commonwealth or any county within the Commonwealth who is injured in the performance of his or her duties shall be paid by the Commonwealth or by the county for which the employe is employed the full regular salary or pay for so long a period of time as such employe would have received compensation for such disability under the provisions of the Workmen's Compensation Act whether or not such employe is within the provisions of said act All medical and hospital bills incurred in connection with such injury shall be paid by the Commonwealth or by the county for which the injured employe is employed Absence from duty because of such injury shall not be included in any sick leave allowed such employe by law or regulation Any workmen's compensation paid such injured employe for such period of incapacity shall be turned over to the Commonwealth or county for which the injured employe is employed and paid into the treasury thereof And if such payment shall not be made by the injured employe the amount so due shall be deducted from any salary then and there becoming due and owning

Section 2 At the end of a twelve (12) month period following injury to any employe and upon examination by proper medical authority if such injured employe shall be declared permanently disabled and unable to perform all his or her previous duties such injured employe shall cease to be listed on the current payroll and shall immediately be transferred to the pension roll at the maximum rate in effect at the time of transfer

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Frost,	McCosker,	Sax,
Andrews,	Gallagher,	McCullough,	Scanlon,
Bane,	Getchey,	McDonald,	Schuster,
Barrett,	Gibson,	McKinney,	Scott,

Baumunk,	Goff,	McMillen,	Serrill,
Beech,	Goodling,	Mihm,	Shoemaker,
Bender,	Gorman,	Mikula,	Simons,
Benizel,	Graybill,	Miller,	Smith, C. C.,
Bloom,	Greenwood,	Mills,	Smith, C. M.,
Boles,	Greer,	Mintess,	Snider,
Bonawitz,	Griffiths,	Mohr,	Sollenberger,
Boorse,	Guthrie,	Mooney,	Sorg,
Bower,	Gyger,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenshield,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Bucchin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,
Clevenger,	Jennings,	O'Dare,	Tompkins,
Cochran,	Johnson,	O'Donnell,	Toomey,
Cole,	Johnston,	O'Neill,	Turner,
Cook,	Jones,	Orban,	Upshur,
Cooper,	Jump,	Patten,	Vaughan,
Cordier,	Kean,	Petrosky,	Verona,
Costa,	Kelley,	Pichney,	Wachhaus,
Crowley,	Kemp,	Pickens,	Wagner,
Dague,	Kent,	Polaski,	Waldron,
Dalrymple,	Kirley,	Powers,	Wallin,
Davison,	Kline,	Price,	Walton,
De Long,	Kohl,	Propert,	Waterhouse,
Demech,	Kratz,	Pugot,	Watkins,
Dennison,	Krise,	Readinger,	Watson,
Depuy,	Kurtz,	Reagan,	Weidner,
Dix,	Laughner,	Reese, D. P.,	Weiss,
Dye,	Layer,	Reese R. E.,	Wescott,
Ebenberg,	Lee,	Reilly, J. M.,	West,
Elder,	Leisey,	Reilly, W. J.,	Wheeler,
Erb,	Livingston,	Richter,	Wolf,
Evans,	Livingstone,	Riley,	Wood,
Ewing,	Loftus,	Robbins,	Worley,
Feola,	Lovett,	Robertson,	Yeakel,
Fish,	Lyons,	Root,	Yester,
Fiss,	Madden,	Rose,	Yetzer,
Flack,	Madigan,	Rowen,	Young,
Fleming,	Mazza,	Royer,	Lichtenwalter,
Foor,	McCormack,	Sarraf,	Speaker.

NAYS—0

NOT VOTING—2

Hall,	Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of Senate Bill No. 313, as follows:

An Act to reenact amend and revise the act approved the first day of May one thousand nine hundred and thirty-three (P. L. 103) as amended entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto"

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[(d)] (b) Sewers under State and County Highways 1525-1526
[(e)] (c) Connecting with Sewer of Adjacent Municipality .....1530-[1532] 1531
[(f)] (d) Acquisition of Sewer Systems 1535
[(g)] (e) Joint Sewers and Drains 1540-1541
[(h)] (f) Non-debt Revenue Sewer Bonds 1545-[1547]
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XVI Water Supply and Waterworks 1601-1612
XVII Public Buildings .....[1701[1702-1707
XVIII Licenses and License Fees 1801-1813
(a) Transient Retail Merchants ....1801-[1803] 1802
(b) Restrictions 1811-1813
XIX Parks Playgrounds Gymnasiums Public Baths Swimming Pools Indoor Recreation Centers and Forests 1901-1917
XX [Actions By and Against Townships] Zoning .....[2001-2006] 2001-2010
XXI [Repeals] Actions By and Against Townships 2101-2106
XXII Repeals 2201

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections 1 to 226 inclusive of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" are hereby reenacted amended and revised to read as follows Section 1 Be it enacted etc That the laws relating to townships of the second class are hereby reenacted amended consolidated revised and changed as follows

Article I

Preliminary Provisions

Section 101 Short Title Effective Date This act shall be known and may be cited as "The Second Class Township [Law] Code" This act shall take effect on the first day of July one thousand nine hundred and thirty-three This reenactment revision amendment and consolidations of the laws relating to townships of the second class shall become effective the first day of July one thousand nine hundred and forty-seven

Section 102 Definitions [The word "township" or "townships" as used in this act shall mean a township of the second class unless the context indicates otherwise] The following words terms and phrases as used in this act shall have the meanings herein assigned to them unless the conext clearly indicates otherwise

(a) "Township" a township of the second class

(b) "Road" or "Public road" a road of a township of the second class and shall include a street lane alley court or public square of such township

(c) "Highway" or "State highway" a road or highway of the state highway system

Section 103 Excluded Provisions This act does not include any provisions and shall not be construed to repeal any acts relating to

(a) [The procedure for] The assessment and valuation of property and persons for the purposes of taxation and collection of taxes and the collection of municipal [and tax] claims by liens

(b) The method of incurring or increasing bonded indebtedness

(c) Election officers and conduct of elections

[(d) Poor districts

(e) Boards of health]

[(f)] (d) Public schools and school districts

[(g)] (e) Constables

[(h)] (f) Justices of the peace

[(i)] (g) State roads [state-aid roads] and private roads

[(j) Township reward]

[(k)] (h) Validations of elections bonds ordinances and acts of corporate officers

[(l)] (i) Free non-sectarian libraries

(j) Crimes and offenses provided for in the Penal Code

Section 104 [Saving Clauses] Construction of Act Generally The provisions of this act so far as they are the same as those of existing laws are intended as a continuation of such laws and not as new enactments The repeal by this act of any act of Assembly or part thereof shall not revive any act or parts thereof heretofore repealed or superseded nor affect the existence or class of any township heretofore created The provisions of this act shall not affect any act done liability incurred or right accrued or vested or affect any suit or prosecution pending or to be instituted to enforce any right or penalty or punish any offense under the authority of such repealed laws All resolutions regulations and rules made pursuant to any act of Assembly repealed by this act shall continue with the same force and effect as if such act had not been repealed Any person holding office under any act of Assembly repealed by this act shall continue to hold such office until the exporation of the term thereof subject to the condtions attached to such office prior to the passage of this act

Section 105 Constitutional Construction The provisions of this act shall be severable and if any of the provisions shall be held to be unconstitutional such decision shall not affect the validity of any of the remaining provisions of this act It is hereby declared as the legislative intent that this act would have been adopted had such unconstitutional provision not been included therein

Section 106 Construction of References Whenever in this act reference is made to any act by title such reference shall also apply to and include any codification wherein the provisions of the act referred to are substantially re-enacted

Section 107 How Act Applies This act shall apply to all townships of the second class within the Comonwealth as now existing or hereafter created established or re-established

Section 108 Saving Clauses Where Class of Township Changed Whenever any township of the second class is designated a township of the first class or whenever any

township of the first class is re-established as a township of the second class [or whenever any township is divided] all liabilities incurred rights accrued or vested obligations issued or contracted and all suits and prosecution pending or to be instituted to enforce any right or penalty accrued or punish any offense committed prior to such change of class [or division] and all resolutions rules and regulations shall continue with the same force and effect as if no such change [or division] had been made

Section 109 Exception as to Taxation This act does not provide [a complete system] for the assessment and valuation of property and persons for the purposes of taxation and the collection of township taxes [but the taxation provisions herein contained shall be construed as supplementary to the general local taxation laws All acts and parts of acts relating to taxation in townships of the second class not inconsistent with this act in force prior to the passage of this act which are not re-enacted or specifically repealed by this act shall remain in force as to such townships in the same manner as prior to the passage of this act]

Section 110 Legal Advertising Whenever under the provisions of this act notice is required to be published in one newspaper such publication shall be made in a newspaper of general circulation as defined by the Newspaper Advertising Act approved May sixteenth one thousand nine hundred and twenty-nine (P. L. 1784) printed in the township if there is such a newspaper and if not then in a newspaper circulating generally in such township If such notice is required to be published in more than one newspaper it shall be published in at least one newspaper of general circulation defined as aforesaid printed if there be such a newspaper or circulating generally as above provided in the township When such notice relates to any proceeding or matter in any court or the holding of an election for the increase of indebtedness or the issue and sale of bonds to be paid by taxation such notice shall also in counties of the second third fourth and fifth classes be published in the legal newspaper if any designated by the rules of court of the proper county for the publication of legal notices and advertisements unless such publication be dispensed with by special order of court Provided however That auditors' statements summaries of auditors' statements or advertisement inviting proposals for public contracts and for bids for materials and supplies shall be published only in newspapers of general circulation defined as aforesaid

Article II

Classification [and] Creation Consolidation and Re-establishment of Townships of the Second Class

(a) Classification of Townships

Section 201 Classification of Townships The townships now in existence and those to be hereafter created are divided into two classes Townships of the first class shall be those having a population of at least three hundred inhabitants to the square mile which have heretofore fully organized and elected their officers and are now functioning as townships of the first class or which may hereafter be created townships of the first class in the manner provided by the laws relating to townships of the first class All townships not townships of the first class shall be townships of the second class A change from one class to the other shall hereafter be made only as provided by this act or the laws relating to townships of the first class

(b) [Creation] Consolidation of Townships

Section 205 Manner in Which Townships May Be [Created] Consolidated The Courts of Quarter Sessions may upon the presentation of petitions as hereinafter provided [create new townships by the consolidation of] consolidate two or more townships of the second class located in the same county

Section 206 Petitions (a) Petitions for [creation] consolidation of townships in the manner hereinbefore provided shall be signed by registered electors equal in number to at least five per centum [of the highest total vote cast for candidates for any office in the townships affected at the last preceding municipal election] of such electors of each of the townships proposed to be consolidated at the time of the filing of such petition Such petition shall be [sworn to and] subscribed and sworn to by at least three of the signers

(b) Petitions for the consolidation of townships may also be presented when signed by a majority of the supervisors of each of the townships proposed to be consolidated and [sworn to and] subscribed and sworn to by at least one supervisor from each such township

Such petitions in either event shall set forth the name of any proposed new township and shall specify the reasons for such consolidation Each such petition shall be accompanied by an accurate map or plot prepared by [an] a registered surveyor or engineer showing the lines of the new township and the present division lines between such townships Where natural marks are on such lines they shall also be shown

Section 207 Confirmation [Nisi] of Petition Notice of Fling Upon the presentation of any such petition the same shall be confirmed nisi and the court shall by its order require such notice to be given by the petitioners to the residents and supervisors of the townships affected as it deems proper If no exceptions as hereinafter provided are filed to such tition the court after the expiration of thirty days shall confirm it absolutely

Section 208 Exceptions [Confirmation Absolute of Petition] Hearing and Action Thereon Within thirty days after the filing of such petition any [taxpayer] registered elector of the townships affected may file execptions to such petition questioning the sufficiency of the number of signers or the legality of any signatures or the accuracy or sufficiency of the map or plot attached thereto The court upon the filing of any execptions shall fix a day for hearing of which such notice shall be given as the court may direct At such hearing the court shall hear all parties interested and their witnesses If the exceptions in the opinion of the court are not sustained it shall dismiss the same and confirm the petition absolutely If the exceptions in the opinion of the court are sustained and the court deems the petition or map or plot amendable it may permit either the petition or the map or plot or both to be amended and when so amended it shall confirm the [same] petition absolutely but if it shall deem the [same] petition or the map or plot not amendable it shall dismiss the petition

Section 209 Elections When any petition is confirmed absolutely the court shall order an election held on the question of the consolidation of such townships which shall be held on the day of the next primary general or municipal election occurring at least sixty days after such order of court Such election shall be held at the regular polling places in the townships affected At any such election all of the [qualified] registered electors of the townships affected by such consolidation shall have the right to vote The ballot at any such election or ballot labels in the event voting is by machine shall be furnished by the county [commissioners] board of elections and the question to be placed thereon shall be framed and printed [on the ballots] as provided by the election laws of the Commonwealth

Section 210 Notice of Election The [constable] constables of the townships affected or if there be no constable then one of the supervisors designated by the court shall give at least fifteen days' notice of the time and place of holding such election by posting not less than six printed handbills in at least six public places in each of such townships The notice of election shall contain a statement of the townships to be affected thereby that it is proposed to make a consolidation and the court may prescribe the form of the notice and include therein such other matters as the circumstances of the individual case may render desirable

Section 211 Return of Election Decree The election officers after the polls have been closed shall count the ballots and certify the number of votes cast for and

against such consolidation to the [clerk of the court of quarter sessions] county board of elections who shall tabulate and compute the same and lay the result before the court If it shall appear that a majority of the votes cast in each of the townships affected are in favor of the consolidation of [two or more] such townships the court shall order and decree the new township agreeably to the name and lines set forth in the petition and the government of the new township shall be organized and become effective on the first Monday of January succeeding such election If a majority of the votes cast in any of the townships affected are against the consolidation of such townships no further action shall be had upon said proceedings No new proceeding shall be considered for a period of two years

Section 212 Boundary Monuments All angles and corners in the lines of any such new township not fixed by public highways natural boundaries or monuments shall be marked by stone monuments placed at such angles or corners unless it is impractical to do so in which case the court shall direct how the same shall be marked and for cause shown the court may direct other monuments to be placed on said lines The cost of such monuments and the placing thereof shall be paid by the new township and it shall be the duty of the supervisors thereof to cause said monuments to be put in place not later than one year after the new township is formed

Section 213 Classification of New Townships The new township [created] shall be a township of the second class unless and until by subsequent proceedings in accordance with laws relating to townships of the first class and having the required population it shall be created a township of the first class

Section 214 Costs When [a new township is created] townships are consolidated [as hereinbefore provided] the cost of the proceedings shall be paid by the new township and where any petition is dismissed or a majority of the electors of any one or more townships shall vote against the consolidation of any such township the cost of the proceedings shall be paid by the townships proposed to be consolidated

Section 215 Property Rights and Liabilities Where Townships Consolidated After the consolidation of two or more townships the rights privileges and franchises of each of the townships and all property real personal and mixed and all debts due on whatever account and other things in action belonging to each of such townships shall be vested in the new township The title to real estate vested in either of such townships shall not revert or be in any way impaired by reason of such consolidation All rights of creditors or liens shall be preserved and all debts and liabilities of either of such townships shall attach to such new township and be in force against it

[(c) Re-establishment of Townships of the Second Class

Section 225 Because of Loss of Population Townships of the first class no longer having a population of three hundred to the square mile may be re-established as townships of the second class in the manner provided by laws governing townships of the first class

Section 226 By Vote of [Qualified] Registered Electors A township of the first class may irrespective of population be reestablished a township of the second class in the manner hereinafter provided

The board of commissioners of such township on its own initiative may or within fifteen days after the receipt of a petition signed by at least [twenty-five] five per centum of the [qualified] registered electors of such township shall pass a resolution and record it on its minutes submitting the question of whether such township of the first class shall be re-established a township of the second class to the [qualified] registered electors of such township

At the primary general or municipal election occurring at least ninety days after the passoge of such resolution the question whether such township of the first class shall be re-established a township of the second class shall be submitted to the voters of the township and the county [commissioners] board of elections shall cause to be printed on separate ballots or in case voting is by machine on ballot labels to be used in such township at such election a proper question framed in accordance with the election laws of the Commonwealth

The election officers shall compute the votes cast at the election and make return thereof to the [clerk of the court of quarter sessions of the] county board of elections wherein such township is situate [who] which shall compute the same and certify the result thereof to the county commissioners and the board of township commissioners of such township and to the clerk of the court of quarter sessions If a majority of the votes cast at any such election shall be in favor of the re-establishment of such townships as a township of the second class the government of the township of the second class shall be organized and become effective on the first Monday in January next succeeding such election at which time the terms of the officers of the township of the first class shall cease and terminate and the officers appointed by the court for such township as hereinafter provided shall take office If a majority of the votes cast at any such election shall be in favor of remaining a township of the first class no further proceeding shall be had for a period of two years after which proceedings de novo may be had

Section 2 The said act is hereby amended by adding to article II thereof a new division and section as follows

(d) Creation of Townships of the Second Class by Annulment of Borough Charters

Section 230 Because of Annulment of Charter of Borought Township of the second class may be created by the annulment of a charter of a borough in the manner provided by laws governing boroughs

Section 3 Sections 235 to 414 inclusive of the said act are hereby reenacted revised and amended to read as follows

[(d)] (e) Officers for New Townships

Section 235 Appointment and Election of Officers of New Townships Whenever a new township [is created by] results from the consolidation of townships or is created as a result of the annulment of the charter of a borough or when a township is reestablished the court of quarter sessions shall appoint the elective officers for the new township and fix the polling place or places in such new township The officers so appointed shall hold their offices until the first Monday of January following the next municipal election occurring at least ninety days after such appointments At such municipal election an assessor and a tax collector shall be elected for regular four-year terms if such election occurs in the year when such officers are elected for regular terms and if not then such officers shall be elected for terms of two years each and their successors shall be elected for four-year terms At said first municipal election one supervisor and one auditor shall be elected for terms of six years each one supervisor and one auditor for terms of four years each and one supervisor and one auditor for terms of two years each All such officers shall take office on the first Monday of January next following their election

[(e)] (f) [Certificate of Creation of Townships] Certificates to Be Furnished to State Departments

Section 240 Certificates of Clerk of Court Fee Penalty When a township of the second class results from the consolidation of two or more townships or is created or re-established the clerk of the court of quarter sessions of the county within thirty days shall certify [such creation of re-establishment] a copy of the record thereof in said court to the Secretary of Internal Affairs and the Department of Highways of the Commonwealth [The] For such services the clerk shall be allowed a fee of [one dollar for his services] three dollars and fifty cents to be paid as part of the costs of the proceedings

[The clerk of the court of quarter sessions shall also certify to the State Department of Highways the creation or re-establishment of all such townships within thirty days after the establishment of such township For each such certificate furnished the clerk shall receive a fee of

one dollar to be paid by the State Treasurer upon warrant of the Auditor General]

[The failure or neglect of any] Any clerk who shall fail or neglect or refuse to furnish such [certification] certifications or either [to the Secretary of Internal Affairs or Department of Highway] of them as herein required shall [be deemed a misdemeanor and] upon conviction [such clerk shall] thereof in a summary proceeding be sentenced to pay a fine of not more than fifty dollars and in default of the payment of such fine and costs undergo imprisonment of not more than ten days

Article III

Township Lines and Boundaires

Section 301 [Center Line of Navigable Streams as Boundary] Streams Boundaries Whenever any township is bounded by the nearest margin of any navigable stream and the opposite township borough or city as the case may be is also bounded by the nearest margin of the same stream the middle of such stream shall be the boundary between such [townships or[township and]any other] the opposite township borough or city Nothing contained in this section shall be construed to repeal any local or special law providing to the contrary

Section 302 [Petition to Alter or Ascertain Township Lines and] Establishment of Boundaries The courts of quarter sessions may upon the presentation of a petition (a) Alter the lines of [two or more] a township and any adjoining [townships] township borough or city so as siut the convenience of the inhabitants thereof (b) cause the lines or boundaries of townships to be ascertained and established and (c) ascertained and establish disputed lines and boundaries between two or more townships or between townships and cities or boroughs When any such petition is presented the court may require the petitioners to file a bond in a sufficient sum to secure the payment of all costs of the proceeding

Section 303 [Appointment and Report of Commissioners] Petition to Court Commissioners Report Upon application by petition [to the court for any of the purposes set forth in the last preceding section] the court shall appoint three impartial citizens one of whom shall be a [civil] registered surveyor or engineer to inquire into the prayer of the petition After having given notice to parties interested as directed by the court the commissioners shall hold a hearing and view the [said] lines or boundaries and they or any two of them shall make a plot or draft of the lines and boundaries proposed to be altered or ascertained and established if the same cannot be fully designated by natural lines or boundaries The commissioners or any two of them shall make report to the court together with their opinion of the same Upon the filing of any such report the same shall be confirmed nisi and the court may by its order require such notice to be given by the petitioners to the parties interested as it deems proper

Section 304 Exceptions and Procedure Exceptions to any such report may be filed by any person or political subdivision interested within thirty days after the filing of the report and the court may thereupon fix a day for the hearing of such execptions of which [hearing] such notice shall be given as the [shall] may direct After hearing the court shall have power to sustain such exceptions or to dismiss them and confirm the report or to refer the report back to the same or new commissioners with like authority to make another report on which like legal proceedings may be had Where no exceptions are filed within thirty days after the filing of the report the court shall confirm the same absolutely When any report is confirmed absolutely the court shall enter a decree altering or ascertaining and establishing the lines and boundaries as shown in said report

Section 305 Monuments Whenever any such township line or boundary is altered or ascertained and established the court shall cause the same to be appropriately marked with stone monuments placed at intervals not exceeding fifteen hundred feet

Section 306 [Pay] Compensation and Expenses of Commissioners [Civil] Engineer and Chaincarriers Costs The [pay] compensation and expenses of commissioners appointed to alter or ascertain and establish township lines shall be [ten dollars the pay of the civil engineer shall be twenty dollars and the pay of the chaincarriers shall be five dollars for each day necessarily employed and five cent per mile for each mile necessarily traveled in the discharge of their duties] in the amount approved by the court The court shall by its order provide how the costs and expenses of any such proceeding including the furnishing and placing of monuments shall be paid and may assess them against the petitioners any township [and] or municipalities interested or any of them

Section 307 Adjustment of Indebtedness Whenever the boundaries of any township have been altered or ascertained and established [upon application of the supervisors commissioners or the authorities of any school district or poor district] the court of quarter session [common pleas sitting in equity] may adjust the taxes debts and expenses for township municipal [poor] and school purposes between the townships municipalities [poor] and school districts affected

Article IV

Election of Officers Vacancies in Office

(a) General Provisions

Section 401 Township Officers to Be Electors No person shall be eligible to any township office unless he is [an] a registered elector of the township for which he is chosen

Section 402 Officers to Be Elected The electors of each township shall elect (a) three [township] supervisors (b) one [township] assessor (c) three [township] auditors and (d) one tax collector No person shall at the same time hold more than one elective township office

(b) Election of Officers

Section 410 Supervisors At each municipal election the [qualified] electors of each township shall elect one [township] supervisor to serve for a term of six years from the first Monday of January next following his election

Section 411 Auditors At each municipal election the [qualified] electors of each township shall elect one [township] auditor to serve for a term of six years from the first Monday of January next following his election

No auditor shall at the same time hold any other elective or appointive township office

Section 412 Assessor At the municipal election in the year one thousand nine hundred and [thirty-three] forty-seven and at the municipal election every four years thereafter the [qualified] electors of each township shall elect one [township] assessor to serve for a term of four years from the first Monday of January next following his election

Section 413 [Election Assessors Saved] Assessors not Elected in Certain Counties The provisions of the preceding section relating to the election of assessors shall not [repeal nor affect the provisions of any act providing for the election of assistant or registry assessors for the performance of duties relating to elections nor] authorize the election of assessors for taxation purposes in counties [having] where boards for the assessment and revision of taxes are authorized by law to appoint assessors

Section 414 Tax Collector At the municipal election in the year one thousand nine hundred and [thirty-three] forty-seven and at the municipal election every four years thereafter the [qualified] electors of each township shall elect one tax collector to serve for a term of four years from the first Monday of January next succeeding such election

Section 4 Section 415 of the said act is hereby repealed

Section 5 Sections 420 to 541 inclusive of the said act are hereby reenacted revised and amended to read as follows

(c) Vacancies in Office

Section 420 Supervisors If the electors of any township shall fail to choose a [township] supervisor or if any person elected to such office shall neglect or refuse to serve therein or if a vacancy shall occur in the office by death resignation removal from the township or

otherwise the two remaining supervisors may appoint a successor to [fill] hold the office for the unexpired term When a vacancy is so filled the supervisors shall within fifteen days thereafter cretify such appointment to the clerk of the court of quarter sessions.

If the two remaining supervisors in the event of a vacancy as aforesaid shall be unable to agree on such appointment for a period of thirty days after such vacancy occurs the court of quarter sessions shall upon the presentation of a petition signed by a supervisor and by not less than [ten voters] five registered electors [who are owners of real estate in the township] appoint a person to [fill the vacancy] hold such office for the unexpired term

Section 421 Auditors When a vacancy occurs in the office of [township] auditor in any township by reason of death resignation removal from the township or otherwise the court of quarter sessions shall upon the petition of not less than five registered electors appoint a suitable person to [fill such vacancy] hold such office for the unexpired term of the person whose place he is appointed to fill

Section 422 Assessor Vacancies in the office of assessor in townships shall be filled in the manner provided by law

Section 423 Tax Collector If the electors of any township [of the second class] shall fail to choose a tax collector or if any person elected to such office shall fail to give the required bond or [shall fail] to take the required oath or if a vacancy shall occur in the office by death resignation removal from the township or otherwise the [county commissioners in any event] court of quarter sessions of the county upon presentation of a petition of [any citizen who is a resident] the supervisors or not less than five registered electors of the township setting forth the facts or upon [their] its own initiative shall appoint a [resident] registered elector of the township [to fill the vacancy] [for the unexpired term of the person whose place he is appointed to fill] or a corporation duly qualified and legally authorized to transact a fiduciary business in the Commonwealth of Pennsylvania [and] whose principal place of business is located in the county where said township is located to hold the office for the unexpired term of the person whose place he or it is appointed to fill

[If a] The person or corporation [be] so appointed [it] shall give [such] bond as [the county commissioners may fix to be approved by the court of quarter sessions] provided by law

In cases [when] where the person elected to the office shall fail to give bond or to take the required oath the [county commissioners] court of quarter sessions before making the appointment shall declare the office vacant

Whenever a vacancy exists in the office of tax collector and no person resident within the township or corporation qualified and located as herein above set forth [can be] has been found within thirty days to accept the appointment to fill such vacancy [the county commissioners may appoint the county treasurer as tax collector]

[Where the county treasurer is so appointed he shall have authority to appoint a deputy to assist in the collection of the taxes set forth in the duplicates delivered to him The county treasurer shall be entitled to retain for his own use so much of the commissions payable for the collection of said taxes as may be required for the payment of his deputy and the premium on his bond and shall not be required to pay the same over to the county but any commissions over and above such costs shall belong to the county to reimburse the county for office rent light heat telephone service compensation insurance supplies postage and equipment The salary board of the county and where there is no salary board then the county commissioners shall fix the compensation of any deputy appointed]

[If the county treasurer so appointed shall refuse to accept the appointment the county commissioners may appoint any suitable resident of the county to perform the duties of tax collector for the unexpired term and if no such person can be found within the county to accept appointment as tax collector for the township] the county [shall retain the duplicate of the county tax and notify the township and school district to deliver their respective duplicates to the county commissioners unless] the township [or] and the school district [desires to] shall collect their respective taxes directly through their respective treasurers [as tax collectors or through collectors appointed by them which they shall have authority to do] or in case of school districts through their secretaries No such county township or school treasurer or secretary shall be required to give additional bond unless required by the taxing authority but shall have all the powers and perform all the duties [herein] imposed on tax collectors [The county commissionesr shall in any such case have the power to collect the taxes for the county and for any township and school district and shall perform all the duties and have all the powers of tax collectors and shall have the power to appoint a deputy as herein provided where the county treasurer is appointed as tax collector and to fix his compensation Taxes collected by the commissioners shall be paid over to the county treasurer who shall pay to the township or school district any taxes received for their use less such amount as is allowed as a commission for the collection of taxes which shall be retained for the use of the county in order to reimburse the county for the costs and expenses incurred by the county in collecting such taxes The county commissioners shall not be required to give any bond for the duties herein imposed nor shall they receive any compensation for collecting such taxes The county commissioners shall where they collect taxes as herein provided have all the powers and perform the duties vested in collectors of county township and school taxes] Such treasurers and secretaries for performing such duties shall be entitled to the compensation provided by law for the collection of such taxes

Article V
Township Officers
(a) General Provisions

Section 501 Oath of Office Every person elected or appointed to any township office in any township shall before entering upon the duties of his office take and subscribe an oath or affirmation before some person having authority to administer oaths to support the [Constitution] Constiution of the United States and of this Commonwealth and to perform the duties of his office with fidelity A copy of such oath or affirmation shall within ten days thereafter be filed with the township secretary

Section 502 Bonds When any officer or employe of any township is required to give bond for the faithful performance of his duties [and such bond is required to be executed by a surety company] the township may pay the premium on such bond No auditor or supervisor of the township shall become a surety on the bond of [the tax collector or treasurer of the] any township officer

Section 503 Penalty for Failure to Perfom Duties If any township officer refuses or neglects to perform his duties the court of quarter sessions upon complaint in writing by [twenty-five citizens owners of real estate residing] five percentum of the registered electors of the township [or district] may issue a rule upon such officer to show cause why his office should not be declared vacant and another appointed in his stead Such rule shall be made returnable not less than two weeks from its date of issue Upon hearing and proof that the facts alleged in the complaint are true the court may declare the office vacant and appoint another in his stead to hold office during the term of the officer deposed or to make such other order as to the court may seem just and proper

Section 504 Road Complaints If [such] any complaint shall allege that the public roads and highways of any township are not maintained in accordance with law the court may appoint three persons who shall examine said highways and report to the court their findings In all

such cases the complainants shall first enter security in such sum as the court may fix to pay all costs

(b) Township Supervisors Township Superintendent and Roadmasters

Section 510 Supervision of [Road] Affairs The general supervision of [road] the affairs [in every] of the township shall be in the hands of three [qualified] registered electors of the township who shall be styled township supervisors

Section 511 Organization Meeting Appointment of Secretary and Treasurer The supervisors of each township shall meet at a convenient time and place on the first Monday in January of each year The township supervisors shall organize as a board by electing one of their number as chairman The board shall appoint a treasurer and a secretary who shall be the same person and who may or may not be a member of the board except where the board selects a trust company or a banking institution to act as treasurer in which case it [may] shall elect an individual as secretary

Section 512 Monthly Meetings Quorum Rent and Expenses The township supervisors shall meet for the transaction of business at least once each month at a time and place to be fixed by the board but they shall not be paid for more than sixteen meetings in any one year except in any township where on account of the exercise of governmental functions other than those relating to roads more meetings are necessary in which case the number of meetings for which the supervisors may be paid may with the prior approval of the auditors of the township be increased to any number not exceeding twenty-four in any year Two members shall constitute a quorum Necessaary expenses incurred in such meetings including office rent stationery light and fuel shall be paid out of the general township [road funds] fund

Section 513 Minutes and Records The board of township supervisors shall keep minutes of its proceedings and such other books as they may find necessary in the performance of their duties All such books shall be open for the inspection of any elector or taxpayer or his her or its representative or any representative of the Department of Internal Affairs and the Department of Highways at all reasonable times and shall be submitted to the township auditors when they meet to audit the accounts of the treasurer and other township officers the township supervisors shall deliver such books papers and accounts to their successors

Section 514 Road Districts Superintendents and Roadmasters The board of township supervisors immediately after their organization shall divide the township into one or more road districts They shall employ a superintendent for the entire township or a roadmaster for each district Every superintendent and roadmaster so employed must be a person physically able to work on and maintain the roads Township supervisors may require such superintendents or roadmasters to give bond with approved security for the faithful performance of their duties The superintendent or roadmasters shall be subject to removal by the board of supervisors The supervisors shall fix the wages to be paid either per hour per day per week semi-monthly or monthly to the superintendent or roadmasters and laborers for work on the roads and bridges which wages shall not exceed wages paid in the locality for similar services

This section shall not prohibit the township supervisors from being employed as superintendents or roadmasters or as laborers if physically able to work on and maintain the roads In such [case] cases they shall not [be required to] employ a superintendent or [roadmasters] roadmaster and their compensation shall be fixed as hereinafter provided

[No roadmaster or superintendent shall be the husband father brother son stepson father-in-law or son-in-law of a township supervisor]

Two or more townships may [join and] appoint the same person as superintendent

Section 515 Compensation of Supervisors Supervisors shall receive from the general township [road fund] fund as compensation not less than two dollars and fifty cents nor more than four dollars for each meeting which they attend The amount of the compensation for attending meetings shall be determined by the township auditors The township auditors shall also allow to the supervisors reasonable compensation for making a semi-annual inspection of roads and bridges The compensation of supervisors when [overseeing or working on roads] acting as superintendents roadmasters or laborers shall be fixed by the township auditors [and shall be not less than three nor more than six dollars per day] either per hour per day per week semi-monthly or monthly which compensation shall not exceed compensation paid in the locality for similar services and such other reasonable compensation for the use of vehicular equipment when required and actually used as the auditors shall determine and approve but no supervisor shall receive compensation as a superintendent or roadmaster for any day he receives compensation for attending a meeting of supervisors unless such meeting is held during the nighttime

Section 516 [Powers and] Duties of Supervisors Township Superintendents and Roadmasters The township supervisors or the supervisors acting as [superintendent] superintendents or roadmasters shall

(a) Have the general care and superintendence of the improvement of the [highways] roads and bridges in the township except as otherwise specially provided

(b) Cause such [highways] roads and bridges to be kept in repair and reasonably free from all obstructions and give the necessary directions therefor

(c) Inspect all [highways] roads and bridges during the months of April and October of each year

(d) Divide the township into as many [sections] districts as may be deemed necessary for the maintenance and repair of the [highways] roads and the opening of [highways] roads obstructed by snow

(e) Employ or hire such persons [teams and implements] as may be necessary for the maintenance and repair of [highways] roads and bridges and [the] snow removal [of obstructions caused by snow] and provide for the organization and supervision of the persons so employed and work on the roads themselves when directed to do so by the board of supervisors Records shall be kept and reports made and filed giving the names of all persons employed including supervisors superintendent or roadmasters dates on which work was done and the number of hours worked with compensation paid to each person and the capacity in which he is employed

(f) Construct and keep in repair all sluices and culverts and keep the waterways bridges and culverts open

(g) Cause loose stones lying in the beaten track of every [highway] road to be removed Stones so removed shall be conveyed to some place from which they will not work back or be brought back into the track by other implements used in repairing or maintaining such highways

(h) Attend road meetings and conventions when directed to do so by the board of supervisors

(i) Perform such other duties and have such other powers with respect thereto as may be imposed or conferred by law or the rules and regulations of the Department of Highways

The roadmasters or superintendents or supervisors acting in either capacity shall

(j) Report monthly to the board of supervisors [which report shall contain the matter in the form to be prescribed] such information as may be required by the Department of Highways in the form prescribed by the department

(k) Inspect all [highways] roads and bridges at such times as the township supervisors shall direct except during the months of April and October

(l) Have power to relocate widen deepen and straighten the channels of streams and rip rap and otherwise protect the banks of streams in order to protect roads prevent erosion and prevent floods in the township [or parts thereof] Provided That the consent of the [Power and] Water and Power Resources Board to any such project has first been secured

(m) When authorized to do so by general or special

order of the township supervisors to do or cause to be done all work necessary to carry out the responsibilities imposed upon the township supervisors by sub-sections (a) (b) (e) (f) (g) and (i) of this section

Section 517 Road Contracts The board of township supervisors may make a contract for the improvement and keeping in repair of not more than ten miles of road No such contract shall extend over a period of more than four years nor shall it be given unless approved of and signed by at least two members of the board of township supervisors every contractor for road work shall give bond for the amount of such contract and sign specifications furnished by the township supervisors for the building and care of such contract roads

Section 518 Annual [Reports to State Department of Highways] Township Report Duties of Supervisors The board of [township] supervisors [shall] annully on or before the first day of February in each year [make a sworn statement to the State Department of Highways on blanks furnished to them by the department of the whole amount of tax levied during the preceding year for road purposes and the total amount of road taxes collected during the year They shall specify in such report the amount expended for maintenance or repairs of roads of ropening and building new roads and for macadamizing or otherwise permanently improving roads the number of miles of roads thus made and the total number of miles of township roads in the township Such report shall also contain the names and addresses of the chairman members and secretary and treasurer of the board and such other matters and things as the State Department of Highways may require] shall furnish to the township auditors such accurate information concerning the construction reconstruction maintenance and repair of the roads the repair and purchase of equipment and machinery and road mileage as may be required in order to enable the auditors to make the annual township report hereinafter prescribed

Section 519 Applications for County Road Aid Whenever the owners of the majority of the assessed valuation of real property within any township desire any principal road [or highway] within the township to be improved and maintained at the joint expense of the county and township they may petition the supervisors of the township for said improvement and require them to make application to the county commissioners for such improvement and maintenance in accordance with the provisions of existing law

In all cases where the township supervisors refuse to act upon or unduly delay action on any petition for the improvement and maintenance of any road [or highway] as herein provided any [citizen] registered elector or taxpayer of the township or county may by petition present the facts of the matter to the court of quarter sessions requesting the court to order such action thereon as the case may require If after due hearing had before said court it shall appear that the truth of the matters alleged in the petition are sustained the court shall make an order directing the township supervisors to forthwith act upon said application or applications and the said application or petition for the improvement be forthwith forwarded to the county commissioners

Section 520 [Penalty] Interest in Contracts and Purchases Penalty [It is unlawful for any] Any township supervisor superintendent or roadmaster [to be] who is knowingly interested directly or indirectly in any purchase made or contract relating to roads and bridges except as provided for in this act or [to furnish] for a compensation furnishes any materials therefor [. [Any such person knowingly violating the provisions of this section shall be] is guilty of a misdemeanor [. [Upon] and upon conviction thereof [any such person] shall be sentenced to pay a fine not exceeding five hundred dollars [($500)] or [to be imprisoned for a term] undergo imprisonment not exceeding six months or both and shall forfeit his office

Section 521 [Penalty] Violation of Act Generally Penalty Any township supervisor township superintendent roadmaster of contractor employed to work on the roads and birdge [and highways] of any township who [shall violate] violates any of the provisions of this act other than those for the violation of which specific penalties are provided or who [shall fail neglect or refuse] fails or neglects or refuses to carry out the provisions of this act shall upon conviction thereof in a summary proceeding be sentenced to pay a fine of not more than fifty dollars and in default of the payment of such fine and costs shall be sentenced to imprisonment of not more than twenty-five days All such fines shall be paid to the township treasurer [for the use of the road] and credited to the general township fund

(c) Township Treasurer

Section 530 Bond The treasurer appointed by the board of township supervisors if an individual shall give bond with at least two sufficient sureties or a surety company to be approved by and filed with the auditors of the township conditioned that the treasurer shall well and truly account for and pay over all moneys collected or received for the township and all moneys paid by the State to the township and received by him only upon written order signed by two members of the board of supervisors for the delivery to his successor in office of all books papers and documents for the payment to [him] such successor of any balance of money belonging to the township that may remain in his hands and for the faithful performance of the duties of his office [The bond of the treasurer shall be filed with the auditors of the township]

Section 531 Compensation The township treasurer shall receive as compensation for his services a certain percentage on all moneys received and paid by him which rate shall be [settled] determined by the supervisors of the townships with the [approbation] approval of the township auditors

[In no case shall the combined] Except as otherwise provided in Section 540 hereof the amount paid to [the secretary and] treasurer as treasurer and secretary shall not exceed [two] three per centum of the money paid out by the treasurer [except when the amount be] but it shall not be less than [twenty-five] fifty dollars [($25-00)] and the calculation of such maximum compensation shall not include any percentage upon money paid out by the treasurer for the repayment of loans notes certificates or other evidences of indebtedness or other borrowed moneys

Section 532 Duties The township treasurer shall receive all moneys due the township and deposit the same promptly upon receipt thereof in a bank banking institution or trust company in the name of the township He shall keep distinct and accurate accounts of all sums received from taxes and other sources which accounts shall [at all times] be open to the inspection of the supervisors and taxpayers of the township He shall pay out all moneys received by him only on orders drawn by the supervisors of the township All orders shall be on blanks prepared and furnished by the [State] Department of Highways He shall annually state his accounts and lay the same together with the vouchers before the township auditors for settlement

Section 533 Use of Special Funds Penalty Whenever any moneys are collected in or received by any township for any special purpose and are paid into the hands of the treasurer of such township it shall be unlawful for such treasurer to apply such moneys or any part thereof to any purpose other than that for which such moneys were collected or received Every such misapplication shall be a misdemeanor [. [Upon] and upon conviction [of such offenses] thereof the treasurer shall be [punished by] sentenced to pay a fine of not less than the amount so misapplied or [by] undergo imprisonment for [not less than three months and] not more than one year or both

Section 534 Penalty for Failure to Perform Duties [If any] Any township treasurer [shall neglect or refuse] who fails or neglects or refuses to perform any of the duties of his office other than those for which specific penalties are provided upon conviction thereof in a summary proceeding [he shall be fined in a sum not exceeding] shall be sentenced to pay a fine of not more

than one hundred dollars and in default of the payment of such fine and costs shall be sentenced to imprisonment of not more than thirty days and shall be disqualified from holding the office

Section 535 Depositories of Township Funds The township supervisors may [on the first Monday of January of each year] at their annual organization meeting or as soon thereafter as is practicable designate by resolution a depository or depositories for township funds and fix and approve the security to be furnished by any such depository provided that any such funds deposited with any banking institution of this Commonwealth may be insured with the Federal Deposit Insurance Corporation or any other corporation hereafter organized by the United States for the purpose of insuring deposits up to the amount to which such corporation is or may hereafter be authorized to insure deposits in any one name and where so insured the supervisors shall not require such banking institution to furnish additional bond insurance or security to cover the amount of such deposits so insured Such designation shall be valid for a period of one year or until such time as another depository or other depositories shall be designated by similar action of the township supervisors

Such depository or depositories shall be banks banking institutions or trust companies located in the Commonwealth

The township treasurer shall upon the designation of such depository or depositories immediately transfer thereto the township funds and shall thereafter keep such deposits solely in such depository or depositories in the name of the township

No township treasurer complying with the provisions of this section nor his surety or surities shall be chargable with losses of township funds caused by the failure or negligence of such depository or depositories

(d) Township Secretary

Section 540 Duties and Compensation The secretary in each township shall be clerk to the board of supervisors He shall keep a record of the proceedings of said officers in a minute book in which he shall also record [the annual reports of the township supervisors and township auditors and] all court orders relative to the laying out opening and [vacation] vacating of roads The minute book account book and other financial records shall be carefully preserved by the secretary and shall be turned over to his successor in office Miscellaneous records and papers of the township other than the minute book and account book may be destroyed with the consent of the supervisors after the lapse of six [6)] years from the date of such records

The secretary shall prepare and write the annual tax duplicate of the township and shall receive such compensation therefor as shall be fixed by the township auditors The combined amount paid to the secretary and treasurer for services exclusive of the compensation for the preparation of the annual tax duplicate shall not exceed [two] three per centum of the money paid out by the treasurer [except where the same would amount to] but it shall not be less than [twenty-five dollars ($25.00)] fifty dollars and the calculation of such maximum compensation shall not include any percentage upon moneys paid out by the treasurer for the repayment of loans notes certificates or other evidences of indebtedness or other borrowed moneys

Section 541 Books Furnished by Department of Highways The [secretary shall provide] Department of Highways shall furnish to the secretary a suitable book or books for the purpose of entering therein all matters of which he is required to keep a record [Such books shall be furnished by the State Department of Highways]

Section 6 Section 542 of the said act is hereby repealed

Section 7 Sections 545 to 594 inclusive are hereby reenacted revised and amended to read as follows

(e) Township Auditors

Section 545 [Meeting] Meetings Duties Quorum Surcharges Compensation The auditors of townships shall meet annually at the place of meeting of the supervisors on the day following the day which is fixed by this act for organization of the township supervisors and shall organize by the election of a chairman and secretary and shall audit settle and adjust the accounts of the supervisors superintendents roadmasters treasurer and tax collector of the township and fix the compensations for the current years authorized in Sections 515 and 540 hereof Two auditors shall also make an audit of the dockets transcripts and other official records of the justices of the peace to determine the amounts of fines and costs paid over or due the township and the dockets and records of the justices of the peace shall be open to inspection by the auditors for such purpose

Any elected or appointed officer whose act [or neglect] error or ommission has contributed to the financial loss of any township shall be surcharged by the auditors with the amount of such loss and the surcharge of any such officer shall take into consideration as its basis the results of such act error or omission and the results had the procedure been strictly according to law The provisions hereof limiting the amount of any surcharge shall not apply to cases involving fraud or collusion on the part of such officers nor to any penalty ensuing to the benefit of or payable to the Commonwealth

Each auditor shall receive five dollars per diem for each day necessarily employed in the duties of his office to be paid out of the funds of the township

Section 546 Subpoenas Oaths Perjury The auditors of each township may issue subpoenas to obtain the attendance of the officers whose accounts they are required to adjust their executors and administrators and of any person whom it may be necessary to examine as [wittnesses] a witness and to compel their attendance by attachment in like manner as any court of common pleas may in cases pending before them and may also compel the production of all books vouchers and papers relative to such accounts Such subpoenas and attachment shall be issued by a justice of the peace and be served by a constable or auditor of the township The auditors of each township may administer oaths and affirmations to all persons brought or appearing before them whether accountants witnesses or otherwise All persons guilty of swearing or affirming falsely on such examination shall be guilty of perjury

Section 547 Completion [Publication and] Filing and Publication of [Auditors' Statement Filing of] Annual Township Report and Financial Statement [with Department of Internal Affairs] The auditor shall complete their audit settlement and adjustment [within as short a time as possible] prior to March first of each year and in no case shall more than twenty days be expended on such audit [They shall within ten days thereafter publish by advertisement in at least one newspaper of general circulation printed in the township or county and by posting at least five copies in public places in the township a concise itemized statement of the receipts and expenditures of the several officers for the preceding fiscal year They shall also within ten days thereafter file a copy of such statement with the secretary and another copy of such statement with the clerk of the court of quarter sessions When any two offices are exercised by the same person only one statement shall be required]

On or before March first of each year the [The] auditors shall [also annually] make a report hereinafter provided of the [financial condition] affairs of the township executed copies of which report shall be forthwith filed by the secretary of the auditors with the secretary of the township the clerk of the court of quarter sessions of the county the Department of Internal Affairs and the Department of Highways [within sixty days after the close of the fiscal year] Each copy of such report shall be signed by each auditor and duly verified by the oath of [one of the auditors] the secretary of the auditors Any [auditor] secretary of auditors refusing or wilfully neglecting to file such township report as hereinbefore provided or to publish the financial statement herein required shall upon conviction thereof in a summary proceeding [brought at the instance of] [the Department of

Internal Affairs] be sentenced to pay a fine of five dollars for each day's delay beyond [said sixty days] the last day for filing such report and costs or in default of the payment of such fine and costs be sentenced to imprisonment not exceeding ten days [All fines recovered shall be for the use of the Commonwealth]

The township report [to the Department of Internal Affairs] shall be presented on a uniform form prepared and furnished as [herein] hereinafter provided

The township report shall contain the names and addresses of the chairman members and secretary-treasurer of the board of supervisors of the township a statement of the receipts of the township from all sources and of all accounts and revenue which may be due and uncollected at the close of the fiscal year a detailed statement of the disbursements of the township during the fiscal year for the construction reconstruction maintenance and repair of the roads for the purchase and repair of road equipment and machinery including a record of all purchases of material equipment and machinery for road purposes involving an expenditure of less than five hundred dollars and for all other activities of the township the number of miles of road opened built and permanently improved and the total number of miles of road in the township a statement of the balance in the township treasury at the beginning of the fiscal year a statement of the resources and liabilities of the township at the end of the fiscal year a detailed statement of the indebtedness of the township at the close of the fiscal year the provisions made for the payment thereof together with the purposes for which it was incurred a statement of the cost of ownership and operation of each and every public service industry owned maintained or operated by the township and such more specific information as may be required as hereinafter provided

On or before March tenth of each year the auditors shall publish by advertisement once in at least one newspaper of general circulation published in the township or if no such newspaper is published in the township then in such a newspaper circulating in the township a concise financial statement setting forth the balance in the treasury at the beginning of the fiscal year all revenues received during the fiscal year by major classifications all expenditures made during the fiscal year by major functions and the current resources and liabilities of the township at the end of the fiscal year the gross liability and net debt of the township the amount of the assessed valuation of the township the assets of the township with the character and value thereof the date of the last maturity of the respective forms of funded debt and the assets in the sinking fund such publication shall be deemed compliance with the provisions of the Municipal Borrowing Law which requires the corporate authorities of townships to publish an annual statement of indebtedness

If any township has a population of less than two hundred as shown by the last preceding decennial census of the United States the auditors may post five copies of the above financial statement in public places in the township in lieu of publication in a newspaper

Section 548 Cancelling Orders The auditors shall cancel all orders [and] vouchers and certificates of indebtedness presented to them which they find have been paid by writing the word "audited" on the face thereof

Section 549 Penalty for Failure to Perform Duty Any auditor neglecting or refusing to comply with the preceding provisions of this article shall [pay a penalty of] upon conviction thereof in a summary proceeding pay a fine of not more than one hundred dollars [to be recovered by summary proceeding upon the complaint of any taxpayer Any penalty recovered shall be paid into the treasury of [the township] and in default of the payment of such fine and costs shall be sentenced to imprisonment of not more than ten days

Section 550 Employment and Compensation of Attorney The auditors in case of a disagreement with any officials or board of [officials] township supervisors whose accounts they are required to audit may employ an attorney Such attorney shall not be employed until reasonable effort to reach an agreement has been made and only after notice of their intention so to do has been given to said official or board of [officials] township supervisors The compensation for such attorney shall be fixed by the auditors and shall not exceed [the sum of ten dollars per day nor total in any case more than] thirty dollars unless [when] an appeal is taken to the court in which case the court shall fix the additional compensation for the attorney The compensation for said attorney shall be paid out of the general township [treasury] fund by a warrant drawn by the auditors upon the treasurer of the township

Section 551 Balances Due to Be Entered as Judgments Any balance in any report of the auditors against any officer of the township shall constitute a surcharge against such officer as fully as if expressly stated in said report to be a surcharge [and the amount of any balance and of any express surcharge if unappealed from within thirty days shall be entered by the prothonotary as a judgment against such officer and in favor of the township] The auditors shall direct the clerk of court of quarter sessions to certify the amount of every such balance or surcharge [contained in any report] from which no appeal has been taken within the time and in the manner hereinafter provided to the court of common pleas [for entry thereof by] and the prothonotary shall enter the same as a judgment against such officer and in favor of the township

Section 552 Collection of Surcharge [and charges by Taxpayers] Bond Any auditor registered elector or taxpayer of the township may enforce the collection of a judgment entered for a surcharge [thereof] for the benefit of the township by any appropriate action or execution upon filing in the court of common pleas a bond (in the case of a registered elector or taxpayer) with one or more sureties conditioned to indemnify the township [from] for all costs which may accrue in the proceedings undertaken by such taxpayer subject however to all rights of appeal from the report of auditors hereinafter granted

Section 553 Appeals from Report The township or any registered elector or taxpayer thereof on its behalf or any officer whose account is settled or audited by the township auditors may appeal from any settlement or audit of the township auditors to the court of common pleas within forty-five days after the settlement has been filed in the court of quarter sessions

Section 554 Taxpayer's Appeal Bond No appeal by a registered elector or tax payer or officer shall be allowed unless appellant shall enter into recognizance to prosecute the same with effect and to pay all costs accruing thereon in case if the appellant be a registered elector or taxpayer he shall fail to obtain a final decision more favorable to the township than that awarded by the auditors or in case the appellant be an officer he shall fail to obtain a final decision more favorable to the officer than that awarded by the auditors

Section 555 Intervention by Taxpayers Bond Whenever an appeal has been taken from the report of the auditors by the township or by any person charged or surcharged in such report with any sum of money any registered elector or taxpayer of the township may intervene in such appeal and either prosecute the same on its behalf or defend it against the appeal of the person so charged No registered elector or taxpayer shall intervene unless he shall file in the court of common pleas a bond with one or more sufficient sureties conditioned to idemnify the township against all costs accruing by reason of such intervention

Section 556 Consolidation of Appeals When more than one appeal from the report of the auditors is taken whether by the township an officer [or officers] thereof or by a registered elector or taxpayer [or taxpayers] the court may on its own motion and shall upon petition of any party interested direct that the several appeals [to] be [disposed of in a single proceeding] consolidated

Section 557 Testimony and Argument Any person interested may order the appeal upon the argument list and evidence may be taken [before any person authorized

to administer oaths upon rule for that purpose served upon the opposite party] by deposition

Section 558 Framed Issues Whenever any matter of fact is in dispute the court of common pleas is authorized to frame an issue for the trial thereof

Section 559 Report Prima Facie Evidence Burden of Proof The accounts of the officer [or officers] in question may be investigated de novo The figures and facts found and stated by the auditors in their report of audit shall be taken as prima facie correct as against any such officer and the burden shall be upon each officer whose accounts are in question to establish the validity of the credits which he claims

Section 560 Findings Judgment After hearing the court shall file its finding of fact and law and enter judgment in accordance therewith and the judgment so entered may be enforced by any appropriate proceedings by [the party prevailing] any auditor officer registered elector or taxpayer of the township

Section 561 Costs In all cases of appeal from the report or audit of township auditors to the court of common pleas the costs shall abide the event of the suit as in other cases

Section 562 Appeals from Lower Courts Any person interested may except to the rulings of the court and may appeal therefrom to the Superior or Supreme Court as in other cases

Section 563 Counsel Fees When an appeal is taken from the township auditors' report or settlement of the account of any township officer and such appeal results favorable to the appellants in such a manner that money is recovered for any township the court hearing such appeal shall make an order to pay a reasonable counsel fee [which it deems just and reasonable to the counsel representing such appeal out of the funds so recovered]

(f) Tax Collector

Section 570 Powers Duties and Liabilities The tax collector of townships shall collect all county township school [poor] institution district and other taxes levied within townships by authorities empowered to levy taxes He shall in addition to the powers duties and responsibilities enumerated in this act have all the powers perform all the duties be subject to all the obligations and responsibilities for the collection of such taxes as are now vested in conferred upon or imposed upon [collectors of the several classes of taxes hereinbefore mentioned] tax collectors by law

(g) Assessor

Section 575 Powers and Duties of Assessor The assessors of townships shall have all the powers perform all the duties be subject to all the obligations and responsibilities and receive the compensation as is provided for by [existing laws] law [relating to taxation]

(h) Township Solicitor

Section 580 Election The board of supervisors on the first Monday of January in any year or as soon thereafter as practicable may elect by a vote of a majority of the members and fix the compensation of one person learned in the law who shall be styled the township solicitor [and who shall serve for the term of one year]

Section 581 Solicitor to Have Control of Law Matters The law matters of the township shall be under the superintendence [discretion] direction and control of the township solicitor and no official or official body of the township except as herein otherwise provided shall employ an additional counsel without the assent or ratification of the board of supervisors

Section 582 Duties of Solicitor The township solicitor when directed or requested so to do shall prepare or approve such bonds obligations contracts leases conveyances ordinances and assurances to which the township may be a party [as may be directed by resolution] he shall commence and prosecute all actions brought by the township for or on account of any of the estates rights trusts privileges claims or demands as well as defend all actions or suits against the township or any officer thereof wherein or whereby any of the estates rights privileges trusts ordinances or accounts of the township may be brought in question before any court in the Commonwealth and shall do every professional act incident to the office which he may be authorized or required to do by the board of supervisors or by any resolution He shall whenever required furnish the board of supervisors or any of them with his opinion in writing upon any question of law which may be submitted by any of them in their official capacities

(i) Township Engineer

Section 585 [Election of] Township Engineer The township supervisors may at any time appoint by a vote of a majority of them a township engineer who shall be a [registered civil] registered professional engineer and fix his compensation

Section 586 Duties Preparation of Plans The township engineer shall perform such duties as the township supervisors shall prescribe as to the construction reconstruction maintenance and repair of all streets roads pavements sewers bridges culverts and other engineering work He shall prepare plans specifications and estimates of all such work undertaken by such township and shall whenever required furnish the township supervisors with reports information or estimates on any township engineering work or on questions submitted by any of them in their official capacity

Section 587 Certificate of Commencement and of Completion of Municipal Improvements Where a township engineer is employed he shall immediately after the completion of any municipal improvement the cost of which in whole or in part is to be paid by the owners of the abutting proprety make a certificate in which he shall state the day or time on which the particular improvement was completed and shall file the same with the township secretary who shall enter the said day or time of completion in a book to be kept by him for said purposes and the said day or time mentioned in said certificate shall be conclusive on all parties as to the time the said work was completed The time of completion of the work referred to in this section and in other parts of this act shall be taken to mean the time of the completion of the whole contract for the improvement He shall also furnish to the township secretary a certificate showing the time at which any such particular improvement was commenced and such [certificates] certificate shall be conclusive evidence of the time when the said improvement was begun and an entry of such date shall be made by said secretary in the book aforesaid

(j) Township Police

Section 590 Petition for Appointment of Police Contracts for Police Services A Upon the petition of not less than twenty-five registered electors or taxpayers of any township or of two or more adjacent townships representing that the safety of the citizens and the security of property [makes] make it necessary for the appointment of one or more [electors who shall be residents of the county of which the said township or townships are a part to act as policeman] policemen the supervisors of such township or townships shall consider said petition and if satisfied of the reasonableness and propriety of said application shall appoint one or more [qualified] registered electors who shall be residents of the Commonwealth [county of which the said township or townships are a part] to act as policemen and to serve at the will of said supervisors

The supervisors of such township or townships shall fix the number of policemen the compensation of such policemen and shall limit the term of service of said policemen as it may deem proper Where such policemen are appointed for two or more townships the supervisors of such townships shall fix the amount of compensation which shall be paid by each of such townships Such compensation shall be paid from the general township [funds] fund

B Any township may contract with any adjacent township of the first or second class or with any borough and may expend moneys from the general fund for the pur-

pose of securing the services within the township of the police of such adjacent township or borough When any such contract has been entered into the police of the employing township or borough shall have all the powers and authority conferred by law on township police in the territory of the township which has contracted to secure such police service

Section 591 Powers Each policeman so appointed shall [possess and exercise all the powers of policemen of cities of this Commonwealth] be an ex-officio constable of the township and shall and may without warrant and upon view arrest and commit for hearing any and all persons guilty of breach of the peace vagrancy riotous and disorderly conduct or drunkenness or who may be engaged in the commission of any unlawful act tending to imperil the personal security or endanger the property of citizens or in violating any of the ordinances of said township for which a fine or penalty is imposed

The keepers or persons in charge of jails lockups or station houses shall receive all persons arrested by such policemen for the commission of any offense against the laws of this Commonwealth within said township

Section 592 Shield Each policeman when on duty shall wear a shield or badge with the words "township police" and the name of the township or townships for which he was appointed inscribed thereon

Section 593 Equipment The township supervisors may provide each such [policemen] policeman with a uniform and equipment and [for] means of transportation and the maintenance of the same the cost thereof to be paid out of the [funds] general township fund of the township or townships

Section 594 Certain Compensation Prohibited It shall not be lawful for any township policeman to charge or accept any fee or other compensation in addition to the salary paid to him as a policeman for any service rendered or performed by him pertaining to his office or duties except public rewards and the legal mileage allowed to constables for traveling expenses

Section 8 The said act is hereby amended by adding thereto five new sections known as Sections 595 to 599 inclusive as follows

Section 595 Police Pension Fund Where a police force is being maintained the township shall by ordinance establish a police pension fund or pension annuity contract into which each member of the police force shall pay an equal proportionate monthly charge not exceeding annually three per centum of the pay of such member The fund shall be under the direction of the supervisors of such committee as they may by ordinance prescribe for the benefit of such members of the police force as shall receive honorable discharge therefrom by reason of age or disability and the families of such as may be injured or killed in the service Any allowance made to those who are retired by reason of disability or age shall be in conformity with a uniform scale

Section 596 Service Required Before Retirement (a) The ordinance establishing the police pension fund may prescribe a minimum period of continuous service not less than twenty years after which the members of the force may be retired from active duty Township policemen so retired shall be subject to service as police reserves until unfitted for such service by reason of age or disability when they may be finally discharged

(b) The basis of the apportionment of the pension shall be determined by the rate of monthly pay of the member at the date of death honorable discharge or retirement and shall not in any case exceed in any year one-half the annual pay of such member computed at such monthly rate

Section 597 Pensions not to be Charged on Other Funds Payments made on account of police pensions shall be a charge on no fund in the treasury of the township or under its control other than the police pension fund

Section 598 Gifts to Pension Fund Townships may take by gift grant devise or bequest any money or property real personal or mixed in trust for the benefit of such police pension fund The care management investment and disposal of such trust funds or property shall be vested in such officers as the supervisors shall by ordinance direct and shall be governed by such officers subject to any directions not inconsistent therewith as the donors of such funds and property may prescribe

Section 599 Rights of Members A person participating in such police pension fund and becoming entitled to receive a benefit therefrom shall not be deprived of his right to an equal and proportionate share therein upon the basis upon which he first became entitled thereto except for the following causes that is to say Conviction of a crime or misdemeanor becoming an habitual drunkard becoming a non-resident of the Commonwealth or failing to comply with some general regulation relating to the management of such fund which may be made by ordinance of the Commonwealth or failing to comply with some general regulation relating to the management of such fund which may be made by ordinance and which provides that a failure to comply therewith shall terminate the right to participate in the pension fund after such noitce and hearing as it shall prescribe

Section 9 Section 601 to 806 inclusive of the said act are hereby reenacted revised and amended to read as follows

Article VI

State and County Associations of Township Officers

(a) County Associations

Section 601 County Associations [of Supervisors] County associations of townships supervisors auditors assessors and tax collectors [other persons officially charged with the construction and maintenance of the public roads or streets] may be formed Such associations when formed shall hold annual [or semi-annual] conventions at the county seats of the respective counties or some other suitable place [within the county] for the purpose of considering and discussing questions and subjects pertaining to the best methods for the [construction] improvement [and maintenance] of the [public highways and bridges] township government the assessment of property the collection of taxes and the construction improvement and maintenance of roads Such associations of two or more adjacent counties may arrange to meet in joint session

Section 602 Who to Attend Compensation and Mileage The supervisors of townships auditors assessors tax collectors and the secretary of the board of township supervisors when not a member of the board shall attend such conventions whenever possible Each township supervisor auditor assessor tax collector and secretary attending such convention shall receive a certificate signed by the presiding officer and acting secretary of the convention attesting his presence at the convention Such certificate shall entitle him to collect from the township treasurer the sum of [three] five dollars per day for each day's attendance and mileage at the rate of four cents per mile traveled to be computed by the route usually traveled from his place of residence to the place where the convention is held No township supervisor auditor assessor tax collector or secretary shall be paid for more than [two days] one day's attendance in any one year

Section 603 Officers of County Association The officers of the association shall consist of a president two vice-presidents a secretary and a treasurer none of whom shall be interested directly or indirectly in the promotion or sale of road material and equipment and all of whom except the secretary shall be members of the association and shall hold office for one year or until their successors are chosen If desirable the secretary may be a person not a regular member of the association and may be paid for his service such compensation not exceeding [ten] fifteen dollars per annum as the other officers may determine Every township supervisor assessor tax collector and auditor attending such convention may vote in the election of officers.

Section 604 County to Pay Expenses The county treasurer shall on warrants of the county commissioners pay to the treasurer of such association from the county funds the necessary expenses incurred for the holding of such

annual or semi-annual convention including the necessary expenses of the secretary The total sum thus paid by any county shall not exceed one hundred and twenty-five dollars a year

Within thirty days after every such convention the treasurer of such association shall file with the county commissioners an itemized statement under oath showing when and where such convention was held the number of township supervisors auditors assessors tax collectors and township secretaries present and all the expenses connected with such convention together with proper voucher for all such expenses and no payment shall be made to the treasurer of such association until he has presented to the county commissioners an itemized and verified statement of expenses

(b) State Association of Township Supervisors

Section 610 State Association Authorized The formation of a State association of [township supervisors] Township Supervisors is hereby authorized The association shall hold annual meetings at such time and place within the Commonwealth as it may designate for the purpose of discussing various questions and subjects pertaining to the duties of township supervisors and for the purpose of devising uniform economical and efficient methods of administering the affairs of townships All dues assessed by the association [may be paid by the board of township supervisors Such dues] which shall not exceed fifteen dollars per year per township shall be paid by the member townships from their general township funds

Section 611 Delegates Each county association of township supervisors shall elect one township supervisor for each ten townships or fraction thereof within said county as a delegate to each annual meeting of said State association

Section 612 Expenses and Mileage The expenses of the delegates attending the annual meeting shall not exceed six dollars per day for each delegate for not more than three days together with the actual mileage at the prevailing rate of railroad fare and shall be paid by the respective county associations

Section 613 Limit on Meeting Expense The expenses of the annual meeting including expenses of committees printing and stenographers shall be paid pro-rata by the respective county associations and shall not exceed fifteen dollars for each county association

Section 614 Itemized Statement Filed with County Treasurer Within thirty days after each annual meeting of the State association the treasurer of the respective county association shall file with the county commissioners an itemized statement under oath setting forth where and when the annual meeting of the State association was held the number of delegates from the respective association in attendance and the expenditures due from the county association for such annual meeting and the county commissioners shall draw their warrant on the county treasurer and pay to the treasurer of the respective county association out of the county funds the amount expended by the county association under the provisions of this subdivision Provided however That in all counties having controllers said accounts shall be audited by the controller

Article VII

General Powers

Section 701 Suits Property [Townships] Any township of the second class may

I Sue and the sued [by the name of the] [townships] [of]

II Purchase acquire by gift or otherwise hold lease let and convey such real and personal [estate as the purposes] property as shall be deemed to be for the best interests of the township [shall require] Such real and personal [estate] property shall be taken and held only for the benefit of the inhabitants of the township and for such objects and purposes [as] for which the township [rates and levies] tax and special tax assessments are authorized by law [to be laid for]

Section 702 Supervisors to Exercise Powers The corporate powers of townships of the second class shall be exercised by the township supervisors [They] In addition to the duties imposed upon them by Section 516 hereof they shall have power

I Lighting To light and illuminate the [streets] highways roads and other public places of the township with electric light gas or other illuminating medium and to provide for defraying the cost charges and expenses thereof and for such purposes to enter into contracts or agreements with any person copartnership association or corporation for a period not exceeding [five] ten years for the purpose of securing and maintaining a supply of light

II Contracts and Assessments for Lighting On the petition of the owners of a majority of the lineal feet frontage along any road [street] highway or portion thereof within the township to enter into contract with electric gas or other lighting companies to light and illuminate said roads [streets] and highways and other public places in villages with electric light gas light or other illuminant

The township supervisors shall annually assess or cause to be assessed the cost and expense of the maintenance of said lights by an equal assessment on all property benefited by such lighting in proportion to the number of feet the same fronts on the street or highway or portion thereof to be lighted The supervisors may provide for an equitable reduction from the frontage of lots at intersections or where from the peculiar or pointed shape of lots an assessment of the full frontage would be inequitable No such assessment shall be made against any farm land but vacant lots between built-up sections whether tilled or untilled shall not be deemed to be farm lands Provided however That the assessment per front foot against vacant lots shall be only twenty-five per centum [25%] of the assessment per foot front against property with improvements thereon All such assessments for street lighting shall be filed with the township tax collector who shall give thirty days written or printed notice that the assessments are due and payable stating the due date to each party assessed either by service on the owner of the property or by mailing such notice to the owner at his last known post office address The tax collector shall be entitled to the same commission for the collection of such assessments as he is entitled to by law for the collection of the township road tax If the assessments or any of them remain unpaid at the expiration of not exceeding ninety days the exact time to be fixed by the township supervisors they shall be placed in the hands of the township solicitor for collection The solicitor shall collect the same together with five per centum [5%] as attorney's commission and interest from the date such assessments were due by a municipal claim filed against the property of the delinquent owner in like manner as municipal claims are by law filed and collected Where an owner has two or more lots against which there is an assessment for the same year all such lots shall be embraced in one claim All assessments when collected shall be paid over to the township treasurer who shall receive and keep the same in a separate account and pay out the same only upon orders signed by the chairman of the township supervisors attested by the secretary The tax collector and the treasurer shall make a report to the auditors of the township annually

III Contracts and Tax Levy for Fire Purposes On the petition of the surface property owners of a majority of the lineal feet frontage along any highways streets roads and alleys or portion thereof in any village within the township to enter into contract with water companies for the placing of fire hydrants to water mains maintaining pressures approved by the fire insurance underwriters along said highways streets roads and alleys or to provide for or acquire a water supply system equipped to supply sufficient water for the protection of property from fire

The supervisors shall levy for the acquisition of a water system for the maintenance of such fire hydrants and for the purchase of hose et cetera an annual tax upon the property abutting upon said highways streets roads and alleys and upon property within five hundred

feet of any fire hydrant in the district benefited thereby based upon the assessment for county purposes No such tax shall be levied against any farm land or land used as an aviation field or against other property in the district not benefited thereby Such tax shall be collected in the same manner as other taxes The collector shall receive the same commission as on the [road] township tax

The township treasurer shall receive all such taxes collected for fire protection and keep the same in a separate account and pay the same out only upon orders signed by the chairman of the board of supervisors attested by the secretary The treasurer shall make a report to the auditors of the township annually

IV Fire Protection To appropriate moneys to fire companies located therein for the purchase and maintenance of fire apparatus and fire houses in order to secure fire protection for the inhabitants of the township An annual report of the expenditure of such appropriated moneys shall be made to the township supervisors for each completed fiscal year of the township by such fire companies verified by an officer thereof before any further payments shall be made to such fire companies out of appropriations for any current fiscal year To enter into contracts with the proper authorities of near or adjacent cities boroughs of townships or fire departments fire companies or fire company therein for the furnishing to such townships of fire protection by the fire department fire departments fire companies or fire company of such cities boroughs or townships and to make appropriation therefor Provided That such contracts before being entered into by township supervisors shall be first approved by the township auditors

V Watering Troughs To erect watering troughs along the highways at an expense not exceeding twenty dollars and to keep the same in repair

VI Memorial Day Appropriations To appropriate moneys for the expenses of Memorial Day services

VII Road Bulletins To subscribe for not more than three publications the main subject matter of which pertains to good roads and road building Such publications shall be for the joint use of the [supervisors superintendents and roadmasters] officers of the township

VIII Garbage Regulations To provide for the care and removal of ashes garbage and other refuse material including the imposition and collection of reasonable fees and charges therefor and on petition of a majority of the adult taxable residents of any territory within the township which has been definitely defined set apart and limited by the township supervisors with the approval of the township auditors as a village prior to the filing of any such petition the supervisors shall either with township employes and facilities or with independent contractors provide for the removal from the village of ashes or garbage or other refuse material as the case may be and for the disposal thereof The supervisors shall levy a per capita [tax] assessment upon all adult [taxable] residents of any such village sufficient to defray the cost of such removal and disposal Such [tax] assessment shall be collected in the same manner as [other] per capita taxes and the collector shall receive the same commission thereon The treasurer of the board of supervisors shall receive all such [tax] assessments collected and keep the same in a separate account and pay the same out only upon orders signed by the chairman and attested by the secretary of the board of supervisors The treasurer shall make an annual report of the account to the auditors of the township

IX Traffic Lights and Signals To provide for and to expend [township road] moneys from the general township fund for the erection maintenance and operation of traffic lights and traffic signals whenever deemed necessary for the protection of the traveling public

X [Road Supplies] Roads To purchase [timber] or hire material equipment machinery [road-drags tools] teams and implements as shall be necessary for [making and repairing] the construction repair and maintenance of roads and bridges [to employ sufficient number of laborers to make and repair the same and to] Records shall be kept of the rental paid for all equipment machinery teams and implements hire To lease or lend for adequate consideration such equipment machinery [road-drags tools] and implements [to school districts and other townships boroughs or cities] to contract [or] to construct reconstruct improve or maintain driveways on lands owned or occupied by [co-terminus] school districts of the township and to contract for the construction reconstruction and improvement of roads [for] in the township

XI Appropriations for Forestry To appropriate moneys from [their respective treasuries] the general township fund to any forest protection association cooperating [in forest work] with the State Department of Forests and Waters or to be expended in direct cooperation with said Department of Forests and Waters in forest work and to purchase or take by gift any forest lands for recreational purposes

XII Nuisances To prohibit nuisances including but not limited to accumulations of garbage and rubbish and the storage of abandoned or junked automobiles on private and public property and the carrying on of any offensive manufacture or business and to remove any nuisance or dangerous structure on public or private grounds after notice to the owner to do so and in his default to collect the cost of such removal together with a penalty of ten dollars from the owner by summary proceedings In the exercise of the powers herein conferred the township may institute proceedings in courts of equity

XIII Insurance To expend out of the [public funds of the township] general township fund such amount as may be necessary to secure workmen's compensation insurance for its employes including volunteer firemen killed or injured while going to returning from or attending fires in said township or territory adjacent thereto or while performing any other duties authorized by the township to make contracts of insurance with any fire insurance company duly authorized by law to transact business in the Commonwealth of Pennsylvania on any building or property owned by such township to make contracts with any insurance company so authorized insuring any public liability of the township and to make contracts of [group] insurance [for the benefit of its employes] with any insurance company or non-profit hospitalization corporation or non-profit medical service corporation authorized to transact business within the Commonwealth insuring its employees or any class or classes thereof under a policy or polcies of group insurance covering life health hosptialization medical service or accident insurance and may contract with any such company granting annuities or pensions for the pensioning of such employes and for such purposes may agree to pay part or all of the premiums or charges for carrying such contracts and may appropriate out of its treasury any money necessary to pay such premiums or charges or portions thereof The supervisors are hereby authorized enabled and permitted to deduct from the employee's pay salary or compensation such part of the premium or charge as is payable by the employee and as may be so authorized by the employee in writing

XIV Armories To appropriate money or convey land either independently or in connection with any county city town borough or township to the Commonwealth [of Pennsylvania] for the purpose of assisting the Armory Board of the Commonwealth [of Pennsylvania] in the erection of armories for the use of the National Guard and to furnish water light or fuel free of cost to the Commonwealth for use in any armory of the National Guard and to do all things necessary to accomplish the purposes of this clause

XV National Guard To take by right of eminent domain for the purpose of appropriating to [themselves] the township for the use of the National Guard of Pennsylvania such public lands easements and public property as may be in [their] its possession or control and used or held by [them] it for any other purpose Such right however shall not be exercised as to any street or highway or wharf [but all other public easement and

property may be appropriated and used for the purposes herein provided any limitation of the use thereof by the township either by donation dedication appropriation statute or otherwise to the contrary notwithstanding]

XVI Acquisition of Lands to Assist Armory Board To acquire by purchase or by gift or by the right of eminent domain any land for the use of the National Guard of Pennsylvania and to convey such lands so acquired to the Commonwealth [of Pennsylvania] in order to assist the Armory Board in the erection of armories [The proceedings for the condemnation of lands under the provisions of this act and for the assessment of damages for property taken injured or destroyed shall be taken in the same manner as is provided by this act for the condemnation of lands for public purposes in townships] The power conferred by this clause shall not be exercised to take any church property graveyard cemetery or any dwelling house or the curtilage of the same in the actual occupancy of the owner

XVII Burial Plots of Ex-Service Men To purchase plots of ground in any cemetery or burial ground for the interment of such deceased service men and women as shall hereafter die within such township or shall die beyond such township and shall have a legal residence within such township at the time of their death and whose bodies are entitled to be buried by the county Such plots of ground shall be paid for out of the [treasury of such townships] general township fund

XVIII Display of Flags To display the flag of the United States the Commonwealth or of any county city borough or township on any public building of the township

XIX Care of Memorials To take charge of care for maintain and keep in good order and repair at the expense of the township [and it shall be their duty so to do] any soldiers monument gun or cartridge or other similar memorials when there is not in existence any person body or organization to care for and maintain the same and when such memorials were not erected by the government of the United States the Commonwealth of Pennsylvania any other state or by the commissioners of any county and to receive from persons or organizations funds for such purposes

XX Fireworks and Inflammable Articles To regulate and prohibit by resolution or ordinance the manufacture [sale or exposure] of fire works or other inflammable or dangerous articles to grant permits for supervised public displays of fireworks and to adopt reasonable rules and regulations governing such displays to [prescribe the qualities] adopt reasonable rules and regulations not inconsistent with state regulations covering the storage of inflammable articles [that may be kept in place] and to prescribe such other safeguards concerning the same as may be necessary [and upon violation of any such regulation or prohibition to collect a penalty of twenty-five dollars from the person violating the same by summary proceedings] In the exercise of the powers herein conferred the township may institute proceedings in courts of equity

XXI Support of National Guard Units To appropriate annually a sum not exceeding seven hundred and fifty dollars for the support and maintenance discipline and training of any dismounted company or similar unit of the National Guard and a sum not to exceed fifteen hundred dollars for the support and maintenance of any mounted or motorized troop or similar unit of the National Guard Where such units are organized as a battalion regiment or similar organization the total amount due may be paid to the commanding officer of the battalion regiment or similar organization Any moneys so appropriated shall be paid by warrant drawn to the order of the commanding officer of such company battalion regiment or similar organization only when it shall be certified to the township by the Adjutant General of the State that the said company or companies have satisfactorily passed the annual inspection provided by law The moneys so appropriated shall be used and expended solely and exclusively for the support and maintenance discipline and training of the said company battalion regiment or similar organization and the commanding officers shall account by [the] proper vouchers to the said township each year for the expenditure of the money so appropriated and no appropriation shall be made for any subsequent year until the expenditure of the previous year is duly and satisfactorily accounted for

The accounts of such expenditures shall be subject to the inspection of the Department of Military Affairs and shall be audited by the Auditor General in the manner provided by law for the audit of accounts of state moneys

XXII Fire Hydrants and Water Supply Special Tax With the consent of two-thirds of the electors of the township voting thereon as hereinafter provided to [enter into] contract with water companies for the placing of fire hydrants and for the maintenance of adequate water pressure for [fire dydrants and for the maintenance of adequate water pressure for] fire purposes and to levy an annual tax not exceeding [one mill] two mills for the purpose of defraying the expense thereof

Whenever [twenty-five] five percentum or more [duly qualified] registered electors of the township shall petition the supervisors for the establishment and maintenance of fire hydrants and fire hydrant water service and the levy of a tax not exceeding [one mill] two mills to defray the expense thereof and for a referendum thereon the supervisors shall if they approve thereof cause a question to be submitted at the next municipal election occurring at least sixty days thereafter by certifying a resolution duly adopted to the [county commissioners] County Board of Elections for submission on the ballot or on voting machines in the manner provided by the election laws of this Commonwealth If two-thirds or more of the persons voting on such question in the township shall vote "Yes" then the supervisors shall have power to enter into such contract and levy an annual tax as aforesaid Provided That no such question shall be submitted at any election unless the resolution of the board of supervisors authorizing the same shall be published once in a newspaper of general circulation published in the county in which the township is situated If within thirty [(30)] days after date of publication taxpayers of the township whose property valuation as assessed for taxable purposes within the township shall amount to thirty-five per centum [(35%)] of the total property valuation as assessed for taxable purposes within the township shall sign and file with the chairman of the board of supervisors a written protest against submitting such question at any election then the board of supervisors shall not certify any resolution to the [county commissioners] County Board of Elections as provided in this clause

XXIII Regulation of Parks To regulate by resolution or ordinance the use and enjoyment by the public of any park or recreational grounds owned and operated by charitable organizations for the use of the public without charge to prescribe rules for the use by the public of such parks and recreational grounds and the facilities and amusements connected therewith and to make any violation of such rules when posted at conspicuous places in such parks or recreational grounds punishable in a summary proceeding before any justice of the peace alderman or magistrate of the county by the payment of costs of prosecution and a fine of not [less than two dollars ($2.00) or] more than ten dollars [($10.00)] and in default of the payment thereof imprisonment in the jail of the county for a period not exceeding five [(5)] days

Any police officer when displaying a badge or sign of authority may arrest upon view any person violating any such rules and such peace officer shall forthwith make and file with the justice of the peace alderman or magistrate before whom the arrested person is taken an information setting forth the offense

XXIV Regulation of Parking To regulate parking and provide parking accommolations so as to promote the convenience and protection of the public [Provided such regulation shall not contravene the provisions of "The Vehicle Code"]

XXV Zoning Ordinances To adopt and enforce zoning ordinances regulating the location construction and use of buildings the size of courts and open spaces the density of population and the use of land

XXVI Obstruction of Road Drains and Bridges To prohibit by ordinance the erection or construction of any obstruction to the convenient use of the roads footwalks culverts drains and bridges in the township

XXVII Cemetery Cesspool Sewer and Drainage Regulations To make regulations by ordinance respecting cemeteries vaults sewers drains and cesspools

XXVIII Abandoned or Neglected Cemeteries Whenever any cemetery or burial ground incorporated or unincorporated is being neglected although occasionally used for burial purposes the court of quarter sessions of the county upon petition of twenty-five residents of the township wherein such cemetery is located may direct the supervisors to care for such cemtery at a cost of not more than thirty dollars in any one year and the supervisors shall expend moneys from the general township fund for such purpose Such cemetery shall remain open to the public as may be directed by the court

XXIX Health To make such regulations by ordinance not inconsistent with State laws and regulations as may be necessary for the promotion of the health cleanliness comfort and safety of the citizens of the township

XXX Sewers In the manner hereinafter provided to establish and construct singly or jointly with other municipalities sewer and drainage systems in the township or part thereof and to finance and assess the cost thereof and to provide for the making of sewer constructions and the charging of rental for sewerage service

XXXI Water Supply In the manner hereinafter provided to provide a supply of water for public or private uses in the township or part thereof and to finance and assess the cost thereof to provide for the construction of necessary lines and works therefor and to charge and collect water rentals

XXXII Fire Prevention To make regulations by ordinance relative to the cause and prevention of fires

XXXIII Public Amusements To regulate by ordinance not inconsistent with State law and regulations the time of opening and closing and the conduct of places of public entertainment amusement and recreation

XXXIV Parks and Recreation Centers To designate set apart acquire supervise operate and maintain in the manner hereinafter provided parks playgrounds gymnasiums public parks swimming pools and recreation centers

XXXV Regulation of Dogs To prohibit or regulate by ordinance the runnings at large of dogs

XXXVI Lockups To provide lockup facilities

XXXVII Numbering of Buildings To require and regulate the numbering of buildings

XXXVIII Sidewalks and Footpaths To provide for and expend moneys from the general fund of the township for the construction and maintenance of sidewalks and footpaths whenever deemed necessary for the protection of the traveling public

XXXIX Transient Merchants To license and regulate by ordinance transient retail merchants in the manner and to the extent hereinafter provided

XL Joint Municipal Agreements To enter into agreements with other political subdivisions in accordance with existing laws in making joint purchases of materials supplies or equipment and in performing governmental powers duties and functions and in carrying into effect provisions of law relating to said subjects which are common to all such political subdivisions

XLI Ordinances To adopt ordinances prescribing the manner in which such specific powers of the township shall be carried out All such ordinances unless otherwise provided by law shall be published prior to passage at least once in one newspaper circulating generally in the township An ordinance shall not become effective until ten [(10)] days after the passage aforesaid In any case in which maps plans or drawings of any kind are adopted as part of an ordinance the supervisors may instead of publishing the same as part of the ordinance refer in publishing the ordinance to the place where such maps plans or drawings are on file and may be examined The board of supervisors may prescribe fines and penalties not exceeding three hundred dollars [($300.00)] in any instance for the violation of any such township [ordinances] ordinance which fines and penalties may be collected by suit or summary proceedings brought in the name of the township before any justice of the peace Proceedings for the violation of township ordinances and for the collection of fines and penalties imposed thereby may be commenced by warrant or by summons at the discretion of the justice of the peace before whom the proceeding is begun No warrant shall be issued except upon complaint on oath or affirmation specifying the ordinance for the violation of which the same is issued All proceedings shall be directed to and be served by a constable of the township Warrants shall be returnable forthwith and upon such return like proceeding shall be had as in cases of a summary conviction All fines and penalties collected for the violation of township ordinances shall be paid over to the township treasury Upon judgment against any person by summary conviction or by proceedings by summons on default of the payment of the fine or penalty imposed and the costs the defendant may be sentenced and committed to the township lockup for a period not exceeding five days or to the county jail or workhouse for a period not exceeding thirty days

[No] Except as otherwise provided in this act no ordinance shall be considered in force until same is recorded in the ordinance book of the township and is advertised as required in [clause XXV] this subsection

[An appeal] Any person aggrieved may within thirty days after any ordinance or resolution takes effect [be made] make complaint as to the legality of such ordinance or resolution to the court of quarter sessions upon entering into recognizance with sufficient surety to prosecute the same with effect and for the payment of costs [by a person aggrieved within thirty (30) days after any ordinance takes effect and the] The determination and order of the court thereon shall be conclusive

Article VIII

Contracts

Section 801 Power to Make Contract Each township [shall have power to] may make [such] contracts [as may be necessary for] for lawful purposes and for the purpose of carrying into execution the provisions of this act and the laws of the Commonwealth

Section 802 Letting Contracts All purchases of materials equipment [and/or] and machinery for the construction reconstruction and improvement of roads and bridges involving an expenditure in excess of [two] five hundred dollars shall be by contract in writing and shall be made only after competitive bidding The secretary of the board shall either advertise once a week for two weeks in one or more newspapers of general circulation in the township for competitive bids or shall obtain quotations from at least [3] three responsible concerns It shall be unlawful for the supervisors to evade the provisions of this section by making two or more contracts for small amounts which should have been in one If the auditors find there has been any such evasion they shall refuse to approve the same

The supervisors shall not hire any work to be done purchase any material or make any contract in any amount which will cause the sums appropriated for such purposes to be exceeded No contracts or purchases not provided for by any appropriation or which shall cause any approriation to be exceeded shall be valid

All contracts which in this section are required to be in writing and all contrast for the construction reconstruction and imrovement of roads and bridges shall be valid only when approved by the Department of Highways of the Commonwealth A record of all purchases of material equipment and machinery for road purposes

involving an expenditure of less than [two] five hundred dollars shall be kept by the supervisors and furnished to the Department of Highways in the annual report

Section 803 Bonds for Protection of Labor and Materialmen It shall be the duty of every township to require any person copartnership association or corporation entering into a contract with such township for the construction erection installation completion alteration repair of or addition to any public work or improvement of any kind whatsoever where the amount of such contract is in excess of five hundred dollars [($500)] before commencing work under such contract to execute and deliver to such township in addition to any other bond which may now or hereafter be required by law to be given in connection with such contract an additional bond for the use of any and every person copartnership association or corporation interested in a sum not less than fifty per centum [(50%)] and not more than one hundred per centum [(100%)] liability under the contract as such township may prescribe having as surety thereon one or more surety companies legally authorized to do business in this Commonwealth conditioned for the prompt payment of all material furnished and labor supplied or performed in the prosecution of the work whether or not the said material or labor enter in and become component parts of the work or improvement contemplated Such additional bond shall be deposited with and held by the township for the use of any party interested therein Every such additional bond shall provide that every person copartnership association or corporation who whether as subcontractor or otherwise has furnished material or supplied or performed labor in the prosecution of the work as above provided and who has not been paid therefor may sue in assumpsit on said additional bond in the name of the township for his their or its use and prosecute the same to final judgment for such sum or sums as may be justly due him them or it and have execution thereon Provided however That the township shall not be liable for the payment of any costs or expense of any suit

Section 804 Separate Specifications for Branches of Work In the preparation of specifications for the erection or alteration of any public building when the entire cost of such work exceeds one thousand dollars the architect engineer or person preparing such specifications shall prepare separate specifications for the plumbing heating ventilating and electrical work and the township shall receive separate bids upon each of such branches or work and award the contract for the same to the lowest responsible bidder

Section 805 Workmen's Compensation Insurance All contracts executed by any township which shall involve the construction or doing of any work involving the employment of labor shall contain a provision that the contractor shall accept in so far as the work covered by any such contract is concerned the provisions of the Workmen's Compensation Act of one thousand nine hundred and fifteen and any supplements or amendments thereto and that the said contractor will insure his liability thereunder or file with the township with which the contract is made a certificate of exemption from insurance from the Bureau of Workmen's Compensation of the Department of Labor and Industry

Every officer of a township who shall sign on behalf of the said township any contract requiring in its performance the employment of labor shall require before the said contract shall be signed proof that the said contractor with whom the contract is made shall have accepted the Workmen's Compensation Act of one thousand nine hundred and fifteen and any supplements or amendments thereto and proof that the said contractor has insured his liability thereunder in accordance with the terms of the said act or that the said contractor has had issued to him a certificate of exemption from insurance from the Bureau of Workmen's Compensation of the Department of Labor and Industry

Any contract executed in violation of the provisions of this section shall be null and void

Section 806 Engineers and Architects Not to Be Interested in Contracts It shall be unlawful for any architect or engineer in the employ of a township and engaged in the preparation of plans specifications or estimates to bid on any public work at any letting of such work in such township

It shall also be unlawful for the officers of a township charged with the duty of letting any public work to award a contract to any such architect or engineer in the employ of the township

It shall [not be lawful] also be unlawful for any architect or engineer in the employ of a township to be in any wise interested in any contract for public work in such township [nor] or receive any remuneration or gratuity from any person interested in such contract

Any person [or persons violating these] who violates any of the provisions [or any one of them shall forfeit his office and] of this section shall be guilty of a misdemeanor and on conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars or [to] undergo imprisonment of not [less] more than six months or both in the discretion of the court and shall forfeit his office

Section 10 The said act is hereby amended by adding thereto three new sections known as Sections 807 to 809 inclusive

Section 807 Minimum Wages under Contracts (a) The specifications upon which contracts are entered into by any township for the construction alteration or repair of any public work or improvement may at the option of any such township contain the minimum wage or wages which may be paid by the contractor or his subcontractors for the work performed by laborers and mechanics employed on such public work or improvement and such laborers and mechanics shall in such cases be paid not less than such minimum wage or wages

(b) Every contract for the construction alteration or repair of any public work or improvement founded on specifications containing any such stipulation for minimum wage or wages shall stipulate a penalty of an amount equal to twice the difference between the minimum wage contained in said specifications and the wage actually paid to each laborer or mechanic for each day during which he has been employed at a wage less than that prescribed in said specifications

(c) Every officer or person designated as an inspector of or having supervision over the work to be performed under any such contract in order to aid in enforcing the fulfillment thereof shall upon observation or investigation report to the supervisors of the township all violations of minimum wage stipulations together with the name of each laborer or mechanic who has been paid a wage less than that prescribed by the specifications and the day or days of such violation

(d) All such penalties shall be withheld and deducted for the use of the township from any moneys due the contractor by the officer or person whose duty it shall be to authorize the payment of moneys due such contractor whether the violation of the minimum wage stipulation of the specifications was by the contractor or by any of his subcontractors Provided That if any such contractor or subcontractor subsequently pays to all laborers and mechanics the balance of the amounts stipulated in such contract the township shall pay to the contractor the amounts so withheld as penalties

Section 808 Discrimination between Employees Every contract for or on behalf of any township for the construction alteration or repair of any public building or public work shall contain provisions by which the contractor agrees

(a) That in the hiring of employes for the performance of work under this contract or any subcontract hereunder no contractor subcontractor nor any person acting on behalf of such contractor or subcontractor shall by

reason of race creed or color discriminate against any citizen of the Commonwealth of Pennsylvania who is qualified and available to perform the work to which the employment relates

(b) That no contractor subcontractor nor any person on his behalf shall in any manner discriminate against or intimidate any employee hired for the performance of work under his contract on account of race creed or color

(c) That there may be deducted from the amount payable to the contractor under this contract a penalty of five dollars for each person for each calendar day during which such person was discriminated against or intimidated in violation of the provisions of the contract and

(d) That the contract may be cancelled or terminated by the township and all money due or to become due hereunder may be forfeited for a second or any subsequent violation of the terms or conditions of this portion of the contract

Section 809 Publication of Contract Notices Any township may legally authorize the publication of advertising for bids for public works contracts supplies or equipment in addition to the newspapers specified by law also in any publication or journal devoted to the disseminatoin of information about construction work published in this Commonwealth at least once a week and circulating among contractors manufacturers and dealers doing business in the community in which such public works are to be constructed or supplies or equipment purchased Provided That no advertisement for bids for public works contracts supplies or equipment shall be inserted in any publication or journal devoted to the dissemination of information about construction work which has not been established and regularly issued from a printing office and publication house in this Commonwealth for a period of at least eighteen months and that such publication and journal shall be entered or entitled to be entered for admission to the United States mails as second class matter and shall have a bona fide income from subscribers within the Commonwealth of Pennsylvania of not less than Fifteen Thousand Dollars per annum duly certified by a public accountant and the rates and charges for such advertising shall not be in excess of those of newspapers of general circulation as defined by the Newspaper Advertising Act of a like circulation published in the community in which the public works are to be constructed or the supplies or equipment purchased

Section 11 Sections 901 to 909 inclusive of the said act are hereby reenacted revised and amended to read as follows

Article IX

Taxation and Finance [Road Fund]

Section 901 Fiscal Year The fiscal year in townships of the second class shall commence on the first Monday in January in each year All receipts disbursements contracts and purchases shall be chargeable to and entered as of record in the fiscal year in which made

Section 902 Annual Budget A (1) The board of township supervisors [of townships of the second class] shall annually [before] immediately after their organization meeting in January [or as soon thereafter as practicable] and at least thirty days prior to the adoption of the annual budget prepare a proposed budget or annual estimate of revenues and expenditures for the fiscal year beginning on the first Monday of January which shall be filed with the treasurer In all townships [in which the estimated expenditures in the budget exceed five thousand dollars ($5000)] the budget shall be prepared on a uniform form prepared and furnished as hereafter provided The estimates in the budget [for the purpose of aiding the board in determining how much road and other taxes to levy] shall specify

(a) The amount of money necessary for the construction maintenance repair and improvement of [highways including sluices] roads

(b) The amount of money necessary for the [repair and] construction maintenance and repair of culverts and bridges

(c) The amount of money necessary for the purchase hire repair and custody of [tools implements and machinery] equipment machinery teams and implements

(d) The amount of money necessary for each other governmental activity of the township for which a special tax levy may or may not be authorized

(e) The amount of money necessary for the payment of debts [or] and other miscellaneous purposes

(2) Upon the preparation of [a] the proposed budget [in which the estimated expenditures exceed five thousand dollars ($5000)] the supervisors shall [either] give public notice [of the detailed contents thereof or the fact] by advertisement once in at least one newspaper of general circulation in the township or county that the proposed budget will be available for public inspection at a designated place in the township After [the expiration of twenty (20) days following the giving of public notice of the detailed contents of the budget or after] the budget has been available for public inspection for twenty [(20)] days [as] [herein provided such] the supervisors shall after making such revisions therein as appear advisable adopt the budget and the necessary appropriation measures required to put it into effect [In townships in which the estimated expenditures do not exceed five thousand dollars ($5000) the supervisors shall as soon as possible after the expiration of thirty days following the praparation of the proposed budget adopt the budget and the necessary appropriation measures required to put it into effect]

(3) The total appropriation shall not exceed the revenues estimated as available for the fiscal year In all townships [in which the estimated expenditures in the budget exceed five thousand dollars ($5000)] the board of supervisors shall within fifteen days after the adoption of the budget file a copy of the same in the office of the Department of Internal Affairs

(4) The supervisors may at any time by resolution make supplemental appropriations for any lawful purpose from any funds on hand or estimated to be received within the fiscal year and not otherwise appropriated including the proceeds of any borrowing [now or hereafter] authorized by law Such supplemental appropriations may be made whether or not an appropriation for the same purpose was included in the original budget as adopted except that no supplemental appropriation shall be made for any purpose in respect to which the court on an appeal pursuant to section nine hundred eight of this act has ordered a specific reduction or elimination of an item of the original budget for the same purpose

(5) The supervisors may be resolution transfer unencumbered moneys from one [road] township [tax] account to another but no moneys shall be transferred from the fund allocated for the payment of debts or from any fund raised by a special tax levy for a particular purpose Such transfers shall not be made during the first three months of the fiscal year No money shall be paid out of the township treasury except upon appropriation made according to law

[Section 902 A] B The uniform forms for the annual budget [and for] the annual township report [to the Department of Internal Affairs to be used as herein provided] and the annual financial statement required to be made by the auditors shall be prepared by a committee consisting of four representatives [from] of the [Pennsylvania State Association of Township Supervisors and one representative each from the [State] Department of Highways and the [Secretary] Department of Internal Affairs [or his agent]

Such representatives of the State Association of Township Supervisors shall be appointed by the president of the organization [within sixty days after the effective date of this act As far as possible such] Such representatives may be either township supervisors auditors or township secretaries and as far as possible shall be chosen to represent townships in the various population groups among the range of townships of the second class The president of the organization shall supply to the Secre-

tary of [Internal Affairs] Highways the names and addresses of such representatives immediately upon their appointment [The representative of the Department of Highways shall be appointed by the Secretary of Highways]

Such representatives of the townships shall serve without compensation but shall be reimbursed by the Commonwealth for all necessary expenses incurred in attending meetings of the committee from appropriations made to the Department of Highways The committee shall meet at the call of the Secretary of [Internal Affairs] Highways or his agent who shall serve as chairman of the committee

In preparing [the] such uniform forms [for both budgets and annual reports] the committee shall give careful consideration to the fiscal needs and procedure of townships of the various population groups producing separate forms if necessary to meet the needs of townships of varying sizes [In the preparation of] The forms for [financial] annual reports [the same] shall contain the information herein specifically required to be furnished and such other information as the committee shall deem proper and shall be [so] arranged [that corresponding information required to be reported to the Department of Highways may be used for the information required to be furnished to the Department of Internal Affairs] to correlate with the forms for the budget respecting order of items and division of revenues by major classifications and disbursements by major functions The committee shall also prescribe the form of the statement summarizing the annual report which is hereinbefore required to be published

It shall be the duty of the Secretary of [Internal Affairs] Highways [or his agent] to see to it that the forms required by this act are prepared in cooperation with such committee In the event that such committee should for any reason fail to furnish such coperation the [Secretary of Internal Affairs or his agent] representatives of the Department of Highways and Department of Internal Affairs shall prepare the forms After they are prepared [he] the Secretary of [Internal Affairs] Highways shall issue such forms and distribute them annually as neeeded to the proper township officers

Section 903 Temporary Indebtedness Whereever the township [highway] road funds have been exhausted the board of supervisors may borrow on the credit of the township money in anticipation of taxes to be collected for the current fiscal year [or township reward to be received as shown by agreements issued] and issue a certificate of indebtedness payable on a certain date [not exceeding one year from the date of issue] within the current fiscal year to the end that work may be performed in proper season and in accordance with rules and regulations prescribed

Section 904 Sale of Bonds Bonds and other obligations issued for the repayment of money borrowed except tax anticipation notes shall be issued and sold in the manner provided by the Municipal Borrowing Law and its amendments

Section 905 [General] Township and Special Tax Levies A The board of township supervisors may by resolution levy taxes upon all real property and upon all occupations or upon real property alone within the township made taxable for township purposes as asceratined by the last adjusted valuation for county purposes for the purposes and at the [rate] rates hereinafter specified [to wit] All taxes shall be collected in cash

1 An annual [road] township tax for road bridge and general township purposes not later than the fourth Monday of March of each year not exceeding [seven] nine mills except where necessary to pay existing indebtedness and interest thereon in which case not more than two additional mills may be levied Where the board of supervisors by a majority action shall upon due cause shown petition the court of quarter sessions for the right to levy additional millage the court after such public notice as it may direct and after hearing may order a greater rate than [nine] eleven mills but not exceeding [seven] five additional mills to be levied Such annual [road] township tax shall include all levies for road bridge and general township purposes and for the payment of bonds and certificates of indebtedness issued and all other debts incurred for [road] such purposes Not less than ten per centum of the annual [road] township tax shall be set aside by the respective townships and used for the payment of existing indebtedness incurred for [road] such purposes for the payment of which indebtedness no provision has been made [All road tax shall be collected in cash]

[2] A tax for the purpose of building and maintaining a lockup after obtaining the assent of the electors of the township in the manner provided in this act]

2 [Three an] Upon receipt of a petition of a majority of the owners of real estate of the township requesting it an annual [assessment] tax not exceeding five mills for the purpose of lighting the [streets and] highways roads and other public places in the township in the manner provided by the general powers of this act and of defraying the cost charges and expenses thereof Nothing contained herein shall require a petition of owners of real estate in any township which is now lighting its streets and imposing taxes under this subsection for such purposes

3 [4] An annual tax so long as necessary not exceeding fifty per centum of the rate of assessment for [road purposes] the township tax for the purpose of procuring a lot and erecting a building thereon for a townhouse and for the payment of indebtedness incurred in connection therewith Provided the total indebtedness for the payment of which any such tax shall be levied shall not exceed one-half of one per centum of the assessed value of real estate in the township

4 [5] A tax not exceeding two mills and not exceeding the amounts hereinafter limited for the purpose of purchasing and maintaining fire apparatus and to provide with the assent of the electors of the township as hereinafter provided a suitable place for the housing of the same and to make appropriations to fire companies for the purchase and maintenance of fire apparatus but the total expenditure for the purchase of fire apparatus by the township together with the amount of appropriation to one or more fire companies from such taxes shall not for the first fiscal year exceed in all the sum of seven thousand five hundred dollars nor shall any new fire apparatus be thereafter purchased by the township or by any fire company from appropriations made by the township without the consent of the electors as hereafter provided nor shall the total expenditure by the township in any fiscal year for the purpose of maintenance and operation together with the appropriations to any one or more fire companies exceed forty-five hundred dollars

5 [6] A tax not exceeding [one mill] two mills for the purpose of establishing and maintaining fire hydrants and fire hydrant water service after obtaining the assent of two-thirds of the electors of the township voting thereon in the manner provided in this act

6 A tax not exceeding two mills for the purpose of maintaining and operating parks playgrounds playfields gymnasiums public baths swimming pools and recreation centers as hereinafter provided

B Whenever the assent of the electors is required as hereinbefore provided the same shall be expressed at an election to be held at the place and time of any general special or primary election and under the same regulations as provided by law for the holding of municipal elections At such election the election officers shall receive ballots from the electors which shall be prepared in the manner prescribed by the [general election law] Pennsylvania Election Code [In receiving and counting and in making return of the votes cast the election officers shall be governed by the laws regulating municipal elections and the returns shall be computed by the court as now provided by law for municipal elections

The taxes authorized to be levied by this section shall be levied upon the last adjusted valuation for county

purposes which valuation shall be furnished to the township supervisors by the county commissioners If any further adjustment of valuation is made by the county commissioners after any tax is so levied and before said tax is payable such adjusted valuation shall be certified to the township supervisors and to the township collector of taxes by the commissioners and the tax shall be collected on the basis of such adjusted valuation]

C This article does not include the levy of any taxes upon particular districts or parts of any township for particular purposes

Section 906 Tax Rate to be Expressed in Dollars and Cents Whenever the supervisors of any township shall by resolution fix the rate of taxation for any year at a mill rate such resolution shall also include a statement expressing the rate of taxation in dollars and cents on each one hundred dollars of assessed valuation of taxable property

Section 907 Special Levies Ordered by Court to Pay Debts In addition to the levies hereinbefore provided for when it is shown to the court of quarter sessions that the debts due by any township exceed the amount which the supervisors may collect in any year by taxation the court after ascertaining the amount of indebtedness of any such township may by a writ of mandamus direct the township supervisors by special taxation to collect an amount sufficient to pay the same If the amount of such indebtedness is so large as to render it inadvisable to collect the same in any one year taking into consideration other necessary taxation the court may direct the same to be levied and collected by annual instalments and may order such special taxes to be levied and collected during such successive years as may be required for payment of the same

Section 908 Appeals to Court to Reduce Budget and Tax Rate (a) Taxpayers whose property valuation as assessed for taxable purposes within the township shall amount to twenty-five per centum or over of the total valuation as assessed for taxable purposes within the township may within fifteen days after the board of township supervisors have [completed the formation of] adopted the budget and determined the amount of the tax levy for the [district] township petition the court of common pleas of the county in which such township is located to examine into the necessity therefor and the reasonableness of the various items in the budget of the township and to reduce the proposed tax levy Each such petition shall contain a specification of objections and shall be accompanied by the affidavit of one of the petitioners that the proceedings have not been instituted for the purpose of delay and that the facts set forth in the petition are true and correct to the best of [their] his knowledge and belief The [petitioner] petitioners shall also file bond in the total amount of five hundred dollars [($500)] with good and sufficient surety to be approved by the court conditioned upon the payment of the costs if the court shall assess the costs upon the petitioners

Immediately upon the filing of such petition the petitioners shall serve a copy of the petition [and the specifications of objections] upon the president or secretary [or] of the board of township supervisors

(b) Upon the filing of such petition the court shall fix a day for a hearing not less than fifteen [(15)] nor more than thirty [(30)] days after such petition has been filed Notice of such hearing shall be given to all interested parties in such manner as the court shall direct On such hearing it shall be the duty of the court to examine into the necessity for and the reasonablness of the various items of the budget and the amount of the proposed levy The court shall thereupon make an order approving the budget and levy or reducing or eliminating any one or more of the items of the budget and reducing the levy

If no appeal shall be taken from such order as herein provided the budget and levy shall remain as constituted by the court

(c) The board of township supervisors [of such township] or any [freeholders] taxpayer who shall have signed the petition may appeal to the Supreme Court within thirty [(30)] days after the entry of the order by the court of common pleas Such appeal shall be taken and prosecuted in the same manner and form and with the same effect as is provided in other cases of appeal to the Supreme Court [The record which shall be certified to the Supreme Court shall contain all that was before the court of common pleas]

(d) Neither the filing of any such petition nor the taking of such appeal shall act as a supersedeas

[However any contract agreement or undertaking which relates to or is dependent upon an item of the budget which has been attacked in the petition and which shall be entered into by the township during the pendency of such proceedings shall be subject to such reduction or cancellation as shall become necessary as the result of the order of the court of common pleas or the Supreme Court]

[Each levy of taxes which shall be made during the pendency of such proceedings shall likewise be subject to revision in accordance with such order]

(e) The budget and tax levy as approved or revised by the final order of the court of common pleas or of the Supreme Court if an appeal shall have been taken [by the Supreme Court] shall be the budget and tax levy for such township Any contract agreement or undertaking which relates to an item of the budget which has been attacked in the petition and which shall be entered into during the pendency of such proceedings shall be cancelled or made to confirm to such budget

If such final order reduces the proposed levy the supervisors shall revise the tax duplicates in conformity with such order and any levy made during the pendency of the proceedings shall be subject to revision in accordance with such order

Section 909 Duplicates Abatements and Penalties The township supervisors shall make or cause a duplicate to be made designating the amount of [road] township tax levied against each taxpayer of the township and also duplicates for all other taxes levied and assessed under the provisions of this act and shall deliver the same [on or before the first day of May of each year] as soon as possible after receipt of the assessment role from the county to the township collector [together with a warrant for the collection of the same which taxes shall be collected as follows namely To all taxpayers who pay their taxes to the collector before June first of each year an abatement or five per centum shall be made All taxes paid to the collector between June first and October first of each year shall be paid in full and to all taxes remaining unpaid on the first of October in each year the collector shall add five per centum as penalty for such delinquency and shall collect said penalty in addition to the tax levied]

Section 12 The said act is hereby amended by adding thereto two new sections known as Sections 910 and 911 as follows

Section 910 Revolving Fund Special Tax Bond Issue Townships are hereby empowered to levy and collect annually a tax upon all property taxable for township purposes not to exceed five mills on the dollar in any one year for the purpose of creating and maintaining a revolving fund to be used by such township in making permanent street sidewalk water supply or sewer improvements prior to the collection of the cost and expense or any part thereof from the property owners adjoining abutting thereon by such township under existing laws Any such revolving fund may also be begun by funds raised through the issuance of bonds of the township in the manner provided by law for the making of permanent street sidewalk water supply or sewer improvements

Section 911 Repayments Into Revolving Fund When the cost and expense or any part thereof of the construction of any permanent street sidewalk water supply or sewer improvement which has been made under existing laws and which has been aided in its construction from the said revolving fund hereby provided for shall have been assessed and collected from the owners of the property adjoining or abutting upon such improvement it shall be applied to the credit of said revolving fund to the extent of the withdrawal therefrom for such purpose

Section 13 Sections 1001 and 1015 inclusive of the said act are hereby reenacted revised and amended to read as follows

Article X

Eminent Domain Assessment of Damages and Benefits

(a) General Provisions Relating to Eminent Domain

Section 1001 Scope of Article Whenever under the provisions of this act the right of eminent domain [and /] or the ascertainment and assessment of damages and benefits in viewer proceedings is provided for and vested in a township the proceeding shall be as set forth in this article

Section 1002 Restrictions as to Certain Property In addition to the restrictions made by other provisions of this act in particular cases no township shall exercise the right of eminent domain as against land now occupied by any building which was used during the Colonial or Revolutionary period as a place of Assembly by the Council of the Colony of Pennsylvania the Supreme Executive Council of the Commonwealth of Pennsylvania or the Congress of the United States or as against the land occupied by any fort redoubt or blockhouse erected during the Colonial or Revolutionary period or any building used as headquarters by the Commander-in-Chief of the Continental Army or as against the site of any building fort redoubt blockhouse or headquarters which are preserved for their historic associations and not for private profit The Colonial and Revolutionary period shall be taken as ended on the third day of September one thousand seven hundred and eighty-three

Section 1003 Possession of Property upon Tender of Bond Whenever in any condemnation proceedings any township has tendered a bond to secure the payment of damages and the same has been accepted or if the acceptance has been refused and the bond has been filed in and approved by the court the township shall have the right to immediate possession of the property.

Section 1004 Notice to Quit Possession Procedure If the owner lessee or occupier shall refuse to remove his personal property or give up possession the township may serve written notice upon such owner lessee or his agent or the occupier to remove his personal property and give up possession of such property within sixty days from the date of the service of such notice

If the owner lessee or occupier shall refuse to remove his personal property and give possession upon proof of the service of the notice a writ of habere facias possessionem shall forthwith issue directing the sheriff to give to the township possession.

Section 1005 Bond of Township Without Surety Sufficient Whenever the township shall tender any bond or any court shall order any township to enter security for the payment of damages for the taking injury or destruction of land property or materials by right of eminent domain the bond of the township shall be taken without sureties

Section 1006 Value of land or Property Not to Be Assessed as Benefits Exception In all cases of the appropriation of land or property for public use other than for roads [or streets] it shall not be lawful to assess any portion of the damages done to or value of the land or property so appropriated against the other property adjoining or in the vicinity of the land or property so appropriated

Section 1007 Viewers Report Viewers or juries of view appointed by any court to assess damages and benefits due to the taking injury or destruction of private land or property in and by the construction or enlargement of any public work [highway] road or improvement shall make their reports within the time which the court shall fix when appointing them but if any of the viewers or juries of view shall for any reason appearing sufficient to the court be unable to file its report within the period so fixed the court may either before or after the expiration of the time fixed extend the time for the filing of such report

Section 1008 Plans of Properties Condemned to Be Furnished to Viewers In all proceedings to assess damages for the taking injury or destruction of private land or property for public use the township taking injuring or destroying such land or property for said purpose shall furnish the board of viewers with a correct plan of all lands and properties affected showing all buildings or other structures thereon their width length elevation and cubical contents names of all owners tenants or occupiers thereof the topography of the land and the grades and widths of all highways running through or abutting on said lands or properties and all other data necessary for a proper determination of the amount of damages caused by the taking injury or destruction of said private land and property

Said plans shall be prepared and ready for the use of the viewers at their first meeting and copies thereof shall be furnished to all owners tenants and occupiers of the land and property and all other parties affected thereby without charge

Section 1009 Condemnation Petition to Specify Liens Exception In all proceedings instituted for the condemnation and appropriation of land and property by the exercise of the right of eminent domain excepting proceedings to ascertain damages and benefits by reason of township street or sewer improvements the petition for the appointment of viewers therein shall contain allegations specifying any judgments mortgages or other claims (hereinafter designated "liens") which are liens upon the land and property sought to be appropriated or condemned as aforesaid.

Section 1010 Findings of Facts as to Liens Testimony shall be taken in said proceedings to ascertain the amounts of said liens and the dates of the entry of the same and the amounts of said liens and the dates of entry thereof shall be found as facts by the viewers in said proceedings Certified lists of liens from the Department of Revenue the courts of the Commonwealth and of the United States shall be prima facie evidence of the existence dates amounts dates of entry and places of record of said liens and unless modified or overcome by competent oral or documentary evidence shall be conclusive upon the parties thereto as to items just specified

Section 1011 Reports of Viewers as to Liens Appeals Distribution to Lien Creditors Discharge of Liens Where it appears that liens exist as aforesaid which are liens upon land or property sought to be condemned and appropriated as aforesaid a report of the facts found as aforesaid shall be made to the court having jurisdiction of the proceeding which report shall be subject to exceptions in manner to be regulated by the Supreme Court by general rule prescribed amended and published from time to time and upon the findings in relation to said liens being finally found by said court having jurisdiction of said proceedings said court shall make an order directing the payment and distribution of the amount found to be payable as compensation to the parties entitled thereto first to the owners of said liens in the order of their priority then to the owners of the land or property appropriated as aforesaid [Provided however That] Any of the parties interested shall have the right of appeal from said order of distribution to the Superior or Supreme Court of the Commonwealth as shall be determined by the amount distributed to said parties respectively in manner now provided by law Payment in accordance with said order of distribution shall absolutely discharge the party making said payment from all claims of whatsoever nature by any [person firm corporation or] claimant as against said land or property when the payment thereof shall be evidenced by a receipt of record in said proceedings and in said receipt and on the record thereof any claimant may reserve the right to pursue the owner of said land or property for any balance due upon his lien against any other land or property or assets of the said owner

Section 1012 Vesting Title Upon payment of the compensation for land or property appropriated as aforesaid in accordance with said order of distribution title to the

land or property appropriated shall vest in the [taker thereof] township in accordance with provisions of the law under which such appropriation is made and all claims for compensation shall be deemed paid and satisfied as herein provided

Section 1013 Competency of Evidence as to Market Value of Property In all proceedings arising from the exercise of the right of eminent domain it shall be competent for all witnesses called when duly qualified to state their opinion as to the market value of the land or property before the exercise of the right of eminent domain and as unaffected by it and its market value immediately after the exercise of the right of eminent domain and as affected thereby

(a) To state in detail and [costs] amounts all the elements of damage which they have taken into consideration in arriving at their opinion

(b) In arriving at their opinion as to the market value immediately after the exercise of the right of eminent domain to add to their opinion of the market value before such exercise the cost or value of all the elements of benefit or advantage and to deduct therefrom all disadvantage or damage in order to arrive at the market value after such exercise of the right of eminent domain and as affected thereby

(c) In all proceedings to assess damages or benefits for the opening of any [street alley or other highway] road to take into consideration as one of the elements of advantage or disadvantage the cost of [street] road improvement

In all claims for damages against a township arising from the exercise of the right of eminent domain it shall be competent for the party or parties claiming damages to offer in evidence as a declaration against interest the value of the land or property affected as assessed for the purpose of taxation

Section 1014 Proceedings Where Assessments by Viewers Waived In any proceeding to ascertain the damage caused to any owner of lands or properties by reason of the appropriation of a right of way or easement by any township where the owner and township cannot agree upon the amount of damage done the parties may by agreement waive the right to have such damages assessed and the owner may file his claim in the court of common pleas of the county and rule the [defendant] township to plead thereto within fifteen days from the service of such rule upon [the township] it and the suit shall be proceeded with as if an award of viewers and had been filed and an appeal had been taken therefrom

Either party to such an action may on motion have the jury visit and view the premises over or through which the proposed right of way or easement may extend

Section 1015 Appeals in Eminent Domain Proceedings Payment of Money into Court In all cases of damages assessed against any township for land or property taken injured or destroyed by the construction or enlargement of its works [highways] roads or improvements whether such assessment shall have been made by viewers or otherwise than upon trial in court [and an appeal is not provided for] an appeal may be taken by either party to the court of common pleas of the county within thirty days from the filing of the report

Any such appeal taken shall be signed by the party taking the same or by his agent or attorney and shall be accompanied by an affidavit of [the] such party [appellant] or of [the] his agent or attorney that the same is not for the purpose of delay but because the affiant firmly believes that injustice has been done

When no such appeal is taken and judgment is entered and the party to whom damages have been awarded refuses to accept payment of such award or judgment then it shall be lawful for [such] the township upon petition to the court after notice as ordered by court to pay the amount of the award and costs into the court The court upon such payment shall order the satisfaction of the award or judgment

Section 14 The said act is hereby amended by adding thereto two new sections known as Sections 1016 and 1017

Section 1016 Title Acquired In all cases where land or property is taken under eminent domain proceedings other than for road purposes or is acquired by gift purchase or otherwise the title obtained by the township shall be in fee simple provided that in particular instances a different title may by agreement be acquired

Section 1017 Land Transferable If the project or purchase for which any land or property has been taken received or acquired in fee simple shall be abandoned or found not to be desirable for the best interests of the township the land or property thus obtained may be used for other township purposes or sold leased or otherwise disposed of

Section 15 Sections 1020 to 1101 inclusive of the said act are hereby reenacted revised and amended to read as follows

(b) Procedure for the Exercise of Eminent Domain and for the Assessment of Damages and Benefits

Section 1020 Petition for Viewers Time of Meeting Except as [is in this act] otherwise provided in this act in case the compensation for damages or benefits accruing from the exercise of the right of eminent domain [and] or from the erection and construction of public improvements [have] has not been agreed upon the court of common pleas or any law judge thereof in vacation on application thereto by petition by the township or any person interested shall appoint three viewers from the board of viewers of the county and appoint a time not less than twenty nor more than thirty days thereafter when the viewers shall meet [upon the line] at the place of the improvement and view the same and the premises affected thereby

Section 1021 When Viewers May Be Appointed The viewers provided for in the preceding section may be appointed before or after the entry appropriation or injury of any land or property or appropriation of any materials for constructing such improvements

Section 1022 Notice of Meeting of Viewers Except [when] as otherwise [in this act] provided in this act the viewers shall give at least ten days' notice of the time of their first meeting by publication in one or more newspapers of the county and by handbills posted upon the premises or otherwise as the court shall direct

Section 1023 Swearing Viewers Hearings Schedules of Damages and Benefits The viewers having been sworn or affirmed faithfully justly and impartially to decide and a true report to make concerning all matters to be submitted to them and in relation to which they are authorized to inquire and having viewed the premises and examined the land or property shall hear all parties interested and their witnesses and shall determine the damages for land or property taken injured or destroyed if any and to whom the same are payable and having determined the damages together with the benefits they shall prepare a schedule thereof

Section 1024 Assessment of Damages and Benefits The damages may be paid in whole or in part by the township or may be assessed in whole or in part upon the property benefited In the latter case the viewers having first determined the damages apart from the benefits shall assess the total cost of the improvement or so much thereof as may be just and reasonable upon the properties peculiarly benefited, including in the assessment all parties for which damages have been allowed and shall report the same to the court The total assessment for benefits shall not exceed the total damages awarded or agreed upon

Section 1025 Assessment Awards In proceedings to assess damages and benefits if the land or property is both benefited and damaged by such improvements the excess of damages over benefits or the excess of benefits over damages or nothing in case the benefits and damages are equal shall be awarded to or assessed against the [several owners] owner of land or property affected thereby

Section 1026 Separate Reports of Damages and Benefits

The [preceding section shall not prevent] viewers [from] shall make a separate report of the damages and benefits respectvely [In such event if] If the damages to the land or property of any person be greater than the benefits or if the benefits be greater than the damages or if the damages and benefits be equal [in either case] the viewers shall strike a balance and carry the difference forward to another column so that the assessment shall show what amount is to be received or paid by the land or property owner and the difference only shall be collectible of or paid to such land or property owner Appeals taken from the report of the board of viewers shall be from such net amount only

Section 1027 Notice When Schedules Will Be Exhibited The viewers shall give notice to all parties to whom damages are allowed or upon whom assessments for benefits are made of a time not less than ten days thereafter and of place where the viewers will meet and exhibit their schedule and hear all exceptions thereto

Section 1028 Service of Notices [Such] The notice required by the preceding section shall be given in the manner provided by law for the service of a summons in a personal action if the parties can be found in the [township] county in which such township is located or upon an adult person residing upon the land or property affected by the assessment in case the owner or reputed owner cannot be found in said county and to all others by publication in the newspaper or newspapers in which the first notices of the view were published and by posting conspicuously on the premises The board of supervisors [may] shall by resolution provide by whom the notice shall be served and posted and fix the compensation for such service

Section 1029 Report of Viewers Plan of Improvements After making whatever changes are necessary the viewers or a majority thereof shall report to the court showing the damages and benefits allowed and assessed in each case and file therewith a plan to be prepared or secured by the viewers showing the improvement the land or properties taken injured or destroyed and the lands or properties benefited

Section 1030 Notice of Filing of Report When the report is filed notice thereof shall immediately be given [by the reviewers by] by the viewers by [for] publication once in the newspaper or newspapers [publishing the notice hereinbefore provided for in this article] in which the first notices of the view were published Such notice shall state the date of filing of the report contain a schedule of the damages allowed and benefits assessed and shall state that unless exceptions be filed thereto or an appeal to the court of common pleas is taken therefrom within thirty days from the date of filing the report will be confirmed absolutely

Section 1031 Township to Pay Costs of Proceedings The cost of the proceedings including court costs except the compensation of the viewers shall be paid by the township

Section 1032 Bond of Township Except when [in this act as] otherwise provided in this act in all cases where the parties have not agreed upon the damages claimed or where by reason of the absence or legal incapacity of the owner no such agreement can be made the township may tender sufficient security to the party entitled to damages or to the attorney or agent of any person absent or to the agent or officer of a corporation or to the guardian or committee of any one under legal incapacity

Section 1033 Condition of Bond Notice of Filing in Court The condition of the security shall be that the township shall pay or cause to paid such amount of damages as the party shall be entitled to receive after the same shall have been agreed upon by the parties or assessed in the manner provided for by this article In case the party claiming damages refuses to accept the security tendered the township shall give the party or his agent attorney guardian or committee a written notice of the time when the same will be presented in court

Section 1034 Filing Bond Recovery Thereon If approved by the court the security shall be filed for the benefit of those interested and recovery may be had thereon for the amount of damages assessed If the damages be not paid they may be collected by execution on the judgment in the issue framed to try the question Upon the approval of the security the township may proceed with the improvement

Section 1035 Exceptions to Report of Viewers Within thirty days after the filing of any report any party interested may file exceptions to the same and the court shall confirm modify or change the same or change the assessments made therein or refer it back to the same or new viewers

Section 1036 Confirmation of Report of Viewers When the report is filed the prothonotary shall mark it confirmed nisi In case no exceptions are filed thereto as provided in the preceding section or no appeal taken he shall enter a decree that the report is confirmed absolutely

Section 1037 Effect of Exceptions on Confirmation of Report When exceptions are filed which affect the entire report the same shall not be confirmed absolutely as to any part thereof until the exceptions have been finally disposed of when the exceptions do not affect the entire report the court shall confirm the assessments to which exceptions have not been taken

Section 1038 Appeals from Confirmations after Exceptions Within three months after the confirmation of any report following the filing of exceptions thereto any party interested may appeal from the decree of the court below to the Superior or Supreme Court as the case may be

Section 1039 Effect of Appeals When any appeal is taken from the action of the court confirming any viewers' report or part thereof if the appeal affects the entire report it shall have the effect of suspending the absolute confirmation thereof until the appeal is finally disposed of but where the appeal is to matters which do not affect the entire report or any other assessment such appeal shall affect only the particular assessment for which the appeal is taken

Section 1040 Filing Assignments of Error Et Cetera In order to determine whether any appeal affects the entire report or any particular assessment the applicant shall file in the court below before or at the time of filing his writ of certiorari a copy of his [specifications or] assignments of error or a statement of the grounds of appeal Upon failure so to do the township or any party interested may by notice or rule upon the appellant cause such [specifications] assignments of error or statement of the grounds of appeal to be filed

Section 1041 Certificate of Judge of the Court Below Upon the request of the township or any party interested the court below or any judge thereof in vacation shall certify whether the appeal affects the entire report and said certificate shall be conclusive Where the court or judge certifies that the appeal will affect the entire report no further proceedings shall be taken in the court below until after the final action of the appellate court but where the court or judge certifies that the appeal will affect only a particular assessment then the confirmation of all other assessments shall be final

Section 1042 Effect of Affirmation of Decree of Court Below If on any appeal the action of the court below is affirmed the date of the decree or judgment of the appellate court shall be taken as the day on which the report was finally confirmed

Section 1043 Consolidation of Appeals Where any appeal is taken to the Supreme Court and an appeal is also taken to the Superior Court and the appeals in both cases are substantially the same the Superior Court may certify such appeal to the Supreme Court to be heard with the other appeals from the same report

The Supreme Court shall consolidate all such appeals and hear them as one case Where several appeals are taken from the confirmation of the same report either to the Superior or Supreme Court and the grounds of the

appeal are similar the appellate court may consolidate the appeals

Section 1044 Appellants May Unite in Appeals Effect Thereof Several parties may unite in a single appeal either to the Superior or Supreme Court where the grounds of appeal are similar but the uniting of the appellants shall not unite the amounts or change the jurisdiction When the appeal if taken by each appellant singly would be to the Superior Court then the appeal shall be to that court but if the appeal of any one appellant would be to the Supreme Court then the joint appeal shall be to that court If an appeal has been taken to the Supreme Court any other party without regard to the amount involved if the grounds of appeal are similar may appeal to the same court and join in such appeal

Section 1045 Appeals from Reports of Viewers for Jury Trial Within thirty days after any report of viewers is filed in court any party whose land or property is taken injured or destroyed or against whom benefits are assessed may appeal to the court of common pleas and demand a trial by jury Several parties may unite in a single appeal and where the grounds of appeal are similar the court may hear such appeals as one proceeding but each such party shall in any event be entitled to demand a separate trial by jury. Where an appeal is so taken as to a portion of the report the portion not appealed from shall be confirmed absolutely at the expiration of thirty days [after the report is filed in court] from the date of the publication of the notice of the filing of such report

Section 1046 Reasons for Appeals to Be Stated The appeal as provided in the last preceding section shall state the grounds upon which it is taken and shall be signed by the appellant or by his agent or attorney and shall be accompanied by an affidavit that it is not taken for the purpose of delay but because the appellant believes that injustice has been done

Section 1047 Costs Upon the trial of any such appeal in case the party appellant does not obtain a verdict more favorable than was the report of the viewers [as finally confirmed] the appellant shall not recover any costs

Section 1048 Notices Appeals from the Court Below The court of common pleas shall order what notices shall be given in connection with such proceedings and may by rule or otherwise prescribe the form of pleadings After verdict and final judgment either party may within three months appeal to the Superior or Supreme Court

Section 1049 Appeals to the Wrong Court Should any appeal under this article be made to the wrong court such court shall certify the appeal to the court to which it should have been taken

Section 1050 Appeal Not to Prevent Filing Liens No appeal taken under this article shall prevent the filing of liens by any township for any assesment made by any such report but upon the final termination of the issue the court shall make such order as to the lien filed as shall appear right and proper

Section 1051 Discontinuance of Proceedings If any township shall repeal any resolution or discontinue any proceedings providing for any improvements prior to the entry upon [taking] appropriation of or injury to any land or property or appropriation of materials the township shall not be liable to pay any damages which have been assessed but all costs upon any such proceedings shall be paid by the township together with any actual damage sustained by reason of such proceeding

Section 1052 Assessments to Bear Interest All assessments for benefits costs and expenses shall bear interest at six per centum per annum from the expiration of thirty days after they shall have been finally ascertained and shall be payable to the treasurer of the township

Section 1053 Damages to Bear Interest The amount of damages allowed in a report of viewers for the taking injury or destruction of land or property by the exercise of the right of eminent domain shall as finally confirmed bear interest at the rate of six per centum per annum from the date of filing of the report

ARTICLE XI

Roads Streets and Highways

(a) Laying Out [Roads Under the General Road Law] Laying Out Opening Widening Straightening Vacating and Relaying Roads Et Cetera Repairs and Detours

Section 1101 [Except as otherwise in this act provided or except as otherwise provided by local or special legislation all roads wholly within or partly within townships shall be laid out widened changed or vacated by the courts of quarter sessions as heretofore in the manner provided by the general road law and the amendments additions and supplements thereto All damages and benefits occasioned by such laying out and the subsequent opening thereof or by any such widening changing or vacation shall be assessed collected and paid in the manner provided by the general road law and the amendments additions and supplements thereto] Power to Lay Out Open Widen Vacate Et Cetera The township supervisors may enact ordain survey lay out open widen straighten vacate and delay all roads and parts thereof which are wholly within the township upon the petition of a majority in interest of the owners of property or properties through whose land such road passes or upon whose land it abuts or without petition of the owners of abutting property if in the judgment of the supervisors it is necessary for the public convenience Such power shall include authority to vacate in whole or in part roads laid out by the Commonwealth where the same have remained unopened for a period of thirty years and also the authority to lay out and open a public road which will be a continuation or extension of a street already opened by an adjacent city or borough

No such road shall be laid out and opened through any burial ground or cemetery nor through any grounds occupied by a building used as a place for public worship or as a public or parochial school or educational or charitable institution or seminary unless the consent of the owner or corporation or person controlling the premises is first secured

Section 16 The said act is hereby amended by adding thereto three new sections known as Sections 1102 to 1104 inclusive as follows

Section 1102 Hearing Report Exceptions thereto View and Notice (a) The supervisors shall give ten days' notice to the property owners affected thereby of the time and place when and where all parties interested may meet and be heard Witnesses may be summoned and examined by the supervisors and by the parties interested at such meeting or any adjournment thereof

(b) After such hearing and a consideration of the matter should the supervisors or a majority thereof decide in favor of exercising the power so conferred they shall make written report together with a draft or survey of the road fixing the width thereof and noting the improvements along the line thereof and the names of the owners of property through which the same shall pass or whereon it shall abut Such report and draft shall be filed in the office of the clerk of the court of quarter sessions

(c) Any citizen or freeholder of the township may within thirty days after the filing of the report of the supervisors upon entering in the court sufficient surety to indemnify them for all costs incurred in the proceedings file exceptions to the report together with a petition for a review

(d) Upon favorable action on such matter by the supervisors and after the expiration of the term allowed for filing exceptions or upon the order of the court upon the disposition of any exceptions if in either case the compensation for the damages or benefits accruing therefrom have not been agreed upon the court of common pleas or any law judge thereof in vacation on application by petition by the supervisors or any person interested shall appoint three viewers from the county board of viewers to assess the damages and benefits occasioned by the proceeding in the manner provided by this act for such proceedings

(e) After the passage or approval of any ordinance by the supervisors for the opening widening straightening extending or vacating any road notice shall within ten days thereafter be given by handbills posted in conspicuous places along the line of the proposed improvement Such notice shall state the fact of the passage or approval of the ordinance and the date of the passage of approval

Section 1103 Width of Public Roads The width of a public road in townships of the second class shall not be less than thirty-three feet or more than one hundred and twenty feet except in a present built-up area where existing buildings do not provide a clear width of 33 feet without moving or removing such buildings and where in the judgment of the supervisors the cost of such moving or removing would not be justified the supervisors shall determine that a road of the maximum width permitted between such buildings will be sufficient Provided That the limits of width shall not be construed to include the width required for necessary slopes in cuts or fills when the limits of the road and the extra width required for such slopes exceed the limits of width herein specified

Section 1104 Laying Out Roads Under the General Road Law All roads partly within townships of the second class where one of the termini of such roads is without the township shall be laid out widened changed or vacated only by the courts of quarter sessions as heretofore in the manner provided by the general road law and the amendments additions and supplements thereto But no such road shall be opened changed widened altered or vacated unless and until the supervisors of the township shall have passed a resolution consenting and approving thereto and shall have filed with the clerk of said court a copy of such resolution duly certified by the township secretary All damages and benefits occasioned by such laying out and the subsequent opening thereof or by any such widening changing or vacation shall be assessed collected and paid in the manner provided by the general road law and the amendments additions and supplements thereto Provided That all damages occasioned by such laying out and the opening thereof or by the widening changing or vacating of all roads within townships of the second class shall be assessed collected and paid by such townships of the second class

Section 17 Sections 1105 to 1175 inclusive of the said act are hereby reenacted revised and amended to read as follows

(b) Certain Roads Declared to Be Public Roads

Section 1105 Certain Roads Declared Public Roads Every road not of record which has been used for public travel and maintained and kept in repair by the expenditure of township funds for a period of at least twenty-one years and upwards shall be deemed to be a public road of the width of [at least] thirty-three feet notwithstanding the fact that there is no public record of the laying out of such road or a dedication thereof for public use In all such cases the lawful laying out and opening or dedication of such roads of the width hereinbefore specified shall be conclusively presumed

(c) Oiling and Repairing Roads Detours Et Cetera

Section 1110 Opening Repairing and Closing Roads Public roads [or highways] in townships shall as soon as may be practicable be effectually opened and constantly kept in repair All public roads [or highways] shall at all seasons be kept reasonably clear of all impediments to easy and convenient traveling at the expense of the township

The supervisors of any township may temporarily close any township road when in their opinion excessive or unusual conditions have rendered such road unfit or unsafe for travel and immediate repair because of the time of year or other conditions is impracticable The road or portion of road so closed shall be properly marked at its extremities and a means of passage for the customary users of such road shall whenever possible be provided

Anyone using such road or portion thereof after the same has been properly closed and marked without a permit from the supervisors shall [be subject to a penalty of not more than one hundred dollars to be recovered] upon convicton thereof in a summary proceeding [and penalties] pay a fine of not more than one hundred dollars and in default of the payment of such fine and costs shall be sentenced to imprisonment of not more than ten days All fines so recovered shall be payable to [the treasurer of the township wherein the offense was committed to be expended in the repair of the roads of] the general township fund

Section 1111 Time Within Which Roads to Be opened Whenever proceedings have been heretofore or may hereafter be begun [in any court of quarter sessions] for the opening and laying out of any public road in any township such public road shall be physically opened upon the ground for use by the public within the period of five years next after the [entry of the final decree confirming said road and not thereafter]

[In the event that the proceeding for the opening and laying out of a public road referred to in this section shall have been completed and a final decree confirming said road shall have been made and such proposed road shall not have been physically opened upon the ground and shall have remained unopened to public use for a continuous period of five years next after the entry of the final decree confirming said road] completion of such proceeding and if not so opened or if no proceedings have been commenced to compel such opening in five years then such proceedings shall be deemed to be void and of no effect and the land proposed to be taken shall revert to the owners of the land as in the case of the vacation of a public road free of any easement or right of the public to use the same

Section 1112 Detours Except in the case of emergencies wherein the safety of the public would be endangered no public road [or highway in] of any township shall be closed to vehicular traffic except upon order of the [authorities] supervisors having charge of the maintenance of such [highways] public road nor for a longer period than is necessary for the purpose for which such order is issued Provided however That no public road [or highway] shall be closed to vehicular traffic when the same has been designated as a detour by the State Department of Highways unless the written consent of the State Department of Highways has first been obtained or unless the [authorities] supervisors having jurisdiction over said road [or highway] shall by resolution duly recorded on their minutes declare such closing necessary for the protection of the public safety

When any public road [or highway] shall be closed as hereinbefore provided it shall be the duty of the supervisors authorizing the closing [to] immediately to designate or lay out a detour on which they shall erect or cause to be erected and maintained while such detour is in use legible direction signs at each public road intersection throughout its entire length [indicating the directions to the main highway] During the period when such detour is in use it shall be the duty of the [authorities] supervisors closing the [main highway] road to maintain such detour in safe and passable condition except in the case of State and county highways It shall also be the duty of the [authorities] supervisors closing the [main highways] road and maintaining the detour [to] immediately to remove all detour signs when the [highway] road originally closed is open for traffic [Said] Except in the case of state and county highways said supervisors shall as soon as possible repair the road designated as a detour and place same in a condition at least equal to its condition when designated as a detour Whenever necessary in the creation of a detour as aforesaid the [authorities] supervisors responsible for laying out the detour may [enter into agreement with the owners of private lands covering the acquisition of] acquire by agreement or right of eminent domain right-of-way privileges over private property for the period when the [main highway]

road shall be closed to traffic In the exercise of the rights conferred by this section the [authorities responsible] supervisors are hereby empowered to pay for the necessary maintenance subsequent repair and land rental out of such funds as are available for the construction and [/ or] maintenance of the [highways] roads in their charge

Any person who shall wilfully remove deface destroy or disregard any barricade light danger sign detour sign or warning of any other character whatsoever erected or placed under authority of this section or who shall drive on over or across any [highway] road which has been properly closed [by proper authority] shall upon conviction thereof in a summary proceeding before a [magistrate alderman or] justice of the peace be sentenced to pay a fine of not [less than twenty-five dollars nor] more than one hundred dollars and the costs of prosecution and in default of the payment thereof shall be imprisoned one day for each dollar of fine and costs unpaid Provided however That persons who have no outlet due to the closing of a [highway] road may drive on over or across such [highway] road with the consent in writing of and subject to such conditions as may be prescribed by the [authorities responsible for the closing] supervisors or their agents or contractors without being subject to the penalties imposed by this section

In addition to the penalties [herein provided] imposed by this section the [authorities] supervisors responsible for the maintenance of a [highway] road which has been closed to vehicular traffic or their agents or contractors may in an action at law recover damages from any per- or persons who have damaged a [highway] road by driving on over or across same when it is closed to vehicular traffic in accordance with the provisions of this act

All fines and moneys collected under the provisions of this section shall be paid by the officer receiving the same to the treasurer of the township in which the offense was committed and credited to the general township fund

(d) [Changing] Improving or Vacating [or Altering] Roads by Agreement with Property Owners

Section 1115 Improving or Vacating Roads by Agreement Whenever the supervisors of any township deem it advisable to construct change widen relocate or alter any part of any public road under their supervision [within this Commonwealth] or to vacate any abandoned portion of a State highway not vacated by the Department of Highways and can agree with the property owners affected by such [change alteration] improvement or vacation they may change widen relocate alter or vacate such part of such public road as contemplated in such agreement without the formality of a view

No such [change or alteration] improvement of any part of any public road shall be made the costs and expenses of which including damages to such township shall exceed [five hundred] one thousand dollars A petition setting forth the facts regarding such [change alteration] improvement or vacation accompanied by a map or draft of the same shall be presented to the court of quarter sessions for approval before such actual [change alteration] improvement or vacation is made whereupon the new location approved by the court shall be taken to be the public road and the old location shall be vacated or the abandoned State highway shall be vacated as the case may be

(e) Elimination of Curves

Section 1120 Elimination of Curves Any township may acquire by purchase or by the right of eminent domain any such property and lands situate along or adjacent to any township [highway] road as in the opinion of the supervisors of such township may be necessary to eliminate dangerous curves and widen narrow roads [or highways] for the better protection and safety to the traveling public

Upon any such purchase or condemnation the supervisors may from time to time abate or remove or cause to be abated or removed any such dangerous curve or curves or widen such narrow [highway] road to the extent of the proporty and land so acquired

The proceedings for the condemnation of such property or [and lands] land under the provisions of this section and for the assessment of damages for property or land taken injured or destroyed shall be taken in the manner provided by this act for the condemnation of land by townships

[This section shall not be construed to repeal any acts or parts of acts providing a method of procedure for the widening of township roads]

(f) Acquisition of Unobstructed Views at Curves and Intersections

Section 1125 Acquisition of Views Any township may acquire by purchase or by right of eminent domain a free and unobstructed view down and across such lands located at or near the intersection of any two roads or highways or a [highway] road and a railroad or railway or at any curve in any [highway] road as may be necessary to assure a free and unobstructed view in all directions at such crossings or curves and to so prevent the use of such lands for any purpose or in any manner which may interfere with or obstruct the vision of [any person or] persons traveling upon any such highways

Upon any such condemnation the township having had such view condemned may from time to time abate or remove or cause to be abated or removed any obstruction to such view over and across such lands

The proceedings for the condemnation of such view over and across such lands [under the provisions of this act] and for the assessment of damages for property taken injured or destroyed shall be taken in the manner provided in this act

Upon the condemnation of such a view [over and across any such lands] the owner of such lands may make every such use thereof as will not interfere with a free and unobstructed view at such dangerous crossing or curve and unless specially provided for in such condemnation procediengs such condemnation shall not be construed to prevent the owner thereof from using such land for pasture or the growing of grass oats wheat or other crops which will not obstruct the vision more than wheat

(g) Relocation Alteration and Vacation of Roads in or near State Parks

Section 1130 Agreements to Relocate Alter and Vacate Roads in or near State Parks Whenever a public road or highway within a park or public grounds title to which park or public grounds is vested in the State of Pennsylvania is laid out located relocated altered or vacated in such manner that a public road [or highway] approaching leading into or contiguous to such park or public grounds shall become either useless inconvenient or burdensome such public road [or highway] approaching leading into or continguous to such park or public grounds may be altered relocated or vacated by the township supervisors charged with the duty of maintaining such [roads or highways] road in whole or in part for the purpose of making it convenient and suitable as an approach to the roads and highways within said park or public grounds upon the consent and agreement of (a) the commissioners or officials charged with the care and management of said park or public grounds (b) the township supervisors charged with the duty of maintaining said roads (or highways] approaching leading into or contiguous to said park or public grounds and (c) the property owners owning the majority of the frontage of land abutting upon the relocated portion of the road [or highways] approaching leading into or contiguous to said park or public grounds

Section 1131 Agreement to Be Filed in Court Effect of Filing The filing of [the] such consent and agreement [of commissioners or officials charged with the care and management of such park or public grounds the township supervisors and of the property owners] in the court of quarter sessions of the county or counties in which the altered relocated or vacated road [or highway] is situate shall have the same force and effect as the filing and the

approval and absolute confirmation by the court of quarter sessions of a report of viewers appointed in accordance with the general road law and shall have the same force and effect as though said viewers had laid out located relocated altered or vacated such road [or highway] in accordance with the agreement filed as aforesaid and the report of said viewers had been filed approved and absolutely confirmed by the court

The filing of said agreement in the court of quarter sessions shall be conclusive as to the question of the necessity of the laying out location relocation alteration or vacation of said [roads or highways] road as contained in the said agreement and that the portion or portions of said road [or highway] abandoned or vacated were useless inconvenient and burdensome

Section 1132 Altered and Relocated Roads Declared Township Roads Such road [or highway] when altered or relocated shall be maintained and repaired in the same manner as other township roads are maintained and repaired

Section 1133 Assessment of Damages The owner of any land through which any public road [or highway] may be so located may apply by petition to the court of quarter sessions of the proper county setting forth the injury which [he or she may have] has been sustained by reason of the relocation of the said public road [or highway] and the proceedings relative to the assessment and payment of damages of said landowner shall be in accordance with the provisions of this act for eminent domain proceedings

(h) Grading or Paving [or macadamizing] Streets or [highways] Roads Upon Petition of Property Owners

Section 1135 Petition of Property Owners Any township may grade curb gutter pave or [macadamize] otherwise improve with brick stone or [other] any suitable materials any public street or [highway] road or part thereof (not less than one thousand feet) laid out and opened in the township No street or [highway] road or any part thereof shall be [graded paved or macadamized] improved under the provisions of this section except upon the petitions of owners of property representing a majority in number of feet front of the properties abutting on the street or [highway] road or part thereof proposed to be [paved] improved nor unless there shall be at least ten separate improved dwellings or places of business in each one thousand feet of [highway] road to be so improved

Section 1136 Assessment of Cost by Foot Front Rule The cost and expense of any such improvement may be collected from the owners of the real estate abutting on such street or highway or part thereof by an equal assessment on the feet front Such assessment shall be estimated by the [person in charge of the work of] township engineer or if there be no engineer by other competent authority designated by the township supervisors

Section 1137 Collection of Assessments All such assessments for [grading paving or macadamizing] improvement shall be filed with the secretary of the board of supervisors The secretary shall give thirty days' written or printed notice that the assessments are due and payable to each party assessed either by service on the owner or agent or left on the assessed premises If the assessments or any of them remain unpaid at the expiration of said thirty days they shall be placed in the hands of the township solicitor for collection The solicitor shall collect the same together with five per centum additional at attorney's commission and interest from the completion of the mprovement by a municipal claim filed against the delinquent owner in like manner as municipal claims are now collected When an owner has two or more lots against which there is an assessment for the same improvements all such lots shall be embraced in one claim

Section 1138 Owner Defined The term "Owner" as used in sub-division (h) of this act means all individuals corporations public or private copartnerships and associations having [any] title [or interest] in the property assessed If the owner to whom notice is required to be given is a non-resident of the township and his her or their place of residence is unknown or if the ownership of the property cannot be ascertained the notice shall be posted on the premises and a copy left with the occupant if there be one

(i) [Deeds of Dedication] Dedicated Roads Streets and Drainage Facilities

Section 1140 Acceptance of Land Dedicated by Deed for [Highway] Road Purposes Plans of Dedicated Roads and Streets The supervisors of any township may accept in the name of the township any land dedicated by deed to the township to be used in any manner for [highway] road purposes No person partnership or corporation shall construct open or dedicate any road [street land or alley] or any drainage facilities in connection therewith for public use or travel in any township or sell or offer for sale any lot part or parcel of ground thereon without first submitting plans thereof to the township supervisors for their approval Such plans shall be prepared in duplicate in accordance with such rules and regulations as may be prescribed by the supervisors and shall show the profiles of such roads [streets lanes or alleys] the course structure and capacity of any drainage facilities and the method of drainage of the adjacent or contiguous territory and also any other or further details that may be required under the rules or regulations adopted by the township supervisors Before acting upon any such plans the supervisors may in their discretion arrange for a public hearing after giving such notice as they may deem desirable in each case The township supervisors are authorized to alter such plans and to specify any changes or modifications of any kind which they in their discretion may deem necessary with respect thereto and may make their approval of such plans subject to any such alterations changes or modifications Any plans when so approved shall be signed in duplicate on behalf of the township by [such officer as] the supervisors [may designate] and an approved duplicate copy shall be filed [in the township office where the same shall be] with the secretary of the township who shall make the same available to public inspection No road [street lane or alley] or [any] drainage facilities in connection therewith shall be opened constructed or dedicated for public use or travel except in strict accordance with plans so approved by the supervisors or with further plans subsequently approved by them in the same manner and [or] until such plan and the approval thereof has been recorded as hereinafter provided

Section 1141 Appeals Where Supervisors Refuse Approval Recording of Approval and Plans (a) In any case where the township supervisors shall refuse to approve any plans submitted to them in accordance with this subdivision any person aggrieved by the action of the supervisors may within thirty days after such action appeal therefrom by petition to the court of quarter sessions of the county which court shall hear the matter de novo and after hearing may enter a decree affirming reversing or modifying the action of the supervisors as may appear just in the premises The court shall designate the manner in which notices of the hearing of any such appeal shall be given to all parties interested The decision of the court shall be final

(b) The action of the township supervisors or of the court on appeal in approving any such plans and an approved duplicate copy of such plans shall be recorded by the person applying for such approval in the office of the recorded of deeds of the county

Section 1142 No Responsibility on Township Where Plans Not Approved If any road [street lane or alley] or any drainage facilities in connection therewith shall be opened constructed or dedicated for public use or travel except in strict accordance with plans approved and recorded as herein provided neither the township supervisors nor any public authorities shall place construct or operate any sewer drain water pipe or other facilities or do any work of any kind in or upon such road [street lane or alley] and neither the township supervisors nor any other

public authorities shall have any responsibility of any kind with respect to any such road [street lane alley] or drainage facilities notwithstanding any use of the same by the public Provided however That nothing herein contained shall prevent the laying of trunk sewers drains water or gas mains if required by engineering necessity for the accommodation of other territory

Section 1143 Entry on Lands by Supervisors The township supervisors and their representatives and workmen may enter upon any land and property and maintain marks and monuments so far as the supervisors deem necessary in carrying out their powers and duties [hereunder] under this sub-division

Section 1144 Penalty Any person copartnership or corporation who or which shall construct open or dedicate any road [street lane or alley] or any drainage facilities in connection therewith for public use or travel in any township without having first complied with the provisions of [this subsection] section 1140 of this act and of any resolutions of the township authorities adopted pursuant hereto shall be guilty of a misdemeanor and upon conviction thereof such person or the members of such copartnership or the officers of such corporation responsible for such violation shall be sentenced to suffer imprisonment not exceeding two years or pay a fine not exceeding one thousand dollars or both in the discretion of the court

Section 1145 Effect of Approval of Plans No approval of plans by a township shall obligate or require any such township to construct reconstruct maintain repair or grade such roads until and unless authorized and ordered so to do by the proper court pursuant to the provisions of [existing law in that regard] this subdivision

Section 1146 Powers of State and Counties Preserved Nothing contained in this subdivision shall be held to restrict or limit the State Department of Highways or any county in the exercise of any of its duties powers and functions under the provisions of any act of Assembly now in force or hereafter to be enacted

Section 1147 Taking Over of Roads Streets Lanes and Alleys Heretofore Dedicated as Public [Highways] Roads Whenever plans of dedicated roads streets lanes or alleys located in second class townships have been adopted approved and recorded the board of supervisors of any such township may with the consent of the court of quarter sessions upon petition filed accept any roads streets lanes or alleys as public [highways] roads if shown in said plans as dedicated to such use and provided the roads or streets shall be not less than thirty-three feet in width and the lanes or alleys not less than fifteen feet in width said acceptance to be evidenced by a resolution of the said board of supervisors properly describing said roads streets lanes or alleys and adopted by a majority thereof by a vote duly recorded and entered upon the minutes of said board Upon the filing with the clerk of courts of quarter sessions of the county in which said township shall be situate a certified and attested copy of said resolution with the consent of the court endorsed thereon such roads streets lanes or alleys shall be and become a part of the public [highway] road system of said township and shall be so recorded in said court of quarter sessions [Provided That in the case of any plans of dedicated roads streets lanes or alleys which was adopted approved and recorded prior to the effective date of this act said roads streets lanes or alleys if dedicated to public use may be taken over as public highways under the authority of and in accordance with the procedure prescribed by this section if said roads or streets are less than thirty-three feet in width and said lanes or alleys are less than fifteen feet in width]

(j) Entry on Private Property to Secure Road Material and to Open Ditches and Drains

Section 1150 Power to Enter on Lands When road material cannot be conveniently obtained by contract at reasonable prices the supervisors of [townships] a township may enter upon any land or enclosure within their township lying near the road and dig gather and carry upon the road any stones sand gravel or other road material which they think necessary to make maintain or repair the road In exercising such right they shall do no unnecessary damage to [the owners of] the land and shall repair any breaches of fences which they make

Section 1151 Viewers to Fix Damages Whenever the supervisors and the owners of [any such materials] the land cannot agree upon the [price to be paid therefor the value of such materials] damages the same shall be assessed by viewers to be appointed and to make report as provided in this act in the case of eminent domain proceedings

Section 1152 Power to Open Drains and Ditches The township supervisors may enter upon any lands or enclosures and cut open maintain and repair such drains or ditches through the same as in their judgment are necessary to carry the water from the roads [streets lanes or alleys]

[If any] Any person who shall stop fill up or injure any such drain or ditch or shall divert or change the course thereof without the authority of the supervisors [such person] shall [for every such offense] upon conviction thereof in a summary proceeding pay a [penalty] fine of not more than twenty-five dollars for each such offense together with the cost of restoring such drain or ditch [to be recovered in a summary proceeding The penalty] and in default of the payment of such fine and costs shall be sentenced to imprisonment of not more than ten days All fines and moneys so recovered shall be paid to the township treasurer

(k) [Highways] Roads Crossing Railroads Special Uses of [Highways] Roads

Section 1155 Railroad Crossings Every township constructing a [highway] road across a railroad shall construct the same above or below the grade thereof unless permitted by the Public [service] Utility Commission to construct the same at grade

Any such crossing of a railroad by a [highway] road or any vacation of any [highway] road crossing a railroad shall be constructed only in the manner prescribed by and under the jurisdiction of the Public [Service] Utility Commission [The] In such cases compensation for damages to the owners of adjacent property taken injured or destroyed shall be ascertained fixed and paid in the manner prescribed in the Public [Service] Utility Law

Section 1156 [Highway] Permits No railroad or Street railway shall hereafter be constructed upon any township [highway] road nor shall any railroad or street railway crossings nor any gas pipe water pipe electric conduits or other piping be laid upon or in nor shall any telephone telegraph or electric light or power poles or any coal tipples or any other obstruction be erected upon or in any portion of a township [highway] road except under such conditions restrictions and regulations and subject to the payment of such fees for permits as may be prescribed and required by the State Highway Department not exceeding the reasonable cost of issuing the permit and expense of inspecting the work authorized by such permit upon completion thereof All fees so collected for permits shall be paid into the State Treasury and shall be credited to [the special fund in the State Treasury into which motor vehicles registration and license fees are now paid and all such permits fees in said fund from time to time are hereby specifically appropriated to the State Highway Department for expenditure for the same purpose and in like manner as that for which the moneys now in said fund may be expended] the Motor License Fund

(l) Guideposts and Index Boards

Section 1160 Duty of Supervisors to Erect The supervisors of [townships] the township shall erect posts at the intersection of all public roads and at one of the angles where any public road crosses another public road and shall firmly fix thereon boards or metal signs with index hands pointing to the direction of such roads [providing that] but if a building tree trolley pole tele-

phone pole or telegraph pole is so erected that it can be used in place of a post and permission has been secured from the owner thereof such building tree or pole may be used in place of a post On such boards and signs shall be inscribed in large and legible characters the name of the town village or place to which such road lead and the distance thereto computed in miles [Provided] Where any such public [highway] road intersects or crosses a State highway application for a permit shall be made by the supervisors to the [State] Department of Highways for the erecting of such signs

Section 1161 Penalty for Destroying Et Cetera It shall be unlawful for any person to wilfully destroy remove injure or deface any guidepost or sign or index board erected upon or near any public street road or bridge by the [authorities of any township or erected with the consent of the authorities having jurisdiction over such street road or bridge] supervisors or by any club association or other organized body for the direction guidance or safety of travelers Any person violating this section shall upon conviction in a summary proceeding be sentenced to pay a fine of [not less than ten dollars and] not more than twenty dollars with [all] costs of prosecution together with the value of such sign so destroyed removed [and] or defaced and in default of such payment shall be sentenced to imprisonment of not more than ten days All fines and moneys so imposed and collected shall be paid to the township treasurer [In default of payment of said fine costs and expenses he shall undergo an imprisonment in the county jail for not less than five nor more than sixty days]

(m) Protection of [Highways] Roads from Snowdrifts

Section 1165 Protection of Highways from Snowdrifts Any township which is responsible for the maintenance of any public road [or highway] shall have authority to enter upon private property adjacent to such public road or highway and place thereon a snow fence at any point [as] which may be deemed necessary to within a limit of one hundred [(100)] feet from the right-of-way line of such public road [or highway] in order to eliminate snow drifting on the traveled portion of the public road [or highway]

No such snow fence shall be placed prior to November first nor shall the same remain in place after April first of the succeeding year unless the written consent of the owner is obtained agreeing to an extension of time for the removal of said snow fence

If the supervisors shall not be able to enter into an agreement with the owner of adjacent property occupied by such snow fence as to the amount of damages sustained as a result of said fence being placed or removed the owner may petition the court of common pleas of the county for the appointment of viewers to ascertain the amount of damage incurred in such case in the manner provided in this act for eminent domain proceedings Such damages if any when ascertained shall be paid by the township [. Any funds available to the respective authorities for the construction and maintenance of public roads or highways under their supervision shall be available for the payment of such damages] from the general township fund

Whenever any [highways] roads in townships are so located as to render them liable on account of high wind during the winter season to be so filled with snow as to make them impassable and in the judgment of the supervisors such drifts of snow can be avoided by the removal of any fence erected along either side of such [highway] road and replacing the same by a fence constructed of posts wire and boards of rail combined [such] the supervisors may agree with the owners of such fences upon a plan for the erection of such a fence [constructed of posts wire and board or rail combined] The township may pay the owners of such fences a sum not to exceed the first cost of the wire used in the construction of such fences The wire used in the construction of such gences shall be without barbs This section shall not apply to any stone wall hedge or ornamental fence

(n) Grades of Highways

Section 1170 Grades of Highways In the construction or repair of any highway in any township it shall be unlawful to raise such highway above the ordinary grade thereof when a drain or culvert shall be constructed under such highway or when such highway shall be constructed or repaired over such drain or culvert This section shall not be construed in any manner to interfere with the work of the State Department of Highways in the reconstruction or improvement of any State highway or state-aid highway or when a township improves a township road under the direction plans and specifications of the State Department of Highways

(o) Trees and Shrubbery within Limits of [Highway] Road

Section 1175 Saving Trees and Shrubbery Where any [highway in] road of any township passes through or along forested lands wild lands or uncultivated lands no trees growing within the limits of such [highway] road at a distance beyond fifteen feet on either side of the center line thereof and which measures four inches or over in diameter at a point two feet from the surface of the ground shall be cut down or destroyed by the supervisors or roadmasters employed by them or any other persons without first obtaining the consent of the abutting owners

Whenever any [highway] road running through improved or cultivated lands has been opened and there are growing along the roadsides and within the road limits shrubs or trees not in the opinion of the supervisors interfering with public travel no supervisors or roadmasters or other persons in their employ shall remove cut injure or destroy or other any manner interfere with such shrubs or trees If such removal or cutting is [absolutely] deemed necessary for the purpose of maintaining the [highway at its highest efficiency] road the supervisors or roadmasters or other persons in their employ may [so] cut or remove such shrubs or trees after notifying the abutting property owners [and entering into an agreement with them relating to the] of the contemplated removal cutting [or interference with] of said shrubs or trees

Section 18 Section 1176 of the said act is hereby repealed

Section 19 Sections 1177 to 1201 inclusive of the said act are hereby reenacted revised and amended to read as follows

Section 1177 Logs and Cordwood Property of Owner All logs cordwood branch wood or other forms of wood which shall be derived from the destruction or removal of any trees growing along the highways shall be surrendered to and remain the property of the abutting owners

Section 1178 Brush and Refuse The supervisors may clear out brush and other refuse from along the sides of the road to the legal width thereof All such clearing and removal of brush and refuse shall be confined to growth that is within the limits herein above described and to the removal of branches that in any way interfere with public travel No other injury by fire cutting abrasion or otherwise shall be done to the standing timber

Section 1179 Penalty Any supervisors roadmaster or person in their employ or any other person who shall cut down kill or injure any living tree growing at a distance beyond fifteen feet on either side of the center line thereof and of a size four inches in diameter or greater at a point two feet from the surface of the ground except as provided in this subdivision or who shall violate any other provision [of the preceding sections] of this subdivision [he] shall upon conviction thereof in a summary proceeding be [subject to a penalty] sentenced to pay a fine of not more than five dollars for every tree so cut injured or destroyed with costs of suit and in default of the payment of such fine and costs shall be sentenced to imprisonment of not more than ten days Such fines shall be paid [to the township treasurer] into the general township fund [If any defendant upon conviction for any offense fails or refuses to pay the fine

and costs imposed or does not give bond with approved surety to pay the same within ten days he shall be committed to the county jail for not more than thirty days or until he has paid the fine and costs in full]

Section 1180 Removal of Obstruction Nothing in this subdivision [of this act] shall be so construed as to prevent the supervisors or roadmasters or other persons in their employ from removing such roadside trees which may be thrown down by [the] wind or lodged in such position as to be a menace to public travel or which by reason of any other cause may become a source of danger to the public Every such act of removal shall be made with due regard to the circumstances of the case so as to preserve the true intent and purpose of this subdivision

(p) Obstructions and Nuisances

Section 1185 Obstructions and Nuisances [If any] Any person who shall stop or obstruct any public road [or highway] in any township or [shall] commit any nuisance thereof by felling trees making fences turning the road or in any other way and who shall not on notice given by the township supervisors forthwith remove the obstruction or nuisance and repair the damages done to such road [such person] upon conviction in a summary proceeding shall for every such offense pay a penalty of not more than twenty-five dollars and in default of the payment of such fine and costs shall be sentenced to imprisonment of not more than ten days Nothing in this section shall debar an indictment for any such nuisance as in case of misdemeanor at common law

(q) Opening Making [Amending] and Repairing Highways and Bridges by Contracts with Taxpayers

Section 1190 Taxpayers' Rights Any one or more taxpayers of any township may acquire the right to furnish all the materials and labor necessary for opening making [amending] and repairing the public highways and bridges of such township in manner and under the conditions set forth in this subdivision of this act

Section 1191 Petition to Court To acquire such right such [taxpayers] taxpayer shall before the beginning of the township fiscal year present to the court of quarter sessions a petition setting forth that he [she or it or they are] is the owner of property assessed and taxed for road purposes in such township the approximate number of miles of public road in such township and the ability of the petitioner [or petitioners] to lay out open make [amend] and repair the public highways and bridges of such township wholly at his [her its or their] own expense for the ensuing township fiscal year and to pay the other expenses of such township as hereinafter provided without any right against or claim upon such township for or by reason of the materials labor or money so furnished

Section 1192 Bond of Petitioners The [petitioners] petitioner shall with the petition present a bond to the township in the sum of ten thousand dollars or in a sum equal to five hundred dollars for each mile of public road in the township whichever shall be greater with one or more sufficient sureties to be approved the court conditioned for the faithful performance of said petitioner [or petitioners] of his [her its or their] duty and to save the township harmless from any loss or claim by reason of failure so to perform said duty

Section 1193 Notice to Supervisors and Auditors Notice of the intention of presenting the petition and bond and of the time when said petition and bond will be presented to the court shall be given to the supervisors and auditors of the township at least ten days before the same are presented

Section 1194 Contracts Stipulations When the petition bond and proof of the notice required in the preceding section are presented to the court the same shall be or- of the [petitioners] petitioner and the sufficiency of the petition bond and notice shall order and direct the supervisors on behalf of the township to enter into a contract with the petitioner [or petitioners] In such contract the petitioner [or petitioners] shall bind [him her or itself or themselves] himself

1 To open make [amend] and repair the public highways and bridges of the township for the ensuing fiscal year in a lawful and workmanlike manner wholly at the expense of the petitioner [or petitioners] and without creating thereby any claim upon or right against the township for or by reason of the materials labor or money for persons employed

2 To indemnify and save harmless the township from all claim damage cost or expense of whatever kind for or by reason of any act or omission of said petitioner [or petitioners] whereby any claim suit or other demand may be set up or recovered against the township

3 To pay within sixty days from the beginning of the fiscal year to the following officers of such township the following sums to be received by said officers in full for all demands against such township for their respective services as such officers of the township for the fiscal years for which the said contract is made which shall be in lieu of the compensation otherwise in this act provided for such officers namely To each township secretary the sum of fifty dollars to each of the auditors of such township the sum of twenty-five dollars to an attorney to be elected by such supervisors as counsel for the township the sum of fifty dollars to each supervisor the sum of two hundred and fifty dollars

Section 1195 No Road Tax to Be Levied In consideration of the obligations set out in the preceding section to be assumed and performed by the petitioner [or petitioners] the supervisors on behalf of such township shall stipulate that the township will not assess levy or collect any tax for road purposes during the fiscal year for which such contract is made

Section 1196 Inspections by Supervisors The supervisors shall view and inspect the making and repairing of the roads in such townships at least once during every month and satisfay themselves that the [petitioners] petitioner [have] has fully complied with their contract before final settlement and expiration of contract If at any time the supervisors shall see that any portion of the roads need repair they shall notify the [petitioners] petitioner to repair the same In case said [petitioners fail] petitioner fails to repair said road within five days after notice the supervisors are empowered to purchase such materials and employ such men as may be necessary to repair such road and charge the same to the [petitioners] petitioner

Article XII

Boundary Roads [and Highways]

(a) Opening Repairing and Improving Roads on Division Line of Townships

Section 1201 Roads Between [Two] Townships of the First Class and Townships of the Second Class Roads [or highways] laid out on a line which divides [two townships] a township of the first class from a township of the second class shall be opened made kept clear and in repair at the joint and equal charge of such townships Any township necessarily incurring more than its due proportion of such charge may recover the excess so incurred from the other township

When any public road is laid out on the line of two townships if the commissioners or supervisors of an adjoining township neglect or refuse to join with the supervisors of the township in opening or repairing such road the supervisors of the township shall open [amend] and repair the road and are authorized to collect a just proportion of the cost of the opening and repairing of such road from the township so neglecting or refusing to join in such opening [amending] or repairing The commissioners or supervisors so neglecting or refusing shall be liable to a penalty of [not less than four dollars and] not exceeding fifty dollars to be recovered in a summary proceeding All such penalties when recovered shall be paid into the township road fund

Section 20 The said act is hereby amended by adding thereto a new section known as Section 1202 as follows

Section 1202 Roads Between Two Townships of the Second Class Whenever any road is on the boundary line between two townships of the second class such road shall be constructed improved repaired and maintained jointly by said townships For the purpose of constructing improving repairing or maintaining any such road the supervisors of such townships are hereby directed to enter into an agreement providing the manner in which the same shall be constructed improved repaired or maintained and providing for the division of the cost of maintenance between said townships Such agreement shall be filed with the clerk or clerks of the court or courts of quarter sessions of the county or counties in which such townships are located If any such township shall fail or refuse to enter into any such agreement or if the townships cannot agree any taxpayer or the supervisors of either township may present a petition to the court of quarter sessions of the county or if said townships are in different counties to the court of quarter sessions of either county setting forth the facts and the court after hearing of which such notice shall be given to all parties interested as the court may direct shall make an order directing the manner of such con truction improvement repair or maintenance and the di ision of the cost thereof between such townships The action of the court shall be final

Section 21 Sections 1205 to 1225 inclusive of the said act are hereby reenacted revised and amended to read as follows

(b) Maintenance of Roads Between Townships and Cities or Boroughs

Section 1205 Roads Between Townships and Cities and Boroughs Whenever any road or street is on the boundary line between any township and a city or borough such road or street shall be maintained jointly by the township and the city or borough For the purpose of maintaining any such road or street the authorities of any such township are hereby directed to enter into agreements with such city or borough providing the manner in which the same shall be maintained and providing for the division of the cost of maintenance between the city or borough and township If any such city or borough and township shall fail or refuse to enter into any such contract or if the city or borough and township cannot agree any taxpayer or the corporate authorities of the township may present a petition to the court of quarter sessions of the county setting forth the facts an dthe court after hearing of which such notice shall be given to all parties interested as the court may direct shall make an order directing the manner of such maintenance and the division of the cost of maintenance between the city or borough and the township The action of the court shall be final

(c) [Highway] Road the Centre Line of Which is the Dividing Line Between Townships and Boroughs or Cities in the Same County

Section 1210 Roads between Townships and Municipalities in the same County Whenever the centre line of any [highway] road or street constitutes the dividing line between a township and any city or borough located in the same county the supervisors of the township may jointly with the county enter into a contract with the city or borough providing for the grading curbing and macadamizing or paving of such [highway] road

Such alteration or improvement shall be constructed and subsequent repairs shall be made under the supervision of the proper authorities of the city or borough in compliance with the laws governing the construction of such alterations or improvements in such city or borough and with plans and specifications to be agreed upon in writing between the supervisors of the township and the city or borough and the commissioners of the county

The cost of any alteration or improvement shall be borne one-half by the city or borough and one-half by the county and township in equal portions

The cost of repairs shall be borne one-half by the city or borough and one-half by the township or by the county and township in equal portions or such other portions as are agreed upon in the joint contract of the township with the county

(d) [Highway] Road the Centre Line of Which Is the Dividing Line Between Townships and Cities in Adjacent Counties

Section 1215 Roads between Townships and Cities in Adjacent Counties Whenever the centre line of any [highway] road constitutes a dividing line between a township and a city located in an adjacent county it shall be lawful for the township supervisors to enter into a contract with the county in which it is located and the city providing for the grading curbing macadamizing or paving of the roadway of said [highway] road the cost thereof to be borne one-half by the city and one-half by the township and the county in which such township shall be situated in equal portions

The said alterations or improvements shall be constructed and subsequent repairs shall be made under the supervision of the proper authorities of the said city in compliance with existing laws governing such construction or improvement in such city and in further compliance with plans and suecifications to be agreed upon in writing between such city and the commissioners of the county and the township supervisors of the said township The cost or repairs shall be borne one-half by the city and one-half by the township or by the county and township in equal portions or such other proportions as may be agreed upon by the county and township

In all cases in which it shall be found impossible to enter into such contract or agreement as is provided for in this section or where either the city or the township or the county in which such township is situated shall refuse to enter into such contract or agreement it shall be lawful for the township to present its petition to the court of common pleas of either county setting forth the facts and circumstances including the condition of the [highway] road from which, the necessity or desirability for the grading curbing macadamizing or paving of the roadway appears and the estimated cost thereof and that the terms of the said contract as provided for in this section cannot be agreed upon by the said city and the county or township or either or any of them or that either such city or the county or township or any or either of them refuses to enter into such contract Such petition may pray that such court may after hearing all the parties concerned make its order or decree defining the nature and character of the improvement reasonably necessary or desirable to be made to the roadway and requiring the parties hereinabove specified to enter into a contract or contracts for the making and constructing of the same as herein provided for a copy of the said petition duly certified shall be served upon the city or the county and township concerned other than the petitioner with notice of such day as may be fixed by the court for a hearing Thereupon either or both of the parties served with such notice shall be entitled on or before such date to file in the said court its anwser to the said petition setting forth its version of the facts or such other matters in relation thereto as may be deemed necessary or proper by it The said court upon the date so fixed or at such other times as it may appoint shall hear the evidence of the parties or it may refer the matter to a master who shall hear the testimony of the parties and report his findings in the same manner and under the same procedure as provided by the rules in equity in similar cases to the said court which may reject confirm or modify the same and may make its decree or order directing the making of such alterations or improvements to the roadway as may be deemed necesary or desirable and providing for the sharing of the cost of such improvements one-half by the city and one-half by the county and township in equal portions The said order or decree may further provide that the repairs to such alterations and improvements subsequently required shall be borne one-half by the city and one-half by the county or town-

ship in equal portions or such other proportions as between the county and the township as such court may find to be legal and proper and thereupon the said grading curbing macadamizing or paving of the roadway of such [highway] road shall proceed in accordance with the decree or order of the said court in the same manner as if the contract or agreement in this section had been entered into and duly executed

(e) Improvement of Roads or Streets Where More Than One-half of Width is in Township Assessment of Property Outside Limits

Section 1220 Roads more than One-Half in Townships Whenever any road or street [alley or highway] more than one-half of the width of which is within the limits of any township shall divide the said township from any other municipality or township located within the same county such road or street [alley or highway] may be improved by the township within which the greater width is located in the same manner as if the said road or street [alley or highway] were entirely located within the limits of said township

The property abutting on the side of said road or street [alley or highway] which is located outside the limits of the township making such improvements shall for a depth of one hundred and fifty feet plus one-half the width of said road or street [alley or highway] from its center line be assessed for any and all municipal improvements to or on the said road or street [alley or highway] in the same manner as such property would be assessed under the laws of the Commonwealth if it were entirely located within the limits of such city borough or township

(f) Assessment of Property Outside Limits for Street Improvement Were Street Entirely Within Township

Section 1225 Roads Within Township along Division Line Whenever any road or street [or alley] entirely within the limits of any township shall divide such township from any other municipality or township located in the same county the property on the side of the road or street [or alley] opposite the line of such township shall for a depth of one hundred and fifty feet be assessed for municipal improvements on such [streets or alleys] road or street on which property shall abut Such assessment shall be made in the same manner and in the same proceeding as is used for the assessment of property within such township for such improvement

Section 22 Said act is hereby amended by adding to Article XII thereof a new division and section as follows

(g) Agreements for Improving Roads or Streets forming Boundaries between Townships and Boroughs

Section 1230 Agreement for Improving Roads or Streets forming Boundaries between Townships and Boroughs Townships may enter into agreements with adjoining boroughs for the grading paving and curbing or macadamizing of roads or streets which may be boundaries between such townships and boroughs and may provide in such contract that the damages costs and expenses of such improvement shall be divided between such townships and boroughs in proportions agreed upon Such agreements shall be filed with the clerk or clerks of the court or courts of quarter sessions in the county or counties in which such townships and boroughs are located

In grading paving and curbing or macadamizing any such roads or streets townships shall exercise such power only upon petition of a majority of the property owners in interest and number abutting the line of the proposed improvement within the township limits to be verified by the affidavit of one of the petitions a majority in interest of owners of undivided interest in any piece of property to be treated as one person asking that such improvement be made

The portion of the damages costs and expenses agreed to be paid by any township shall be ascertained and the benefits incident thereto shall be assessed and collected in the manner provided in this act for the assessment of damages and benefits by viewers

Section 23 Sections 1301 and 1302 of the said act are hereby reenacted revised and amended to read as follows

Article XIII

BRIDGES [and Viaducts]

(a) Over [Creeks Rivulets] Streams Gullies Canals and Railroads

Section 1301 Power to Make and Maintain Bridges The supervisors of townships in making and repairing the roads shall make and maintain within their township sufficient bridges over all [small creeks rivulets deep] streams gullies canals and railroads where [the same is] such bridges are necessary for the ease and safety of travelers Such bridges shall be deemed to be a part of the road

[Such bridges over canals or railroads shall not obstruct the railroad or canal over which it is built Nothing in this section shall release railroad or other companies or the Commonwealth from the requirements of existing laws]

Section 1302 Damages [In] All damages in the construction and maintenance of such bridges [all damages] shall be awarded and benefits assessed as part of the proceeding to lay out open make or repair the road of which the bridge is a part

Section 24 The said act is hereby amended by adding thereto a new secti;o;n ;known as Section 1303

Section 1303 Where Bridge is over Railroad or Canal If a bridge is built over a railroad or canal such bridge shall not obstruct the same Nothing in this article shall release any railroad or other companies from the requirements of existing law

Section 25 Section 1305 of the said act is hereby reenacted revised and amended to read as follows

(b) Over Streams Railroads and Canals on Township Boundaries

Section 1305 Bridges on Division Line of Townships Where a [small creek] stream or gully a railroad or a canal over which a bridge is necessary is on the boundary line of two townships or of a township and a municipality the bridge shall be built and maintained [at the joint and equal expense of the townships by their respective commissioners or supervisors] in the manner directed by this act in the case of public roads which [may be] are on the division line [of] between townships or townships and municipalities

Section 26 Sections 1306 and 1307 of said act are hereby repealed

Section 27 Section 1310 of said act is hereby reenacted revised and amended to read as follows

(c) Maintenance Repair and Rebuilding of Bridges Built by County

Section 1310 County Bridges Whenever a bridge or part thereof has been built by the county or the whole or part of the money necessary to build it has been furnished by the county and the bridge has not been entered or record as a county bridge such bridge shall be maintained kept in repair and rebuilt when necessary by the township or townships in which or on the boundary line of which it is located without rendering the county liable for the same

Section 28 Subdivision (d) and Section 1315 of Article 13 of the said act is hereby repealed

Section 29 Sections 1401 to 1403 inclusive of the said act are hereby reenacted revised and amended to read as follows

Article XIV

Sidewalks and Footpaths

Section 1401 Power of Supervisors to Establish width and Location of Sidewalks Consents in Certain Cases The supervisors of any township upon the request of any landowner whose land fronts upon a public road or highway within such township may establish the width grade and location for a sidewalk along one or both sides of said road or highway along the lands of such owner [The width of the walk on each side of said highway shall not be less than six feet for roads fifty feet in width or less and for roads over fifty feet in width shall be ten feet in width] When said sidewalks are so established such landowners shall pay for and keep the same in repair

In case the [street or] highway is a State or county highway [or a county road] the written consent of the Department of Highways or the county commissioners as the case may be shall first be obtained

Section 1402 Construction of Sidewalks Upon Petition of Property Owners The township supervisors may construct sidewalks or curbs or both of [board plank or cement or other] suitable material along the roads or highways through towns and villages in such townships upon the petition of owners of property representing a majority in number of feet front of the properties abutting on the roads or highways where such sidewalks or curbs are to be constructed Whenever any such petition is filed with the supervisors the owners of the property shall be given notice by the supervisors to construct such sidewalk or curb and in case of the failure of the owner to complete such sidewalk or curb within a period of [thirty] sixty days after the receipt of such notice the supervisors may construct such sidewalk or curb as herein provided Whenever any sidewalks or curbs are constructed by the supervisors the expense of the construction of such sidewalk or curb shall be paid by the abutting property owners in proportion to their frontage If such owners fail to so pay the expenses of the construction of such sidewalks or curb the township supervisors may recover the amount by action of assumpsit or may file municipal liens therefor against the abutting properties in the manner provided by law for the filing and collection of municipal liens

Section 1403 Power to Establish Grades and Width of Sidewalks or Footpaths Supervisors of townships may regulate by resolution the grade and width of sidewalks or footpaths constructed along the roads or highways in such townships and shall have general supervision over the same and may establish a grade or grades for [footways or] sidewalks or footpaths which grade or grades may be separate and apart from the grade or grades established for the cartway or roadway

Section 30 The said act is hereby amended by adding thereto a new section known as Section 1404

Section 1404 Sidewalks or Footpaths by Township Whenever it shall appear to the supervisors that any part or portion of any road or highway is dangerous to the traveling public and such danger could be materially reduced or lessened by the construction of a sidewalk or footpath the supervisors shall have the right to lay out and construct a sidewalk or footpath along such dangerous portion of said road or highway of such materials as they shall deem advisable and to expend moneys from the general fund of the township therefor In case the highway is a state or county highway the written consent of the Department of Highways or the county commissioners as the case may be shall first be obtained

Section 31 Sections 1501 to 1511 inclusive are hereby reenacted revised and amended to read as follows

Article XV

Sewers and Drains

(a) Establishing and Constructing Sewer and Drainage Systems Sewer Connections and [Rates] Charges Disposal of Sewage Assessment of Cost of Construction

Section 1501 Power to Establish and Construct Sewers and Drains [Sewer Rentals] Townships may establish and construct a system of sewers and drainage locating the same as far as practicable along and within the lines of the public roads of the townships as seems advisable to the board of supervisors The supervisors may permit and where necessary for the public health require adjoining and adjacent property owners to connect with and use the same In case any owner [or owners] of property adjoining or adjacent to such sewer shall neglect or refuse to connect with and use said sewer for a period of [thirty] sixty days after notice to do so has been served upon him [or them] by the supervisors either by personal service or by registered mail said supervisors or their agents [employes and servants] may enter upon such property and construct such connection [or connections] In such case the supervisors shall forthwith upon completion of the work send an itemized bill of the cost of construction of such connection [or connections] to the owner [or owners] of the property to which connections has been so made which bill shall be payable forthwith In case of neglect or refusal by the owner [or owners] of such property to pay said bill it shall be the duty of the township supervisors to file municipal liens for said construction within six months of the date of completion of the construction of said connection [or connections] the same to be subject in all respects to the general law providing for the filing and recovery of municipal liens [All persons so connecting shall pay in addition to the cost of making such connection a monthly or annual rate prescribed by a resolution of the board of supervisors Such monthly or annual rate shall constitute a lien until paid against the property so connecting with such system and the amount thereof may be recovered by due process of law

Nothing in this section shall be construed to repeal or modify any of the provisions of the Public Service Compnay Law]

Section 1502 Notice of Contemplated Construction Protests by Property Owners No sewer drain or system [of sewers or drains] thereof shall be constructed under the provisions of this [subdivision] Article unless a resolution or ordinance of the board of supervisors authorizing the same shall be published in a newspaper of general circulation published in the county in which the township is situated once a week for three successive weeks If [within] before the expiration of twenty days after the last publication [or at any time during the period of publication] taxpayers of the township or the affected sewer district if such district has been constituted as hereinafter provided whose property valuation as assessed for tarable purposes within the township or district shall amount to fifty per centum of the total property valuation [as assessed] for [taxable] such purposes [within the township] of the township or sewer district as the case may be shall sign and file in the office of the prothonotary of the court of common pleas of the county in which the township is located a written protest against the construction of such sewer [sewer] drain or system [or drain] thereof then the construction authorized by such resolution or ordinance shall not be undertaken or proceeded with

Section 1503 Location of Sewers on Private Property Where it is reasonably impracticable in the judgment of the supervisors in any part of such system to carry such sewers or drains along the lines of public roads they may locate and construct so much of the same as is necessary through private lands and acquire the necessary land or right of way for such purpose by gift or by the exercise of the right of eminent domain

Section 1504 Treatment Works and Facilities Therefor Eminent Domain The supervisors shall make the necessary provision for the disposition of the sewage and drainage within or for carrying the same beyond the limits of the township and to this end they are hereby authorized to enter into contracts with other municipalities and other corporations or persons to purchase acquire enter upon take appropriate occupy and use such lands rights and interests therein within the corporate limits of other townships or boroughs as shall be necessary for the proper location construction maintenance use and operation of sewer mains drains or treatment works including such lands rights and interests therein as shall be necessary for future additions to and enlargements of such sewerage or drainage facilities and as may be necessary to carry out the plans and specifications upon which a permit has been issued by the Secretary of Health in accordance with [the provisions of the act of April twenty-second one thousand nine hundred and five (P. L. 260) entitled "An act to preserve the purity of the waters of the State for the protection of public health" and of "The Administrative Code"] law

Section 1505 Entry on Lands to Mark Sewer Routes Damages In the event of inability to agree with the owners either for the land necessary for so much of the line of sewers and drains as are not located upon public

roads or for so much land as is required for the disposition of the sewage the supervisors may enter upon said land and mark thereon the route and width necessary for the construction of the line of sewers or drains or the boundaries of so much land as is necessary for disposition of such sewage and occupy the said land for such purposes For all damage done or suffered or which accrues to the owner or owners of such land by reason of the taking of the same the [funds] general fund of the township [raised by taxation] shall be pledged and deemed as security Such damages shall be determined by viewers in the manner provided in this act for eminent domain proceedings

Section 32 Section 1506 of the said act is hereby repealed

Section 33 Sections 1507 to 1511 inclusive of the said act are hereby reenacted revised and amended as follows

Section 1507 Cost of Construction How Paid The cost of construction of any such system of sewers or drains constructed by the authority of this subdivision [of this act] shall be charged upon the properties accommodated or benefited thereby to the extent of such benefits in the manner hereinafter provided

The township supervisors may finance the cost of construction of any such system of sewers or drains by the issuance of general obligation bonds of the township within the constitutional and statutory limitations for the incurring or increasing of indebtedness and pursuant to the provisions of [the law] law relating to the borrowing of money by political subdivisions [Any general obligation bonds issued for such purpose or purposes shall be supported by the levy of a general tax sufficient for the payment of the interest thereon together with any taxes covenanted to be paid thereon and the principal of such bonds at maturity] Where general obligation bonds are so issued the supervisors shall nevertheless be required to assess the cost of the construction of such sewers or drains to the extent permitted by law against the properties accommodated or benefited by such improvements as hereinbefore provided and to deposit the proceeds of such asssessments in the sinking fund established for the purpose of retiring such general obligation bonds

Nothing in this section shall be construed to prevent the financing of the cost of such construction under the provisions of the "Municipal Authorities Act of 1945" and any amendments thereto

Section 1508 Sewer Districts Township to Pay Non-Assessable Portion of Cost Whenever a sewer or drainage system is constructed by a township for the accommodation of a certain portion only of the township the supervisors of such township may at any time before or after said construction constitute the territory accommodated into a sewer district or divide it into several sewer districts In every such case of division into several districts the supervisors shall make an estimate of the proportion of the cost of the sewer system which should equitably be charged on each of said districts and declare and establish such apportionment by resolution

In all cases where a sewer or drainage system is constructed by a township for the benefit of a certain portion only of the township and the cost of main sewers pumping stations pressure lines et cetera is charged against the sewer district or sewer districts as herein provided the total amount charged to each district may be assessed to the district by an assessment upon each lot or piece of land in said district in proportion to its frontage abutting on the sewer or by an assessment upon the several properties abutting on the sewer in proportion to benefits or [the total amount charged to each district may be assessed] upon the properties connected with and using said sewers as sewer rentals in the manner provided by law for the assessment of sewer rentals or each lot or piece of ground abutting upon said sewer may be assessed in proportion to its frontage or according to benefits the cost of a local sewer and the balance of the amount charged against the district may be assessed upon the properties connected with and using said sewer as sewer rentals in the manner provided by law for assessment of sewer rentals No district shall be charged with more than its due proportion of the cost of the main sewers pumping stations et cetera used jointly by more than one district [the aggregate amount charged on property in any such district shall not exceed the amount of such estimate] Where the whole of the township is accommodated by the system it may also be treated as a single district or dividend into districts and be subject to the foregoing provisions

[Any amount not legally chargeable upon properties benefited shall be paid out of the general township fund]

Section 1509 Manner of Assessment The charge for any such sewer or drain construction in any township shall be assessed upon the properties accommodated or benefited in either of the following methods

(a) By an assessment pursuant to a resolution or ordinance of the board of supervisors of each lot or piece of land in proportion to its frontage abutting on the sewer or drain allowing such equitable reduction in the case of properties abutting on more than one sewer or drain as the resolution or ordinance may specify [no] No assessment by frontage shall be made on properties of such a character as not to be lawfully subject to such manner of assessment and each abutting property shall be assessed with not less than the whole amount of the benefit accruing to it and legally assessable or

(b) By an assessment upon the several properties abutting on the sewer or drain in proportion to benefits The amount of the charge on each property shall be ascertained as hereinafter provided

When a township is divided into sewer districts the assessment in each district may be by different methods

Section 1510 Procedure for Assessment of Benefit In all cases where the board of supervisors shall select the method provided by subdivision (b) of the foregoing section they shall petition the court of common pleas for appointment of viewers to assess benefits In all cases where they shall neglect for a period of three months after the completion of the sewer or drainage system to either [ordain] make assessments by frontage or present petition for appointment of viewers taxpayers of the township whose property valuation as assessed for taxable purposes within the township shall amount to fifty per centum of the total property valuation [as] so assessed [for taxable purposes within the township] may present a petition to the court of common pleas of the [proper] county for the appointment of viewers to assess benefits and in all cases where such taxpayer shall within three months of the adoption of a resolution or ordinance levying an assessment under the method provided by subsection (a) of said foregoing section by petition state to said court that such assessment insufficiently represents the benefits accruing to abutting properties they may include in such petition a prayer for the appointment of viewers to assess benefits In either case the court shall thereupon appoint three disinterested persons from the board of county viewers [neither] none of whom shall be resident of that portion of the township which is accommodated by the sewer or drainage system in question and the viewers so appointed shall proceed as provided in this act for proceedings for the assessment of damages and benefits by viewers The aggregate of the assessments in any sewer district shall not exceed the amount charged to such district for its share of the cost of the sewer or drain construction unless the same shall by petition of taxpayers whose property valuation as aforesaid shall amount to fifty per centum of the total property valuation as assessed for taxable purposes within the township presented within three months after the adoption of a resolution or ordinance providing for an assessment by frontage be stated to insufficiently represent the amount of benefits to such properties in which case the proceedings by taxpayers authorized above shall be applicable Upon the filing of such a petition by taxpayers as aforesaid for appointment of viewers any assessment made by the supervisors and any proceedings thereunder shall be [null and void] stayed pending the disposition of the petition by the court

Section 1511 Liens for Assessments Costs of Proceedings After the amount of the assessment charged upon the several properties has been established either by resolution or ordinance making assessments according to frontage or by confirmation of any report of viewers in whole or in part [it shall be the duty of the township supervisors to file municipal liens for the assessments covered by such resolution or confirmation within the time and in the manner provided by law the same to be subject in all respects to the general law providing for the filing and recovery of municipal liens The] the amounts of all assessments shall be payable to the township treasurer for the use of the sewer district or districts or the township as the case may be in which they are assessed The supervisors shall [also] make out bills for the amounts charged against each property which shall be forthwith sent to all property owners residing in the township and mailed to all such owners residing elsewhere whose address is known If any such assessment is not paid within sixty days after the mailing of a bill therefor the supervisors shall cause it to be collected by action of assumpsit or such assessment shall be collected in the manner provided for the filing and recovery of municipal claims

The costs of publication of notices in proceedings before viewers shall be paid by the township upon presentation of bills approved by the court

Section 34 The said act is hereby amended by adding thereto a new section known as Section 1512 as follows

Section 1512 Sewer Rentals All persons whose property connects with a system of sewers or drains shall pay to the township treasurer in addition to the cost of making such connection a monthly quarterly semi-annual or annual charge prescribed by a resolution of the board of supervisors Such monthly quarterly semi-annual or annual charge or charges shall constitute a lien until paid against the property so connecting with such system and the amount thereof may be recovered by due process of law

Nothing in this section shall be construed to repeal or modify any of the provisions of the Public Utility Law

Section 35 Subdivisions b and c of Article XV and Sections 1515 and 1520 of the said act are hereby repealed

Section 36 Sections 1525 to 1531 inclusive of the said act are hereby reenacted revised and amended as follows

[(d)] (b) Sewers Under State and County Highways

Section 1525 Consents Necessary Townships may construct sewers and drains in [and] or under any county or State highway [or State-aid highway] within the township boundaries In case of the construction of sewers [upon] or drains in or under county highways the consent of the county commissioners of the county shall first be obtained and in case of the construction of sewers [upon] or drains in or under any State highway [or State-air highway] the consent of the Secretary of Highways shall first be obtained

Section 1526 Assessment of Cost Whenever sewers or drains have been or shall be laid or constructed by any township in [and] or under [such] state or county highways [such] the township unless the same can be agreed upon may ascertain levy and collect the costs and expenses of the construction thereof from the abutting property holders by viewers in accordance with the provisions of this act relating to the assessment of damages and benefits by viewers

[(e)] (c) Connecting with Sewer of Adjoining Municipality

Section 1530 Agreements for Connections Appointment of viewers Any Township may by agreement connect with an existing sewer owned by any adjacent municipality for sewage purposes in the following manner

[An application shall be made] A petition shall be presented by the board of supervisors to the court of quarter sessions setting forth [that fact] the facts The court shall fix a day for hearing upon such petition and shall direct such public notice to all parties interested therein as to it shall seem desirable If after hearing the court shall be of the opinion that such connection can be made without impairing the usefulness of the existing sewer it shall appoint three viewers who shall view the premises and investigate the facts of the case and shall assess the necessary costs and expenses of making the connection and the proportionate part of the expense of building the original sewer upon such township and shall fix the proportion of the expense for repairs which the municipality and the township shall thereafter bear and determine all other questions liable to arise in connection therewith

Section 1531 Report of Viewers The viewers shall report to the court the result of their investigation which report shall be confirmed within thirty days unless exceptions thereto are filed [After confirmation of such report or] from the disposal of [any] which exceptions any party interested may appeal [from the decision of the court of quarter sessions] to the Superior Court as in other cases

Section 37 Section 1532 of the said act is hereby repealed

Section 38 Sections 1535 to 1545 inclusive of the said act are hereby reenacted revised and amended as follows

[(f)] (d) Acquisition of Sewer Systems

Section 1535 Acquisition Any township in which any person [firm or corporation] is maintaining sewers and culverts with the necessary inlet and appliances for surface and under-surface and sewage drainage may become the owner of such sewers culverts inlet and appliances by paying therefor the actual value of the same at the time of the taking by the township

In case the supervisors of the township cannot agree with the owners of such sewers as to the price to be paid therefor the supervisors may enter upon and take passession of such sewers culverts inlets and appliances For all damage done or suffered or which accrues to the owner [or owners] of such sewer by reason of the taking of the same the [funds] general fund of the township [raised by taxation] shall be pledged and deemed as security such damages to be determined by viewers in the manner provided by this act for eminent domain proceedings If any sewer or sewer system is acquired by purchase under the provisions of this section the cost of such acquisition may be redistributed or assessed in the same manner as if such sewer or sewer system had been constructed by such township under the provisions of this act

[(g)] (e) Joint Sewers and Drains

Section 1540 [Building] Joint Sewers (a) Townships may jointly with [municipalities] cities boroughs or other townships build and construct sewers including trunk-line sewers or drains and sewage treatment works and may connect into such system existing sewers and may assess their respective portions of the cost thereof or so much thereof as may be legally assessable upon property benefited by the improvement as is provided in the case of townships by sections one thousand five hundred and nine one thousand five hundred and ten and one thousand five hundred and eleven of this act Any portion of the cost of such an improvement not assessed or not assessable shall be paid by the respective townships cities and boroughs joining as may be agreed upon

(b) The townships cities and boroughs joining or contemplating joining in any such improvement in order to facilitate the building of the same and in securing preliminary surveys and estimates may by [resolution or] ordinance provide for the appointment of a joint sewer board composed of one representative from each of the townships cities and boroughs joining which shall act generally as the advisory and administrative agency in the construction of such improvement and its subsequent operation and maintenance The members of such board shall serve for terms of six years each from the dates of their respective appointments and until their successors are appointed The [joint sewer] board shall organize by the election of a chairman vice-chairman secretary and treasurer The several township cities and boroughs may in the [resolutions and] ordinances creating the [joint sewer] board authorize [the board] it to appoint an engineer a solicitor and such other assistants as are deemed necessary and agree to the share of the compensation of such persons each township city and borough

is to pay The members of the [joint] sewer board shall receive such compensation for attending its meetings [of the board] as shall be fixed in the budget prepared by the board [for submission] and submitted to and [adoption] adopted by the several townships cities and boroughs as hereinafter provided [and the] The budget item providing for the compensation to members for attending meetings shall not exceed a total of two hundred and fifty dollars [$250] per year [and no member shall be paid unless he actually attends and the fee for each such attendance shall be stipulated and] but the members in addition thereto shall be entitled to actual expenses to be paid by the respective townships cities and boroughs which such members represent The fee for each attendance at meetings shall be stipulated and no member shall be paid such fee for any meeting which he does not attend

(c) The joint sewer board shall have power to adopt rules and regulations to govern its proceedings and shall prepare and suggest any practical measures and plans by means of which the joint improvement may be carried to successful completion and the future development of the system so as to conform to a general plan assured and safeguarded It shall have power to prepare a joint agreement or agreements for submission to and adoption by the several townships cities and boroughs defining the advisory and administrative powers of the board setting forth the consents of the several townships cities and boroughs to the proposed improvement the manner which shall not be inconsistent with the provisions of this act in which preliminary and final plans specifications and estimates for the proposed improvement shall be prepared and adopted [how] and in which proposals for bids shall be advertised and contracts let the manner in which the costs of the improvement and other incidental and preliminary expenses in connection therewith and the future cost of operation and maintenance shall be equitably shared apportioned and paid and all such other matters including the preparation and submission of annual and other budgets as may be deemed necessary or required by law to carry the proposed improvement to completion and to assure future maintenance and operation thereof But nothing herein contained shall authorize the board to make any improvement or expend any public moneys which has not first been authorized by all of the townships cities and boroughs proceeding with the improvement

(d) In any case where it shall be necessary to acquire appropriate [injure] damage or destroy private property [(lands property or material)] to build any such joint sewer improvement and the same cannot be acquired by purchase or gift the right of eminent domain shall vest in the township city or borough where such property is located In any such case where it shall be necessary to acquire [injure] damage or destroy property in any territory not within the limits of any of the townships cities or boroughs joining in the improvement then the right of eminent domain shall be vested in any township city or borough adjacent to such territory where such property is located Damages for any property taken [injured] damaged or destroyed shall be assessed as provided by the general laws relating to the township cities or boroughs exercising the right of eminent domain and shall be paid by the several townships cities and boroughs joining in the same proportion as other costs of the improvements

Section 1541 State Permit No such sewer or plant shall be constructed until plans and specifications have been submitted to the State Department of Health and approved in accordance with law [provisions of the act of April twenty-second one thousand nine hundred and five (page two hundred and sixty) entitled "An act to preserve the purity of the waters of the State for the protection of the public health"]

[h] (f) Non-Debt Revenue Sewer Bonds

Section 1545 Sewer Bond For the purpose of financing the cost or expense or its share of the cost or expense of constructing or acquiring a sewer sewer system or sewage treatment works either singly or jointly with [other municipalities] cities boroughs or other townships [or both] any township may issue and sell in accordance with the provisions of the Municipal Borrowing Law non-debt revenue bonds secured solely by a pledge in whole or in part of the annual rentals or charges for the use of such sewer system or sewage treatment works [said bonds shall not pledge the credit] nor create any debt nor be a charge against the general revenues nor be a lien against any property of the township but shall be a lien upon and payable solely from the annual rentals or charges for the use of said sewer sewer system or sewage treatment works

Whenever any township has enacted an ordinance or resolution imposing a sewer rental or charge upon properties to be served by such sewer system or sewage treatment works when the same is completed and has pledged sufficient of the revenues to be derived therefrom for the payment of the interest and sinking fund charges on such non-debt revenue bonds it shall have power to authorize the issue and sale of such non-debt revenue bonds from time to time as the work of construction proceeds and sufficient additional non-debt revenue bonds as may be necessary may be issued and sold to provide for the interest and sinking fund charges accruing thereon until said sewer system or sewage treatment works has been completed and has been in operation for not exceeding one year in order to provide sufficient revenues until such time as sewer rentals or charges may be collected from the owners of properties being served

Nothing in this section shall be construed to abridge or restrict or in any way impair the right of any township to create indebtedness in accordance with existing laws]

Section 39 Sections 1550 and 1551 of the said act are hereby repealed

Section 40 Sections 1601 to 1612 of the said act are hereby reenacted revised and amended as follows

Article XVI

Water Supply and Waterworks

Section 1601 Contracts With Water Companies and Municipalities The supervisors of any township may be contract with any private corporation or any adjacent municipality owning a waterworks system provide for a supply of water for public and private uses [to be delivered into the lines of the township at or near the boundary thereof or] to be delivered through lines owned by such company or municipality within such township or any part thereof The contract shall provide how and in what manner the cost of such water service shall be paid by the consumers thereof

Section 1602 Water Lines and Connections Township supervisors shall have full power to contract with any private corporation or any adjacent municipality owning a waterworks system to provide for a supply of water for public and private uses to be delivered into the lines of the township at or near the boundary thereof In such case the supervisors shall have the power by contract to lay water lines and to provide for extensions thereof and to regulate the making of connections therewith [or to contract or enter into agreements with any private water company or municipality for the laying of water lines within the limits of such township or any part thereof]

Section 1603 [Expeditures of Township Moneys] Water Rents The township supervisors are authorized to [expend moneys of the township for the purpose of providing such water lines and connections and for the purpose of providing a supply of water for private and public use They may] provide for the collection of water rents from users of [such] water supplied by the township [or may enter into contracts or agreements with private corporations and municipalities supplying such water for the collection by such private corporations and municipalities of water rents from such users]

Section 1604 Distribution System State Permit The supervisors of any township may by [resolution] ordinance provide acquire establish regulate and protect any system of distribution of water for private and public use after a certified copy of the plans and surveys for such system with a description of the sources from which it

is proposed to derive the supply are filed with the Department of Health and a written permit for the construction of such system obtained from the Secretary of Health in accordance with [existing] law

Section 1605 Occupation of Highways In providing for regulating protecting and extending its system of distribution of water the township may occupy public highways but no highway under the jurisdiction of the [State] Department of Highways shall be occupied until a permit therefor has been obtained from [the Department of Highways of the Commonwealth] such department nor any highway under the jurisdiction of the county until a permit therefor has been obtained from the county commissioner

Section 1606 Joint Construction Acquisition or Maintenance of Works [with a Borough] Any township may [unite] join with a city borough or another township of either the first or second class in the construction or acquisition and maintenance of works for the supply of water The construction of such waterworks shall be commenced only after plans for such waterworks have been filed with the [State Secretary] Department of Health and the Water and Power Resources Board and [a permit] permits issued in accordance with [the act of Assembly of April twenty-second one thousand nine hundred and five (page two hundred sixty) entitled "An act to preserve the purity of the waters of the State for the protection of the public health" and after a permit has been issued by the Water and Power Resources Board for the construction of any dam in accordance with the act of the twenty-fifth day of June one thousand nine hundred and thirteen (P. L. 555) entitled "An act providing for the regulation of dams or other structures or obstructions as defined herein in along across or projecting into all streams and bodies of water wholly or partly within or forming part of the boundary of this Commonwealth vesting certain powers and duties in the Water Supply Commission of Pennsylvania for this purpose and providing penalties for the violation of the provisions hereof"] law

Section 1607 Commission of Waterworks [Whenever any township unites with a borough in the construction or acquisition and maintenance of waterworks the supervisors of such township after the passage of a resolution to that effect may join with the councils of such boroughs now authorized by the General Borough Law so to join and apply to the court of common pleas for the appointment of a commission of waterworks Such commission shall be composed of citizens of each of the boroughs and townships so uniting] The townships cities and boroughs joining in any such improvement in order to facilitate the building of the same and in securing preliminary surveys and estimates may be ordinance provide for the appointment of a joint commission of waterworks composed of one representative from each of the townships cities and boroughs joining which shall act generally as the advisory and administrative agency in the construction of such improvement and its subsequent operation and maintenance. The members of such board shall serve for terms of six years each from the dates of their respective appointments and until their successors are appointed The commission shall organize by the election of a chairman a vice chairman secretary and treasurer The several townships cities and boroughs may in the ordinances creating the commission authorize it to appoint an engineer a solicitor and such other assistants as are deemed necessary and agree to the share of the compensation of such persons each township city and borough is to pay The members of the commission shall receive such compensation for attending its meetings as shall be fixed in the budget prepared by the commission and submitted to and adopted by the several townships cities and boroughs as hereinafter provided The budget item providing for the compensation to members for attending meetings shall not exceed two hundred and fifty dollars per year but members in addition thereto shall be entitled to actual expenses to be paid by the respective townships cities and boroughs which such members represent The fee for each attendance at meetings shall be stipulated and no member shall be paid such fee for any meeting which he does not attend

Section 1608 Public [Service Company] Utility Law Saved Nothing contained in this article shall be construed to repeal or to supersede any of the provisions of the Public [Service Company] Utility Law

Section 1609 Water Districts Application of Taxpayers Whenever the taxpayers of any section of a township whose property valuation as assessed for taxable purposes within such section shall amount to fifty per centum of the total property valuation as assessed for taxable purposes within such section shall by petition so request the supervisors of such township shall constitute such section into a water district or divide it into several water districts In every case of division into several districts the supervisors shall [make an estimate of] determine the proportion of the cost of the water system which should equitably be charged on each of said districts and declare and establish such apportionment by resolution No district shall be charged with more than its due proportion of the cost of the main pipe lines pumping stations et cetera used jointly by more than one district [the aggregate amount charged on property in any such district shall not exceed the amount of such estimate

Any amount not legally chargeable upon properties benefited shall be paid out of the general township fund]

Section 41 The said act is hereby amended by adding thereto a new section known as Section 1609.1

Section 1609.1 Non-Debt Revenue Bonds Water Rents Where a township contracts to lay water lines or extensions thereof as provided in Section One thousand six hundred two or provides acquires or establishes any water system as provided in Section One thousand six hundred four or unites with any city borough or other township in the construction and acquisition of works for the supply of water as provided in Section one thousand six hundred six or provides for the construction of a water system in any water district as provided in Section one thousand six hundred nine the supervisors shall have power to issue and sell in accordance with the provisions of the Municipal Borrowing Law non-debt revenue bonds secured solely by a pledge in whole or in part of the rentals or charges for water service and for such purposes the supervisors shall have power to provide for the collection of water rents from users of such water service sufficient in amount for the payment of interest and sinking fund charges on such non-debt revenue bonds and the cost of furnishing water service

Section 42 Sections 1610 to 1612 inclusive of the said act are hereby reenacted revised and amended to read as follows

Section 1610 [Manner of] Assessment [The charge for any such water system construction in any township shall be assessed] In lieu of issuing and selling non-debt revenue bonds as provided in Section one thousand six hundred nine point one of this act the township supervisors may provide for the payment of the cost of water lines or water system in the township or in districts thereof by an assessment upon the properties accommodated or benefited in either of the following methods

(a) By an assessment pursuant to resolution or ordinance of the board of supervisors of each lot or piece of land in proportion to its frontage abutting on the mains allowing such reduction in the case of properties abutting on more than one main as the resolution or ordinance may specify No assessment by frontage shall be made on properties of such a character as not to be lawfully subject to such manner of assessment and each abutting property shall be assessed with not less than the whole amount of the benefit accruing to it and legally assessable or

(b) By an assessment upon the several properties abutting on the mains in proportion to benefits The amount of the charge on each property shall be ascertained as hereinafter provided

When there is more than one district the assessment in each district may be by different methods

Section 1611 Procedure for Assessment of Benefits In all

cases where the board of supervisors shall select the method provided [by subdivision] in subsection (b) of the foregoing section they shall petition the court of common pleas for appointment of viewers to assess benefits In all cases where they shall neglect for a period of three months after the completion of the water system to either ordain assessments by frontage or present petition for appointment of viewers taxpayers of the district or districts affected whose property valuation as assessed for taxable purposes within the district shall amount to fifty per centum of the total property valuation [as] so assessed [for taxable purposes within the township] may present a petition to the court of common pleas of the proper county for the appointment of viewers to assess benefits and in all cases where such taxpayers shall within three months of the adoption of a resolution levying an assessment under the method provided by subsection (a) of said foregoing section by petition state to said court that such assessment insufficiently represents the benefits accruing to abutting properties they may include in such petition a prayer for the appointment of viewers to assess benefits In either case the court shall thereupon appoint three disinterested persons from the board of county viewers [neither] none of whom shall be a resident of that portion of the township which is accommodated by the water system in question and the viewers so appointed shall proceed as provided in this act for proceedings for the assessment of damages and benefits by viewers The aggregate of the assessments in any water district shall not exceed the amount charged to such district for its share of the cost of the water system construction unless the same shall by petition of taxpayers whose property valuation as aforesaid shall amount to fifty per centum of the total property valuation as assessed for taxable purposes within the districts affected presented within three months after the adoption of a resolution or ordinance providing for an assessment by frontage be stated to insufficiently represent the amount of benefits to such properties in which case the proceedings by taxpayers authorized above shall be applicable Upon the filing of such a petition by taxpayers as aforesaid for apointment of viewers any assessment made by the supervisors and any proceedings thereunder shall be [null and void] stayed pending the disposition of the petition by the court

Section 1612 Liens for Assessments Costs of Proceedings After the amount of the assessment charged upon the several properties has been established either by resolution or ordinance making assessments according to frontage or by confirmation of any report of viewers in whole or in part it shall be the duty of the township supervisors to file municipal liens for the assessment covered by such resolution ordinance or confirmation within the time and in the manner provided by law the same to be subject in all respects to the general law providing for the filing and recovery of municipal liens The amounts of all assessments shall be payable to the township treasurer for the use of the township The supervisors shall also make out bills for the amount charged against each property which shall be forthwith sent to all property owners [effected] affected residing in the township and mailed to all such owners residing elsewhere whose address is known

The cost of publication of notices in proceedings before viewers shall be paid by the township upon presentation of bills approved by the court

Articles XVII

Public Buildings

Section 43 Section 1701 of the said act is hereby repealed

Section 44 Section 1702 to 1802 inclusive of the said act are hereby reenacted revised and amended as follows

Section 1702 Town Hall The supervisors of townships may procure a suitable lot of ground and erect or use a suitable building thereon for a [townhouse in which to hold elections store road machinery hold meetings of township officers and community activities and] townhall for [other] township [uses] purposes For the purpose of procuring a plot of ground and erecting a town hall the supervisors may borrow money at a rate of interest not exceeding six per centum and issue bonds therefor

Section 1703 Unloaders and Warehouses Townships may purchase or lease land [adjacent to the tracks or right of way of any railroad or street railway] within or without the limits of such townships and erect thereon suitable unloaders warehouses or other buildings as may be necessary for unloading handling and storing road materials and supplies

Section 1704 Appropriation of Property Townships may enter upon and appropriate private property [and also land heretofore granted or dedicated to public or other use within the limits of such township and which is no longer used for the purpose for which the same was granted or dedicated] for the erection thereon of a town hall [hose house lockup] and such other public buildings as are necessary for public purposes No land or property used for any cemetery burying ground public or parochial school educational or charitable institution seminary or place of public worship shall be taken or appropriated by virtue of any power contained in this section

Section 1705 Resolution of Supervisors Whenever the supervisors desire to acquire enter upon take use and appropriate private property or lands for public buildings they shall declare such intention by [a resolution] an ordnance [duly enacted]

Section 1706 How Damages Are Assessed The compensation and damages arising from such taking using and appropriating of private property for such purposes shall be [considered] ascertained determined awarded and paid in the manner provided in this act for eminent domain proceedings

Section 1707 Use of Public Land Acquired for Other Purposes Whenever the supervisors desire to take any lands heretofore granted or dedicated to a use or purpose for which they are no longer used they shall pass [a resolution] an ordinance declaring such intention and shall thereupon petition the court of common pleas for leave to file the bond of [such] the township for the purpose of securing any person or persons who may be [injured by the] entitled to compensation for such taking [of such lands] The court shall thereupon direct notice to be given by publication in at least two newspapers [of] circulating generally in the county [If no exceptions are filed to the bond on or before the day fixed in the notice the court shall approve the same] The court may increase the amount of the bond and shall hear [and determine] all exceptions that are filed against the [approved thereof] petition and the sufficiency of the bond and may grant or deny the prayer of the petition Upon the granting of the petition and the approval of [such] the bond the supervisors may enter upon and take such lands for the purpose of erecting public buildings The bond which shall be in the name of the Commonwealth for the use of any person or persons who are entitled to damage by reason of the taking of the lands shall remain on file for their use and benefit

In case the compensation for damages accruing from any such appropriations has not been agreed upon by the parties in interest the same may be assessed by viewers in accordance with the provisions of this act for the assessment of damages in eminent domain proceedings

Article XVIII

Licenses and License Fees

(a) Transient Retail Merchants

Section 1801 Transient Retail Merchants to Be Licensed Every person whether principal or agent entering into beginning or desiring to begin a transient retail business in any township for the sale of any goods wares or merchandise whatsoever and who hires leases occupies or uses any room apartment store shop building railway car or other place or structure for the exhibition and sale of such goods wares or merchandise shall take out a license for the same from the supervisors of the said township Provided however That nothing herein contained shall apply to farmers selling their own produce

or to any sale of goods wares or merchandise donated by the owners thereof the proceeds whereof are to be applied to any charitable or philanthropic purpose

Section 1802 Amount and Payment of License Fee Penalty The amount of such license in any township shall be the sum of twenty-five dollars [($25)] per month or fractional part thereof to be paid to the township treasurer Said license shall be renewed monthly during the continuance of said sale and upon failure of [said] any person [or persons] so to secure such license he [she or they] shall upon conviction in a summary proceeding be fined [in a sum not less than one hundred dollars ($100) nor] not more than two hundred dollars [($200)] and in default of payment of said fines shall be imprisonmeed in the jail of the county for a period not exceeding thirty days

Section 45 Section 1803 of the said act is hereby repealed

Section 46 Sections 1811 to 1917 inclusive of the said act are hereby reenacted revised and amended to read as follows

(b) Restrictions

Section 1811 Agents for Licensed Dealers Not to be Licensed It shall be unlawful for any township to levy any license fee or mercantile tax upon any persons taking orders for merchandise by sample from dealers or merchants [for individuals or companies who pay a license or mercantile tax at their chief places of business] Nothing in this section shall authorize any person to sell by retail to others than dealers or merchants

Section 1812 Insurance Agents and Brokers Not to Be Licensed It shall be unlawful for any township to impose or collect any license fee upon insurance companies or their agents or insurance brokers authorized to transact business under the Insurance Laws of the Commonwealth

Section 1813 License Fees on Residents Not to Exceed Those on Nonresidents It shall be unlawful for any township to impose [by resolution or] exast or collect [under the provisions of any resolution heretofore or hereafter enacted] any license tax or fee upon or from any manufacturer or the agent representative or employe of any manufacturer who is a resident of the Commonwealth for soliciting orders for or for selling any goods merchandise or wares manufactured within this Commonwealth that is not or cannot legally be imposed upon or exacted or collected from any manufacturer or Dealer or the Agent Representative or Employe of any manufacturer who is a nonresident of the Commonwealth for soliciting orders for or for selling any goods merchandise or wares manufactured without the Commonwealth

Article XIX

Parks Playgrounds Gymnasiums Public Baths Swimming Pools Indoor Recreation Centers and Forests

Section 1901 Designation and Acquisition of Lands The [township] supervisors of any township may by ordinance designate and set apart for use as parks playgrounds playfields gymnasiums public baths swimming pools or indoor recreation centers hereinafter called recreation places any lands or buildings owned by such township and not dedicated or devoted to other public use Such township may in such manner as may be authorized or provided by law for the acquisition of lands or buildings for public purposes in such township acquire lands or buildings therein for [use as parks playgrounds playfields gymnasiums public baths swimming pools or indoor recreation centers] any of such purposes or if there be no law authorizing such acquisition the township supervisors may acquire lands or buildings for such purposes by gift or purchase or may lease lands or buildings in such township for temporary use for such purposes

Section 1902 Park and Recreation Boards The authority to supervise and maintain [parks playgrounds playfields gymnasiums public baths swimming pools or indoor] such recreation [centers] places may be vested in any existing body or board or in a park board or recreation board as the township supervisors may determine The [local authorities of any such township] supervisors may equip operate and maintain [the parks playgrounds playfields gymnasiums swimming pools public baths or indoor] such recreation [centers] places as authorized by this [act] article Such [local authorities] supervisors may for the purpose of carrying out the provisions of this [act] article employ play leaders recreation directors supervisors superintendents or any other officers or employes as they deem proper

Section 1903 Appointment of Park and Recreation Boards If the township supervisors shall determine that the power to equip operate and maintain [parks playgrounds playfields gymnasiums public baths swimming pools or] such recreation [centers] places shall be exercised by a park board or recreation board they may establish in said township such park board or recreation board [which shall possess all the powers and be subject to all the responsibilities of the respective local authorities under this act] Either of such boards when established shall consist of five persons The members of such boards shall be appointed by the supervisors and shall serve for terms of five years or until their successors are appointed except that the members of such board first appointed shall be appointed for such terms that the term of one member shall expire annually thereafter Members of such board shall serve without pay Women shall be eligible for appointment Vacancies in such board occurring otherwise than by expiration of term shall be for the unexpired term and shall be filled in the same manner as original appointments

Section 1904 Officers of Board The members of a park board or recreation board established pursuant to this [act] article shall elect their own chairman and secretary and select all other necessary officers to serve for a period of one year and may with the prior approval of the supervisors employ such persons as may be needed as authorized by this [act] article Such boards shall have power to adopt rules and regulations for the conduct of all business within their jurisdiction

Section 1905 Joint Municipal Acquisitions Any township may jointly with any one or more townships boroughs and cities acquire property for and operate and maintain any [parks playgrounds playfields gymnasiums public baths swimming pools or indoor] such recreation [centers] places

Section 1906 Bond Issues The township supervisors may issue bonds for the purpose of acquiring lands or buildings for [parks playgrounds playfields gymnasiums swimming pools public baths or indoor] such recreation [centers] places and for the equipment thereof

Section 1907 Cost of Maintenance Annual Tax Levies All expenses incurred in the operation of such [parks playgrounds playfields gymnasiums swimming pools public baths or indoor] recreation [centers] places established as herein provided shall be payable from the [treasury of such] general township fund The [local authorities of such township having power to appropriate money therein] supervisors may annually appropriate and cause to be raised by taxation such tax not to exceed two mills on the dollar of the assessed valuation of taxable property in such township for the purpose of maintaining and operating [parks playgrounds playfields gymnasiums public baths swimming pools and] such recreation [centers] places

Section 1908 Right of Acquisition of Forest Lands Townships may require by purchase gift or lease and hold tracts of land covered with forest or tree growth or suitable for the growth of trees and administer the same under the direction of the [Secretary] Department of Forests and Waters in accordance with the practices and principles of scientific forestry for the benefit of the township Such tracts may be of any size suitable for the purpose and may be located within or without the township limits

Section 1909 Approval of Secretary of Forests and Waters Before the passage of any [resolution] ordinance for the acquisition of land to be used as township forests the

township supervisors shall submit to the [Secretary] Department of Forests and Waters and secure [his] its approval of the area and location of such land

Section 1910 Resolution and Notice Whenever the township supervisors deem it expedient to acquire any lands for forests they shall so declare by [a resolution] an ordinance wherein shall be set forth all facts and conditions relating to the proposed action [which proposed resolution shall be advertised once a week for three weeks prior to its passage]

Section 1911 Appropriation for Acquisition All money necessary for the purchase of such tracts shall be appropriated in the same manner as appropriations for township purposes and such funds may be provided from the current revenue or by the proceeds of a sale of general obligation bonds in accordance with existing law

Section 1912 Control of Forests by Secretary of Forests and Waters Upon the acquisition of any forests or lands suitable for forests the township supervisors shall notify the [Secretary] Department of Forests and Waters [who] which shall make such rules for the government and proper administration of the same as may be deemed necessary and the [secretary] department shall publish such rules declare the uses of the forest in accordance with the intent of this article and make such provision for its administration maintenance protection and development as shall be deemed necessary or expedient The rules governing the administration of such forests shall have for their main purpose the producing of a continuing township revenue by the sale of forest products

Section 1913 Appropriation for Maintenance All moneys necessary to be expended for the administration maintenance protection and development of such forests shall be appropriated and applied as is now done for township purposes All revenue and emoluments arising from such forests shall be paid into the general township [treasury to be used for general township purposes] fund

Section 1914 Use of Township Forests as Outing Grounds Township forest may be used by the public as general outing or recreation grounds subject to the rules of the Department of Forests and Waters governing their administration and rules adopted by the supervisors not inconsistent with law and the rules of the department

Section 1915 Disposition of Township Forests Procedure Ordinance Submission of Question Whenever the township supervisiors deem it expedient to [alienate] sell or release any forest or part thereof or products therefrom they shall so declare by [a resolution] an ordinance wherein shall be set forth all the facts and conditions relating to the proposed action [which proposed resolution shall be advertised once a week for three weeks prior to its passage] No [resolution] ordinance shall be effective in legalizing such alienation until it has been approved by a majority vote of the people at the next ensuing election

Section 1916 Appropriation of Moneys to Forestry Organizations The supervisors of any township may appropriate moneys from [ther respective counties] the general township fund to any forest protection association cooperating in forest work with [State] Department of Forests and Waters or to be expended in direct cooperation with [said Department of Forests and Waters] such department in forest work

Section 1917 Approval of Electors for Acquisition of Land The township supervisors hereby are authorized on behalf of the township to accept the title to land which may be donated to the township for any of the purposes mentioned in this article [of this act] but none of the other powers conferred upon them by [sections one thousand nine hundred and one thousand nine hundred and sixteen inclusive] this article shall be exercised by them except after the approval thereof by the electors of said township at an election for the purpose held on a regular municipal election day of which election notice shall be given by publication in a newspaper of general circulation in the county in which the township is located [and by at least twenty hand bills posted in as many public places in the township] said publication [and posting] to be at least ten days before the day of election

Section 47 The said act is hereby amended by adding thereto a new article known as Article XX comprised of new Sections 2001 to 2010 inclusive as follows

Article XX

Zoning

Section 2001 Grant of Power For the purpose of promoting health safety morals or the general welfare of townships of the second class the supervisors are hereby empowered to regulate and restrict the height number of stories and size of buildings and other structures their construction alteration extension repair maintenance and all facilities and services in or about such buildings and structures and percentage of lot that may be occupied the size of yards courts and other open spaces the density of population and the location and use of buildings structures and land for trade industry residence or other purposes and may also establish and maintain building lines and set back building lines upon any or all public roads or highways The power hereby granted shall be suspended in any township or part of a township during any period of time that any zoning ordinance adopted pursuant to law by the county commissioners of the county shall continue to be in effect in such township or part of a township and any ordinance adopted by any township before the adoption of such county ordinance shall likewise be suspended during such period The power hereby granted shall not be exercised if taxpayers whose property valuation as assessed for tax purposes within the township shall amount to fifty-one per centum or more of the total property valuation as assessed for tax purposes within the township or within the district of the township affected if the township has been divided into districts as hereinafter provided shall sign and file in the office of the prothonotary of the county in which the ownership is located a written protest against the exercise of such powers

Section 2002 Districts Procedure (a) For any or all said purposes the supervisors may divide the township into districts of such number shape and area as may be deemed best suited to carry out the purpose of this article and within such districts it may regulate and restrict the erection construction reconstruction alteration repair or use of buildings structures or land All such regulations shall be uniform for each class or kind of buildings throughout each district but the regulations in one district may differ from those in another district

(b) The supervisors shall provide by ordinance the manner in which the boundaries of such districts shall be determined and established and from time to time amended or changed However no such boundary shall become effective until after public hearing in relation thereto at which parties in interest and citizens shall have an opportunity to be heard At least fifteen days' notice of the time and place of such hearing shall be published in a newspaper of general circulation in such township

Section 2003 Purpose in View All regulations made pursuant to the powers granted in this article shall be made in accordance with a comprehensive plan and designed to lessen congestion in the roads and highways to secure safety from fire panic and other dangers to promote health and the general welfare to provide adequate light and air to preven the overcrowding of land to avoid undue congestion of population to facilitate the adequate provision of transportation water sewerage schools parks and other public requirements Such regulations shall be made with reasonable consideration among other things to the character of the district and its peculiar suitability for particular uses and with a veiw to conserving the value of buildings and encouraging the most appropriate use of land throughout such municipality

Section 2004 Method of Procedure The supervisors shall exercise the powers granted in Section 2001 hereof by ordinance which shall provide for the enforcement of

the regulations and restrictions established therein by reasonable fines and by the instituting of appropriate actions or proceedings at law or in equity At least one week and not more than three weeks prior to the presentation of the proposed ordinance a notice of intention to consider such proposed ordinance and a brief summary setting forth the principal provisions of the proposed ordinance in such reasonable detail as will give adequate notice of its contents and a reference to the place or posed ordinance may be examined shall be published in the manner provided by law for the publication of ordinances The Department of Internal Affairs shall prepare suitable forms for such notice which may be used by the supervisors of any township for this purpose

The provisions of the ordinance need not be advertised or recorded as in other cases Provisions respecting the construction alteration extension repair care and maintenance of buildings and structures may be supplied by reference to a standard building code approved by the Department of Internal Affairs or to parts thereof determined by the supervisors or such provisions of the ordinance may be supplied by reference to a typed or printed building code prepared under the direction of or accepted by the supervisors or such provisions may consist of a standard code approved as aforesaid or parts thereof and also further provisions typed or printed as aforesaid Copies of the provisions of the ordinance thus adopted by reference shall be made available to any interested party at the cost thereof or may be furnished or loaned without charge and a copy of such provisions of the ordinance whether by reference to a standard building code or a combination of them shall be attached to the ordinance book with the same force and effect as if duly recorded therein

The procedure set forth relating to the adoption of the ordinance may likewise be adopted in amending supplementing or repealing any of the provisions of the ordinance

Section 2005 Changes Such regulations restrictions and boundaries may from time to time be amended supplemented changed modified or repealed In case however of a protest against such change signed by the owners of twenty per cent or more either of the area of the lots included in such proposed change or of those immediately adjacent in the rear thereof extending one hundred feet from the street frontage of such opposite lots such amendment shall not become effective execpt by the favorable vote of all the supervisors

Section 2006 Zoning Commission In order to avail themselves of the powers conferred by this act the supervisors shall appoint a commission of five citizens of the township to be known as the zoning commission to recommend the boundaries of the various original districts and appropriate regulations to be enforced therein Such commission may consult the State Planning Commission of the Department of Commerce and shall make a preliminary report and hold public hearings thereon before submitting its final report and the supervisors shall not take action until they have received the final report of such commission

Section 2007 Board or Adjustment The supervisors may appoint a board of adjustment and in the regulations and restrictions adopted pursuant to the authority of this article may provide that said board of adjustment may in appropriate cases and subject to appropriate conditions and safeguards make special exceptions to the terms of the ordinance in harmony with its general purpose and intent and in accordance with general or specific rules therein contained

The board of adjustment shall consist of three members one of whom shall be designated to serve until the first day of January following the adoption of the zoning ordinance one until the first day of the second January thereafter and one until the first day of the third January thereafter Their successors shall be appointed on the expiration of their respective terms to serve three years The members of the board shall be removable for cause by the appointing authority upon written charges and after public hearing Vacancies shall be filled for the unexpired term of any member whose term becomes vacant

The board of adjustment shall adopt rules in accordance with the provisions of any ordinance adopted pursuant to this article Meetings of the board shall be held at the call of the chairman and at such other times as the board may determine The chairman or in his absence the acting chairman may administer oaths and compel the attendance of witnesses All meetings of the board shall be open to the public The board shall keep minutes of its proceedings showing the vote of each member upon each question or if absent or failing to vote indicating such fact and shall keep records of its examinations and other official actions all of which shall be immediately filed with the township secretary and shall be a public record

Appeals to the board of adjustment may be taken by any person aggrieved or affected by any decision of the supervisors Such appeal shall be taken within a reasonable time as provided by the rules of the board by filing with the township secretary and with the board of adjustment a notice of appeal specifying the grounds thereof The secretary shall forthwith transmit to the board all the papers constituting the record upon which the action appealed from was taken

An appeal shall stay all proceedings in furtherance of the action appealed from unless the supervisors certify to the board of adjustment after the notice of appeal shall have been filed that by reason of facts stated in the certificate a stay would in their opinion cause imminent peril to life and property In such case proceedings shall not be stayed otherwise than by a restraining order which may be granted by the board of adjustment or by a court of record on application on notice to the supervisors and due cause shown

The board of adjustment shall fix a reasonable time for the hearing of the appeal give public notice thereof as well as due notice to the parties in interest and decide the same within a reasonable time Upon the hearing any party may appear in person or by agent or by attorney

The board of adjustment shall have the following powers

(1) To hear and decide appeals where it is alleged there is error in any order requirement decision or determination made by the supervisors in the enforcement of this article or of any ordinance adopted pursuant thereto

(2) To hear and decide special exceptions to the terms of the ordinance upon which such board is required to pass under such ordinance

(3) To authorize upon appeal in specific cases such variance from the terms of the ordinance as will not be contrary to public interest where owing to special conditions a literal enforcement of the provisions of the ordinance will result in unnecessary hardship and so that the spirit of the ordinance shall be observed and substantial justice done

In exercising the above-mentioned powers such board may in conformity with the provisions of this article reverse or affirm wholly or partly or may modify the order requirement decision or determination appealed from and may make such order requirement decision or determination as ought to be made Notice of such decision shall forthwith be given to all parties in interest

Any person aggrieved by any decision of the board of adjustment or any taxpayer or any supervisor may within thirty days after such decision of the board appeal to the court of common pleas of the county by petition duly verified setting forth that such decision is arbitrary capricious an abuse of discretion or otherwise not in accordance with law and specifying the grounds upon which he relies Upon presentation of the petition in proper form the court shall forthwith issue a writ of certiorari directed to the board of adjustment commanding it within twenty days after the service thereof to certify to the court under the certificate of its chaiman its entire record in the matter in which the appeal has been taken The prothonotary shall serve the board of adjustment by registered mail with a copy of the writ and a copy of the appeal petition On or before the return day of the writ the board of adjustment

shall file the entire record with the writ in the office of the prothonotary

Any time during the pendency of an appeal upon application of the appellant and upon due notice to the board of adjustment the court or a judge thereof may after hearing grant an order of supersedeas upon such terms and conditions including the filing of security as the court or the judge thereof may prescribe

If upon the hearing of the appeal it shall appear to the court that testimony is necessary for the proper disposition of the appeal it may take evidence or appoint a referee to take such evidence as it may direct and report the same to the court with his findings of fact and conclusions of law The court may reverse or affirm in whole or in part or may modify the decision appealed as to it may appear just and proper

Costs shall not be allowed against the board unless it shall appear to the court that it acted with gross negligence or in bad faith or with malice in making the decision appealed from

Section 2008 Remedies In case any building or structure is erected constructed reconstructed altered repaired converted altered repaired converted or maintained or any building structure or land is used in violation of this article or of any ordinance or other regulation made under authority conferred hereby the supervisors in addition to other remedies may institute any appropriate action or proceedings to prevent such unlawful erection construction reconstruction alteration repair conversion maintenance or use to restrain correct or abate such violation to prevent the occupancy of said building structure or land or to prevent any illegal act conduct business or use in or about such premises

Section 2009 Certain Buildings of Public Utility Corporations Exempted This article shall not apply to any existing or proposed building or extension thereof used or to be used by a public utility corporation if upon petition of the corporation the Public Utility Commission shall after a public hearing decide that the present or proposed situation of the building in question is reasonably necessary for the convenience or welfare of the public

Section 2010 Finances The supervisors are empowered to appropriate out of the general township fund such moneys otherwise unappropriated as they may deem fit to finance the work of the township zoning commission and the board of adjustment and to enforce the zoning regulations and restrictions which are adopted and to accept grants of money and service for these purposes from either private or public sources State or Federal

Section 48 The said act is hereby amended by renumbering Article XX as Article XXI and Sections 2001 to 2006 inclusive as Sections 2101 to 2106 inclusive as follows

Article [XX] XXI

Actions By and Against Townships

Section [2001] 2101 Supervisors to Bring and Defend Suits All suits by a township shall be brought and conducted by the township supervisors In all suits against a township [process shall be served upon and] defense shall be made by the township supervisors

Section [2002] 2102 Right of Taxpayers to Inquire Into Judgments Any taxpayer of any township may inquire into the validity of any judgment or defend the township in any suit or judgment upon filing a petition with the court of common pleas of the county in which suit is pending or judgment exists accompanied by an affidavit that the taxpayer believes that injustice will be done to the township in such suit or judgment Whenever it is deemed necessary the court may order such taxpayer to file a bond with one or more sureties to be approved by court to save harmless the township from all the costs that may accrue in such proceeding subsequent to the filing of such petition

Section [2003] 2103 Appeals by Taxpayers Whenever a judgment is rendered by any justice of the peace or alderman against any township and a right of appeal is given to such township and for ten days immediately after the rendition of such judgment the township officials neglect to perfect an appeal any taxpayer of such township may take an appeal in behalf of the township from such judgment to the court of common pleas of the county within the time prescribed for the taking of such appeal

Section [2004] 2104 Affidavit and Bail by Taxpayers In taking the appeal the taxpayer shall make an affidavit that the same is not taken for the purpose of delay but because he verily believes that injustice has been done The taxpayer shall pay the costs of the appeal and enter sufficient bail for the payment of all costs before the justice of the peace or alderman and all costs in the court of common pleas

Section [2005] 2105 Taxpayers Parties to Suits Upon the filing of such appeal in the court of common pleas of the county the taxpayer shall be made a party to the suit and shall have the right to defend such township therein

Section [2006] 2106 Recovery of Municipal Claims In addition to the remedies provided by law for the filing of liens for the collection of municipal claims [all townships] a township may proceed for the recovery and collection of any municipal [claims] claim by action of assumpsit against the person [or persons] who [were] was the owner [or owners] of the property at the time of the completion of the improvement notwithstanding the fact that there was a failure on the part of any such township or its agents to enter [any] such municipal claim as a lien against the property assessed for the improvement and for the recovery of which the action of assumpsit was brought

Any such action in assumpsit shall be commenced within three years after the completion of the improvement from which said claim arises

[This section shall extend to all municipal claims where improvement was heretofore made where the action of assumpsit has been instituted under the provisions of prior acts of Assembly and where the claim is not barred by the statute of limitations affecting actions of debt or assumpsit]

Section 49 The said act is hereby amended by renumbering Article XXI to Article XXII and Section 2101 as Section 2201 and so much of the said section as is hereinafter set forth is hereby reenacted amended and revised as follows

Article [XXI] XXII

Repeals

Section [2101] 2201 Nothing contained in this act shall be construed to revive any act or part of any act repealed by the act reenacted amended or revised by this act

The following additional acts or parts of acts are hereby repealed as respectively indicated

The act approved the first day of May one thousand nine hundred and thirteen (P. L. 155 Number 104) entitled "An act regulating the letting of certain contracts for the erection construction and alteration of public buildings" so far as it relates to townships of the second class

The act approved the tenth day of May one thousand nine hundred and twenty-three (P. L. 198) entitled "An act authorizing courts of quarter sessions to commit the care of certain burial grounds to the councils of boroughs township commissioners and township supervisors of townships and requiring boroughs and townships to pay the expenses in connection therewith" so far as it relates to townships of the second class

The act approved the twenty-second day of June one thousand nine hundred and thirty-one (P. L. 844) "An act authorizing the Commonwealth of Pennsylvania or any department or division thereof and counties cities boroughs incorporated towns townships school districts and poor districts to make contracts of life health and accident policies for the benefit of employes thereof and contracts for pensions for such employes and providing for the payment of the cost thereof" so far as it relates to townships of the second class

The act approved the twenty-second day of June one thousand nine hundred and thirty-one (P. L. 845) entitled "An act authorizing the publication of advertisements for bids for public works supplies or equipment in

certain publications and journals devoted to information about construction work" so far as it relates to townships of the second class

The act approved the first day of May one thousand nine hundred and thirty-five (P. L. 124 Number 47) entitled "An act authorizing the insurance of deposits of funds of this Commonwealth and of the political subdivisions thereof with the Federal Deposit Insurance Corporation or other similar agency and prohibiting requiring further security for amounts so insured" so far as it relates to townships of the second class

The act approved the eighteenth day of July one thousand nine hundred and thirty-five (P. L. 1173) entitled "An act to prohibit discrimination on account of race creed or color in employment under contracts for public buildings or public works" so far as it relates to townships of the second class

The act approved the sixteenth day of March one thousand nine hundred and thirty-seven (P. L. 98) entitled "An act authorizing political subdivisions to stipulate in specifications upon which contracts for the construction alteration or repairs of any public work or improvement are entered into the minimum wages to be paid to laborers and mechanics and providing for the stipulation of penalties in such contracts where such minimum wage stipulations are violated and for the recovery of such penalties and their return in certain cases" so far as it relates to townships of the second class

The act approved the first day of July one thousand nine hundred and thirty-seven (P. L. 2624) entitled "An act authorizing townships of the second class to adopt and enforce zoning ordinances regulating the location construction and use of buildings the size of courts and open spaces the density of population and the use of land" absolutely

The act approved the fifteenth day of May one thousand nine hundred and forty-five (P. L. 538 Number 210) entitled "An act relating to the liabilities of elected and appointed officers of the various political subdivisions and limiting surcharges to the actual financial loss sustained" so far as it relates to townships of the second class

It is the intention that this act shall furnish a complete and exclusive system for the government and regulation of townships except as to the several matters enumerated in section one hundred and three of Article one of the act

All other acts and parts of acts inconsistent with this act are repealed This act shall not repeal or modify any of the provisions of the Public [Service Company] Utility Law [nor the act entitled "An act to preserve the purity of the waters of the State for the protection of the public health" approved the twenty-second day of April one thousand nine hundred and five nor the act of the twenty-fifth day of June one thousand nine hundred and thirteen (P. L. 555) entitled "An act providing for the regulation of dams or other structures or obstructions as defined herein in along across or projecting into all streams and bodies of water wholly or partly within or forming part of the boundary of this Commonwealth vesting certain powers and duties in the Water Supply Commission of Pennsylvania for this purpose and providing penalties for the violation of the provisions hereof" except as modified by section one thousand three hundred and fifteen herein] nor any local or special law nor any law relating to the Board of Commissioners of Navigation for the River Delaware and its navigable tributaries nor the provisions of any law the enforcement of which is vested in the department of Health the Sanitary Water Board the Department of Forests and Waters or the Water and Power Resources Board nor shall this act repeal or modify any of the provisions of any act of Assembly amendatory of law in force at the time of the passage of this act or otherwise adopted at the session of the General Assembly of one thousand nine hundred and [thirty-three] forty-seven whether such acts were adopted prior to the passage of this act or shall be adopted subsequent to the passage of this act nor shall this act repeal any such act or part thereof in force at the time of the passage of this act which is amended by any act of Assembly adopted at the session of the General Assembly of one thousand nine hundred and [thirty-three] forty-seven

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—199

Aaronson,	Frost,	McCosker,	Sax,
Andrews,	Gallagher,	McCullough,	Scanlon,
Bane,	Getchey,	McDonald,	Schuster,
Barrett,	Gibson,	McKinney,	Scott,
Baumunk,	Goff,	McMillen,	Serrill,
Beech,	Goodling,	Mihm,	Shoemaker,
Bender,	Gorman,	Mikula,	Simons,
Bentzel,	Graybill,	Miller,	Smith, C. C.,
Bloom,	Greenwood,	Mills,	Smith, C. M.,
Boies,	Greer,	Mintess,	Snider,
Boorse,	Griffiths,	Mohr,	Sollenberger,
Bower,	Guthrie,	Mooney,	Sorg,
Breisch,	Gyger,	Moore, C. E.,	Sproul,
Brice,	Haller,	Moore, H. A.,	Stank,
Brown,	Haudenshield,	Morrison,	Stimmel,
Brunner,	Helm,	Murray,	Stockham,
Bucchin,	Henry,	Myers,	Stonier,
Cadwalader,	Hewitt,	Najaka,	Stuart,
Capano,	Hoffman,	Naumann,	Swope,
Cassidy,	Hoopes,	Needham,	Tahl,
Chervenak,	Horan,	Neff,	Thomassy,
Chudoff,	Imbt,	Nelson,	Thompson,
Clevenger,	Jennings,	O'Connor,	Tompkins,
Cochran,	Johnson,	O'Dare,	Toomey,
Cole,	Johnston,	O'Donnell,	Turner,
Cook,	Jones,	O'Neill,	Upshur,
Cooper,	Jump,	Orban,	Vaughan,
Cordier,	Kean,	Patten,	Verona,
Costa,	Kelley,	Petrosky,	Wachhaus,
Crowley,	Kemp,	Pichney,	Wagner,
Dague,	Kent,	Pickens,	Waldron,
Dalrymple,	Kirley,	Polaski,	Wallin,
Davison,	Kline,	Powers,	Walton,
De Long,	Kohl,	Price,	Waterhouse,
Demech,	Kratz,	Propert,	Watkins,
Dennison,	Krise,	Ragot,	Watson,
Depuy,	Kurtz,	Readinger,	Weidner,
Dix,	Laughner,	Reagan,	Weiss,
Dye,	Layer,	Reese, R. E.,	Wescott,
Efenberg,	Lee,	Reilly, J. M.,	West,
Elder,	Leisey,	Reilly, W. J.,	Wheeler,
Erb,	Livingston,	Richter,	Wolf,
Evans,	Livingstone,	Riley,	Wood,
Ewing,	Loftus,	Robbins,	Worley,
Feola,	Lovett,	Robertson,	Yeakel,
Fish,	Lyons,	Root,	Yester,
Fiss,	Madden,	Rose,	Yetzer,
Flack,	Madigan,	Rowen,	Young,
Fleming,	Mazza,	Royer,	Lichtenwalter,
Foor	McCormack,	Sarraf,	Speaker.

NAYS—4

Bonawitz,	Hocker,	Reese, D. P.,	Tittle,

NOT VOTING—2

Hall,	Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

BILLS ON THIRD READING

BILLS PASSED OVER

Mr. CHUDOFF. Mr. Speaker, I would like to have

House Bills 18, 19, 20, 23, 24, 25 and 26 passed over temporarily. I am having amendments drawn by the Legislative Reference Bureau and they will be here before we adjourn.

Mr. VAUGHAN. Mr. Speaker, I object to the bills going over in order. I would like to have them called up now.

Mr. ANDREWS. Mr. Speaker, I would suggest to the gentleman that he consult with the gentleman from Philadelphia as to the nature of the amendments. If the gentleman insists that he cannot delay a few minutes, I know a subtle expedient that will delay these bills considerably.

Mr. VAUGHAN. I have talked with the gentleman from Philadelphia, Mr. Speaker, but I will agree to pass them over temporarily.

The SPEAKER. If there is no objection, these bills will be passed over temporarily. The Chair hears none, and the bills are passed over.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 216, as follows:

An Act authorizing the Joint State Government commission to study the educational facilities and needs of the citizens in certain educational fields the financing administration and other features of collegiate institutions prescribing the powers and duties and making an appropriation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Joint State Government Commission hereinafter termed "commission" is hereby authorized to make a complete study of the educational facilities and needs of the citizens of this Commonwealth in the field of formal education commencing with graduation from high school This study shall embrace the present college facilities their financing administration the courses offered in said colleges and the educational needs of the applicants for admission to college and such other factors as may be germane to a complete study of post-high school education This study shall include universities colleges teachers colleges junior colleges and all other institutions requiring graduation from high school for admission

Section 2 A committee which shall consist of fifteen (15) representatives of educational and other interests in the several geographical sections of the Commonwealth shall be appointed ten (10) of whom shall be appointed by the Governor two members shall be appointed by the Speaker of the House of Representatives and two members shall be appointed by the President Pro Tempore of the Senate of the General Assembly the Superintendent of Public Instruction shall be a member of the committee It shall be the duty of this committee to cooperate with the Joint State Government Commission in making the study referred to in section one

The commission shall have power to employ any competent and qualified educational agency to make a survey The commission shall file a report with the Governor and the General Assembly on or before the fifteenth day of November one thousand nine hundred forty-eight together with such drafts of legislation as may be necessary to carry out its recommendations

Section 3 All members of the commission shall serve without pay but shall be reimbursed for their necessary traveling expenses

Section 4 The sum of one hundred thousand dollars ($100,000) or so much thereof as may be necessary is hereby specifically appropriated to the commission for the payment of the expenses of the members and for the payment of the compensation and expenses of investigators experts assistants and employes for supplies and printing and for all other expenses deemed necessary and proper by the commission

Section 5 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Frost,	McCosker,	Sax,
Andrews,	Gallagher,	McCullough,	Scanlon,
Bane,	Getchey,	McDonald,	Schuster,
Barrett,	Gibson,	McKinney,	Scott,
Baumunk,	Goff,	McMillen,	Serrill,
Beech,	Goodling,	Mihm,	Shoemaker,
Bender,	Gorman,	Mikula,	Simons,
Bentzel,	Graybill,	Miller,	Smith, C. C.,
Bloom,	Greenwood,	Mills,	Smith, C. M.,
Boles,	Greer,	Mintess,	Snider,
Bonawitz,	Griffiths,	Mohr,	Sollenberger,
Boorse,	Guthrie,	Mooney,	Sorg,
Bower,	Gyger,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenshield,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Bucchin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,
Clevenger,	Jennings,	O'Dare,	Tompkins,
Cochran,	Johnson,	O'Donnell,	Toomey,
Cole,	Johnston,	O'Neill,	Turner,
Cook,	Jones,	Orban,	Upshur,
Cooper,	Jump,	Patten,	Vaughan,
Cordier,	Kean,	Petrosky,	Verona,
Costa,	Kelley,	Pichney,	Wachhaus,
Crowley,	Kemp,	Pickens,	Wagner,
Dague,	Kent,	Polaski,	Waldron,
Dalrymple,	Kirley,	Powers,	Wallin,
Davison,	Kline,	Price,	Walton,
De Long,	Kohl,	Propert,	Waterhouse,
Demech,	Kratz,	Ragot,	Watkins,
Dennison,	Krise,	Readinger,	Watson,
Depuy,	Kurtz,	Reagan,	Weidner,
Dix,	Laughner,	Reese, D. P.,	Weiss,
Dye,	Layer,	Reese, R. E.,	Wescott,
Efenberg,	Lee,	Reilly, J. M.,	West,
Elder,	Leisey,	Reilly, W. J.,	Wheeler,
Erb,	Livingston,	Richter,	Wolf,
Evans,	Livingstone,	Riley,	Wood,
Ewing,	Loftus,	Robbins,	Worley,
Feola,	Lovett,	Robertson,	Yeakel,
Fish,	Lyons,	Root,	Yester,
Fiss,	Madden,	Rose,	Yetzer,
Flack,	Madigan,	Rowen,	Young,
Fleming,	Mazza,	Royer,	Lichtenwalter,
Foor,	McCormack,	Sarraf,	Speaker.

NAYS—0

NOT VOTING—2

Hall, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

PERMISSION TO ADD ADDITIONAL SPONSOR

Mr. STUART asked and obtained unanimous consent to add the name of Mr. Petrosky as an additional sponsor to House Bill 309.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 309, as folows:

An Act to further amend section seven of the act approved the fourth day of June one thousand nine hundred forty-three (P. L. 883) entitled "An act authorizing and directing the Department of Highways to erect and maintain as a post war construction project a toll bridge over the Allegheny River between a point in or near the Borough of Tarentum Allegheny County and a point in Westmoreland County and to provide the necessary approaches and connections with State highways providing for the acceptance of Federal aid empowering counties to pay certain damages providing for the collection of tolls on such bridge and making an appropriation" appropriating additional funds from the Motor License Fund for the construction of said bridge

The General Assembly of the Commonwealth of Pennsylvania ehreby enacts as follows

Section 1 Section seven of the act approved the fourth day of June one thousand nine hundred forty-three (P. L. 883) entitled "An act authorizing and directing the Department of Highways to erect and maintain as a post war construction project a toll bridge over the Allegheny River between a point in or near the Borough of Tarentum Allegheny County and a point in Westmoreland County and to provide the necessary approaches and connections with State highways providing for the acceptance of Federal aid empowering counties to pay certain damages providing for the collection of tolls on such bridge and making an appropriation" as amended by the act approved the seventeenth day of May one thousand nine hundred forty-five (P. L. 626) is hereby further amended to read as follows

Section 7 The sum of [two] three million dollars or so much as is necessary for the preparation of plans for the construction of said bridge and approaches theerto and connections with State highways and for the payment of damages for property taken or destroyed and for the construction of said bridge and approaches thereto is hereby appropriated out of moneys in the Motor License Fund to the Department of Highways for said purposes

Section 2 The provisions of this act shal become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Frost,	McCosker,	Sax,
Andrews,	Gallagher,	McCullough,	Scanlon,
Bane,	Getchey,	McDonald,	Schuster,
Barrett,	Gibson,	McKinney,	Scott,
Baumunk,	Goff,	McMillen,	Serrill,
Beech,	Goodling,	Mihm,	Shoemaker,
Bender,	Gorman,	Mikula,	Simons,
Bentzel,	Graybill,	Miller,	Smith, C. C.,
Bloom,	Greenwood,	Mills,	Smith, C. M.,
Boies,	Greer,	Mintess,	Snider,
Bonawitz,	Griffiths,	Mohr,	Sollenberger,
Boorse,	Guthrie,	Mooney,	Sorg,
Bower,	Gyger,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenshield,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Bucchin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,
Clevenger,	Jennings,	O'Dare,	Tompkins,
Cochran,	Johnson,	O'Donnell,	Toomey,
Cole,	Johnston,	O'Neill,	Turner,
Cook,	Jones,	Orban,	Upshur,
Cooper,	Jump,	Patten,	Vaughan,
Cordier,	Kean,	Petrosky,	Verona,
Costa,	Kelley,	Pichney,	Wachhaus,
Crowley,	Kemp,	Pickens,	Wagner,
Dague,	Kent,	Polaski,	Waldron,
Dalrymple,	Kirley,	Powers,	Wallin,
Davison,	Kline,	Price,	Walton,
De Long,	Kohl,	Propert,	Waterhouse,
Demech,	Kratz,	Ragot,	Watkins,
Dennison,	Krise,	Readinger,	Watson,
Depuy,	Kurtz,	Reagan,	Weidner,
Dix,	Laughner,	Reese, D P.,	Weiss,
Dye,	Layer,	Reese, R E.,	Wescott,
Efenberg,	Lee,	Reilly, J. M.,	West,
Elder,	Leisey,	Reilly, W. J.,	Wheeler,
Erb,	Livingston,	Richter,	Wolf,
Evans,	Livingstone,	Riley,	Wood,
Ewing,	Loftus,	Robbins,	Worley,
Feola,	Lovett,	Robertson,	Yeakel,
Fish,	Lyons,	Root,	Yester,
Fiss,	Madden,	Rose,	Yetzer,
Flack,	Madigan,	Rowen,	Young,
Fleming,	Mazza,	Royer,	Lichtenwalter,
Foor,	McCormack,	Sarraf,	Speaker.

NAYS—0

NOT VOTING—2

Hall,	Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 647, as follows:

An Act to add section one thousand two hundred forty-two point one to the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 30) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local of any parts thereof that are or may be inconsistent therewith" making special provision for reimbursement of school districts under certain circumstances

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act aproved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as amended by the act approved the twenty-ninth day of May one thousand nine hundred forty-five (P. L. 1112) is hereby amended by adding after section one thousand two hundred forty-two thereof a new section to read as follows

Section 242.1 With the approval of the State Council of Education any school district which maintains one or more public high schools for which more teachers are employed than one for each twenty-two district pupils in average daily membership in such public high school or high schools shall be paid by the Commonwealth for the school year 1946-1947 and for every school year thereafter for which such payment is approved on account of the instruction of all pupils in average daily membership in the district's public schools and joint elementary schools an amount to be determined by multiplying the maximum subsidy per teaching unit by the district's standard reimbursement fraction and the number of teachers necessary to offer an adequate program for both elementary

and high schools as determined by the State Council of Education

The State Council of Education shall evaluate the adequacy of the program of any district applying for payments under the provisions of this section and shall determine the number of teachers for both elementary and high schools necessary to offer an adequate program In no case shal the district be credited with more teachers than it actually employs The State Council of Education shall not approve any application unless topography distance or condition of roads are such as to make transportation of pupils to the high school of another district willing and capable of admitting the pupils impractical

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Aaronson,	Frost,	McCosker,	Sax,
Andrews,	Gallagher,	McCullough,	Scanlon,
Bane,	Getchey,	McDonald,	Schuster,
Barrett,	Gibson,	McKinney,	Scott,
Baumunk,	Goff,	McMillen,	Serrill,
Beech,	Goodling,	Mihm,	Shoemaker,
Bender,	Gorman,	Mikula,	Simons,
Bentzel,	Graybill,	Miller,	Smith, C. C.,
Bloom,	Greenwood,	Mills,	Smith, C. M.,
Boles,	Greer,	Mintess,	Snider,
Bonawitz,	Griffiths,	Mohr,	Sollenberger,
Boorse,	Guthrie,	Mooney,	Sorg,
Bower,	Gyger,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenshield,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stuart,
Bucchin,	Hewitt,	Najaka,	Swope,
Cadwalader,	Hocker,	Naumann,	Tahl,
Capano,	Hoffman,	Needham,	Thomassy,
Cassidy,	Hoopes,	Neff,	Thompson,
Chervenak,	Horan,	Nelson,	Tittle,
Chudoff,	Imbt,	O'Connor,	Tompkins,
Clevenger,	Jennings,	O'Dare,	Toomey,
Cochran,	Johnson,	O'Donnell,	Turner,
Cole,	Johnston,	O'Neill,	Upshur,
Cook,	Jones,	Orban,	Vaughan,
Cooper,	Jump,	Patten,	Verona,
Cordier,	Kean,	Petrosky,	Wachhaus,
Costa,	Kelley,	Pichney,	Wagner,
Crowley,	Kemp,	Pickens,	Waldron,
Dague,	Kent,	Polaski,	Wallin,
Dalrymple,	Kirley,	Powers,	Walton,
Davison,	Kline,	Price,	Waterhouse,
De Long,	Kohl,	Propert,	Watkins,
Demech,	Kratz,	Ragot,	Watson,
Dennison,	Krise,	Readinger,	Weidner,
Depuy,	Kurtz,	Reagan,	Weiss,
Dix,	Laughner,	Reese, D P.,	Wescott,
Dye,	Layer,	Reese, R. E.,	West,
Efenberg,	Lee,	Reilly, J. M.,	Wheeler,
Elder,	Leisey,	Reilly, W. J.,	Wolf,
Erb,	Livingston,	Richter,	Wood,
Evans,	Livingstone,	Riley,	Worley,
Ewing,	Loftus,	Robbins,	Yeakel,
Feola,	Lovett,	Robertson,	Yester,
Fish,	Lyons,	Root,	Yetzer,
Fiss,	Madden,	Rose,	Young,
Flack,	Madigan,	Rowen,	Lichtenwalter,
Fleming,	Mazza,	Royer,	Speaker.
Foor,	McCormack,	Sarraf,	

NAYS—1

Stonier,

NOT VOTING—2

Hall, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 744, entitled:

An Act to add clause LXIV to section one thousand two hundred two of the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" authorizing charges for borough services and facilities

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED

Mr. HOFFMAN. Mr. Speaker, I move that this bill be recommitted to the Committee on Boroughs for the purpose of further study and possible amendment.

The motion was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 758, entitled:

An Act to further amend the act, approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858), entitled "An act establishing a State employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing State employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon the heads of departments in which State employes serve; excepting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," by further defining "State employe" and "original member" to include Members of the General Assembly at their option; and permitting such members to retire under certain circumstances.

On the question,

Will the House agree to the bill on third reading?

Mr. WOOD. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend Sec. 1, page 2, line 1, by inserting after the word "six" the following: "seven."

Amend Sec. 1 (Sec. 1), page 4, line 1, by inserting after the word "purposes" the following: "and also all present or former members of the General Assembly who receive or have received their salaries for regular and special sessions of the Legislature as fixed by law."

Amend Sec. 1 (Sec. 1), page 6, lines 5 and 6, by striking out the words "Members of the General Assembly and".

Amend Sec. 1 (Sec. 1), page 6, by inserting between lines 15 and 16 the following: "7. 'Head of the Department' as applied to State employes shall mean the head of the department or branch of service not a department of the Commonwealth of Pennsylvania of which the State employe is a member, and shall include all judges of the several courts of this Commonwealth whose salaries are paid by the Commonwealth, in the case of

all members of the General Assembly "Head of the Department" shall mean wherever practicable the Chief Clerk of the Senate and the Chief Clerk of the House of Representatives."

Amend Sec. 1 (Sec. 1), page 9, by inserting after line 2 the following: "Original member of the retirement association shall also mean any person who was formally a member of the General Assembly and who on the effective date of this amendment is a contributor."

Amend Sec. 2, page 9, line 3, by striking out the words "Section three" and inserting in lieu thereof: "Sections three and ten."

Amend Sec. 2, page 10, by inserting after line 18, the following: "Service Allowance. Section 10. In computing the length of service of a contributor for retirement purposes under the provisions of this act, full credit shall be given to each original member by the retirement board for each year of prior service as a State employe as defined in section one, paragraphs six and and thirteen of this act. As soon as practicable after each original member shall have joined the retirement association, the retirement board shall issue to him or her a certificate certifying to the aggregate length of his or her prior service. Such certificate shall be final and conclusive as to his or her prior service, unless thereafter modified by the retirement board either upon application by the member or upon its own initiative. The time during which a State employe is absent without pay shall not be counted in computing the service or the average salary of a contributor.

"In the case of any contributor who at any time prior to becoming such contributor has been a member of the General Assembly, the period for such service as such member of the General Assembly shall be included in computing the period of service of such contributor as if he or she had been an original member."

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 865, as follows:

An Act to further amend section nine hundred six and to amend section one thousand two hundred one of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" reducing the number of times publication of notice of officers to be elected and time of November elections shall be given in certain counties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section nine hundred six of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" as amended by the act approved the ninth day of March one thousand nine hundred forty-five (P. L. 29) is hereby further amended to read as follows

Section 906 Publication of Notice of Officers to Be Nominated and Elected Beginning not earlier than twelve weeks nor later than eleven weeks before any regular Spring or Summer primary the county board of each county shall publish in newspapers as provided by section 106 of this act a notice setting forth the number of delegates and alternate delegates to the National convention of each party who are to be elected in the State at large at the ensuing primary and the number of delegates and alternate delegates who are to be elected at the said primary in said county or in any district of which said county or part thereof forms a part and also setting forth the names of all public offices for which nominations are to be made and the names of all party offices including that of members of the National committee if any and State committee for which candidates are to be elected at said primary in said county or in any district of which such county or part thereof forms a part or in the State at large Said notice shall contain the date of the primary and shall be published twice in separate weeks in counties of the first and second class and in all other counties shall be published once [each week for two successive weeks]

Section 2 Section one thousand two hundred one of said act is hereby amended to read as follows

Section 1201 Notice of November Elections The county board of each county shall at least ten days before each November election give notice of the same by newspaper publication in the county in accordance with the provisions of section 106 of this act [once a week for two successive weeks immediately prior thereto] in counties of the first and second class such notice shall be published twice in separate weeks and in all other counties shall be published once Such notice shall set forth (a) the officers to be elected in the State at large or in said county or in any district of which said county or part thereof forms a part or in any city borough township school district poor district ward or other district which is contained in such county (b) the names of the candidates for election to Federal State county and city offices whose names will appear upon the ballots or ballot labels (c) the text of all constitutional amendments and other questions to be submitted at such election (d) the places at which the election is to be held in the various election districts of the county and (e) the date of the election and the hours during which the polls will be open Such notice may include a portion of the for mof ballot or diagram of the face of the voting machine in reduced size

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Frost,	McCosker,	Sax,
Andrews,	Gallagher,	McCullough,	Scanlon,
Bane,	Getchey,	McDonald,	Schuster,
Barrett,	Gibson,	McKinney,	Scott,
Baumunk,	Goff,	McMillen,	Serrill,
Beech,	Goodling,	Mihm,	Shoemaker,
Bender,	Gorman,	Mikula,	Simons,
Bentzel,	Graybill,	Miller,	Smith, C. C.,
Bloom,	Greenwood,	Mills,	Smith, C. M.,
Boies,	Greer,	Mintess,	Snider,

Bonawitz,	Griffiths,	Mohr,	Sollenberger,
Boorse,	Guthrie,	Mooney,	Sorg,
Bower,	Gyger,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenshield,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Bucchin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Jones,	O'Connor,	Tittle,
Clevenger,	Imbt,	O'Dare,	Tompkins,
Cochran,	Jennings,	O'Donnell,	Toomey,
Cole,	Johnson,	O'Neill,	Turner,
Cook	Johnston,	Orban,	Upshur,
Cooper,	Jump,	Patten,	Vaughan,
Cordier,	Kean,	Petrosky,	Verona,
Costa,	Kelley,	Pichney,	Wachhaus,
Crowley,	Kemp,	Pickens,	Wagner,
Dague,	Kent,	Polaski,	Waldron,
Dalrymple,	Kirley,	Powers,	Wallin,
Davison,	Kline,	Price,	Walton,
De Long,	Kohl,	Propert,	Waterhouse,
Demech,	Kratz,	Ragot,	Watkins,
Dennison,	Krise,	Readinger,	Watson,
Depuy,	Kurtz,	Reagan,	Weidner,
Dix,	Laughner,	Reese, D. P.,	Weiss
Dye,	Layer,	Reese, R. E.,	Wescott,
Efenberg,	Lee,	Reilly, J. M.,	West,
Elder,	Leisey,	Reilly, W. J.,	Wheeler,
Erb,	Livingston,	Richter,	Wolf,
Evans,	Livingstone,	Riley,	Wood,
Ewing,	Loftus,	Robbins,	Worley,
Feola,	Lovett,	Robertson,	Yeakel,
Fish,	Lyons,	Root,	Yester,
Fiss,	Madden,	Rose,	Yetzer,
Flack,	Madigan,	Rowen,	Young,
Fleming,	Mazza,	Royer,	Lichtenwalter,
Foor,	McCormack,	Sarraf,	Speaker.

NAYS—0

NOT VOTING—2

Hall,	Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 885, entitled:

An Act to add section one thousand three hundred one point two to the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" authorizing the levy and collection of an additional tax to provide pensions retirement or the purchase of annuity contracts for municipal employes

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED

Mr. HOFFMAN. Mr. Speaker, I move that this bill be recommitted to the Committee on Boroughs for the purpose of further study and possible amendment.

The motion was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 891, as follows:

An Act to amend section eight hundred ten of the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" providing for the election and terms of councilmen in cases of invalid elections

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section eight hundred ten of the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" is hereby amended to read as follows

Section 810 Election of Councilmen At the municipal election to be held in the year one thousand nine hundred and twenty-seven there shall be elected in each borough a sufficient number of councilmen to equal one-half of the entire number of which such council is legally composed to serve for a term of four years from the first Monday of January next succeeding and where such entire number is seven nine or eleven then sufficient to constitute three four or five as the case may be the aforesaid councilmen to be elected in the year one thousand nine hundred and twenty-seven being successors to those elected in the year one thousand nine hundred and twenty-three whose terms as heretofore provided by law expire on the first Monday of January one thousand nine hundred and twenty-eight All councilmen whose terms expire on the first Monday of January one thousand nine hundred and thirty shall continue to hold their office until the first Monday of January one thousand nine hundred and thirty as now provided and their successors shall be elected at the municipal election in the year one thousand nine hundred and twenty-nine to serve for a term of four years from the first Monday of January next succeeding Biennially thereafter at the municipal election a sufficient number of councilmen shall be elected for a term of four years from the first Monday of January next succeeding to fill the places of those whose terms under the provisions of this act shall expire on the first Monday of January next following such election Provided That in any case where an election of councilmen has heretofore or shall hereafter be declared invalid by judicial decision and the councilmen in office at the time of such election hold over by reason thereof at the next succeeding municipal election the same number of councilmen that should have been elected at the election which was declared invalid shall be elected for a term of four years from the first Monday of January next succeeding to succeed the councilmen who held over and the terms of the remaining members of council that would otherwise have expired on such first Monday of January shall be increased by an additional period of two years at the end of which their successors shall be elected for a term of four years

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Frost,	McCosker,	Sax,
Andrews,	Gallagher,	McCullough,	Scanlon,
Bane,	Getchey,	McDonald,	Schuster,
Barrett,	Gibson,	McKinney,	Scott,
Baumunk,	Goff,	McMillen,	Serrill,
Beech,	Goodling,	Mihm,	Shoemaker,
Bender,	Gorman,	Mikula,	Simons,
Bentzel,	Graybill,	Miller,	Smith, C. C.,
Bloom,	Greenwood,	Mills,	Smith, C. M.,
Boies,	Greer,	Mintess,	Snider,
Bonawitz,	Griffiths,	Mohr,	Sollenberger,
Boorse,	Guthrie,	Mooney,	Sorg,
Bower,	Gyger,	Moore, C. E.,	Sproul,

Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenshield,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Bucchin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Naumann,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,
Clevenger,	Jennings,	O'Dare,	Tompkins,
Cochran,	Johnson,	O'Donnell,	Toomey,
Cole,	Johnston,	O'Neill,	Turner,
Cook,	Jones,	Orban,	Upshur,
Cooper,	Jump,	Patten,	Vaughan,
Cordier,	Kean,	Petrosky,	Verona,
Costa,	Kelley,	Pichney,	Wachhaus,
Crowley,	Kemp,	Pickens,	Wagner,
Dague,	Kent,	Polaski,	Waldron,
Dalrymple,	Kirley,	Powers,	Wallin,
Davison,	Kline,	Price,	Walton,
De Long,	Kohl,	Propert,	Waterhouse,
Demech,	Kratz,	Ragot,	Watkins,
Dennison,	Krise,	Readinger,	Watson,
Depuy,	Kurtz,	Reagan,	Weidner,
Dix,	Laughner,	Reese, D. P.,	Weiss,
Dye,	Layer,	Reese, R. E.,	Wescott,
Efenberg,	Lee,	Reilly, J. M.,	West,
Elder,	Leisey,	Reilly, W. J.,	Wheeler,
Erb,	Livingston,	Richter,	Wolf,
Evans,	Livingstone,	Riley,	Wood,
Ewing,	Loftus,	Robbins,	Worley,
Feola,	Lovett,	Robertson,	Yeakel,
Fish,	Lyons,	Root,	Yester,
Fiss,	Madden,	Rose,	Yetzer,
Flack,	Madigan,	Rowen,	Young,
Fleming,	Mazza,	Royer,	Lichtenwalter,
Foor,	McCormack,	Sarraf,	Speaker.

NAYS—0

NOT VOTING—2

Hall,	Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 922, as follows:

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Board of Trustees of Woodville State Hospital to acquire a certain tract of land adjacent thereto for the use of said hospital and maing an appropriation therefor

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Department of Property and Supplies with the approval of the Governor and the Board of Trutees of Woodville State Hospital is hereby authorized to purchase in the name of the Commonwealth of Pennsylvania a certain tract of land nown as the Walk Farm of approximately one hundred forty-eight point five acres and a certain tract of land known as the Greasel Tract of approximately six acres both of said tracts situated in Allegheny County Pennsylvania and the Walk Farm being contiguous to the present property of said hospital and the Greasel Tract being located within the Walk Farm so as to make use of said lands for the purpose of farming and other maintenance operations of said hospital

Section 2 Said tracts of land when purchased shall be added to the lands of the Woodville State Hospital The deeds of conveyance shall be deposited with the Secretary of Internal Affairs

Section 3 The said lands shall not be acquired until the titles thereto have been approved by the Department of Justice

Section 4 The sum of fourteen thousand dollars ($14,000) or as much thereof as may be necessary is hereby appropriated to the Department of Property and Supplies for the payment of the purchase price of said tracts of land and the expenses incidental thereto including title searches

Section 5 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Frost,	McCosker,	Sax,
Andrews,	Gallagher,	McCullough,	Scanlon,
Bane,	Getchey,	McDonald,	Schuster,
Barrett,	Gibson,	McKinney,	Scott,
Baumunk,	Goff,	McMillen,	Serrill,
Beech,	Goodling,	Mihm,	Shoemaker,
Bender,	Gorman,	Mikula,	Simons,
Bentzel,	Graybill,	Miller,	Smith, C. C.,
Bloom,	Greenwood,	Mills,	Smith, C. M.,
Boies,	Greer,	Mintess,	Snider,
Bonawitz,	Griffiths,	Mohr,	Sollenberger,
Boorse,	Guthrie,	Mooney,	Sorg,
Bower,	Gyger,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenshield,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Bucchin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,
Clevenger,	Jennings,	O'Dare,	Tompkins,
Cochran,	Johnson,	O'Donnell,	Toomey,
Cole,	Johnston,	O'Neill,	Turner,
Cook,	Jones,	Orban,	Upshur,
Cooper,	Jump,	Patten,	Vaughan,
Cordier,	Kean,	Petrosky,	Verona,
Costa,	Kelley,	Pichney,	Wachhaus,
Crowley,	Kemp,	Pickens,	Wagner,
Dague,	Kent,	Polaski,	Waldron,
Dalrymple,	Kirley,	Powers,	Wallin,
Davison,	Kline,	Price,	Walton,
De Long,	Kohl,	Propert,	Waterhouse,
Demech,	Kratz,	Ragot,	Watkins,
Dennison,	Krise,	Readinger,	Watson,
Depuy,	Kurtz,	Reagan,	Weidner,
Dix,	Laughner,	Reese, D. P.,	Weiss,
Dye,	Layer,	Reese, R. E.,	Wescott,
Efenberg,	Lee,	Reilly, J. M.,	West,
Elder,	Leisey,	Reilly, W. J.,	Wheeler,
Erb,	Livingston,	Richter,	Wolf,
Evans,	Livingstone,	Riley,	Wood,
Ewing,	Loftus,	Robbins,	Worley,
Feola,	Lovett,	Robertson,	Yeakel,
Fish,	Lyons,	Root,	Yester,
Fiss,	Madden,	Rose,	Yetzer,
Flack,	Madigan,	Rowen,	Young,
Fleming,	Mazza,	Royer,	Lichtenwalter,
Foor,	McCormack,	Sarraf,	Speaker.

NAYS—0

NOT VOTING—2

Hall,	Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 932, as follows:

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Board of Trustees of the Harrisburg State Hospital to acquire by purchase or condemnation proceedings certain tracts of land for the use of said hospital and making an appropriation therefor

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Department of Property and Supplies with the approval of the Governor and the Board of Trustees of the Harrisburg State Hospital is hereby authorized to acquire in the name of the Commonwealth of Pennsylvania by purchase or condemnation proceedings any or all of the following described tracts of real estate in Middle Paxton Township in the County of Dauphin Pennsylvania

(1) Tract "A" consisting of approximately twenty-eight (28) acres located adjacent to the Harrisburg State Hospital bordered on the South by the said hospital on the West by the said hospital on the North by a cacadam road leading from North Eleventh Street to Progress Road and on the East by Edgemont Road

(2) Tract "B" consisting of approximately eighty (80) acres is located immediately across the Progress Road and North of Tract "A" is bounded on the West by the Glen Gery brick yard property and property of Samuel Simon to Paxton Creek on the North by Paxton Creek and on the East by Tract "C" and property of W. H. Brightbill (Tract "C" at present owned by Hagy Brothers W. H. Brightbill property owned by the hospital) on the South by the Progress Road

(3) Tract "C" consisting of approximately ninety (90) acres is located immediately East of tract "B" and North of property of S. M. Brightbill (now owned by the hospital) It is bordered on the West by tract "B" (owned at present by Hagy Brothers) on the North by Paxton Creek and Hoppe Farms on the East by Property of Sara Holtzman and Machan Brightbill on the South by property formerly owned by S. M. Brightbill (now owned by the hospital)

Section 2 Said tract or tracts of land when purchased shall be added to the lands of the Harrisburg State Hospital The deeds of conveyance shall be deposited with the Secretary of Internal Affairs

Section 3 The said lands shall not be acquired until the titles thereto have been approved by the Department of Justice

Section 4 The sum of one hundred thousand dollars ($100,000) or so much thereof as may be necessary is hereby appropriated to the Department of Property and Supplies for the payment of the purchase price of said tract of land and the expenses incidental thereto including title searches

Section 5 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Frost,	McCosker,	Sax,
Andrews,	Gallagher,	McCullough,	Scanlon,
Bane,	Getchey,	McDonald,	Schuster,
Barrett,	Gibson,	McKinney,	Scott,
Baumunk,	Goff,	McMillen,	Serrill,
Beech,	Goodling,	Mihm,	Shoemaker,
Bender,	Gorman,	Mikula,	Simons,
Bentzel,	Graybill,	Miller,	Smith, C. C.,
Bloom,	Greenwood,	Mills,	Smith, C. M.,
Boles,	Greer,	Mintess,	Snider,
Bonawitz,	Griffiths,	Mohr,	Sollenberger,
Boorse,	Guthrie,	Mooney,	Sorg,
Bower,	Gyger,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenshield,	Morrison,	Timmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Bucchin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,
Clevenger,	Jennings,	O'Dare,	Tompkins,
Cochran,	Johnson,	O'Donnell,	Toomey,
Cole,	Johnston,	O'Neill,	Turner,
Cook,	Jones,	Orban,	Upshur,
Cooper,	Jump,	Patten,	Vaughan,
Cordier,	Kean,	Petrosky,	Verona,
Costa,	Kelley,	Pichney,	Wachhaus,
Crowley,	Kemp,	Pickens,	Wagner,
Dague,	Kent,	Polaski,	Waldron,
Dalrymple,	Kirley,	Powers,	Wallin,
Davison,	Kline,	Price,	Walton,
De Long,	Kohl,	Propert,	Waterhouse,
Demech,	Kratz,	Ragot,	Watkins,
Dennison,	Krise,	Readinger,	Watson,
Depuy,	Kurtz,	Reagan,	Weidner,
Dix,	Laughner,	Reese D P.,	Weiss,
Dye,	Layer,	Reese R E.,	Wescott,
Effenberg,	Lee,	Reilly, J. M.,	West,
Elder,	Lehrey,	Reilly, W. J.,	Wheeler,
Erb,	Livingston,	Richter,	Wolf,
Evans,	Livingstone,	Riley,	Wood,
Ewing,	Loftus,	Robbins,	Worley,
Feola,	Lovett,	Robertson,	Yeakel,
Fish,	Lyons,	Root,	Yester,
Fiss,	Madden,	Rose,	Yetzer,
Flack,	Madigan,	Rowen,	Young,
Fleming,	Mazza,	Royer,	Lichtenwalter,
Foor,	McCormack,	Sarraf,	Speaker.

NAYS—0

NOT VOTING—2

Hall, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

FORMER MEMBER WELCOMED

The SPEAKER. The Chair is happy to welcome this afternoon a former Member of this House from Philadelphia, now a Magistrate, the Honorable Hobson R. Reynolds.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1020, as follows:

An Act to further amend section seven hundred and six and clause (h) of section nine hundred and three of the act approved the first day of May one thousand nine hundred and twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley amnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admis-

sible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by increasing annual registration fees of certain trailers and semi-trailers and fixing the maximum gross weight of truck tractors in combination with semitrailers having two axles

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section seven hundred and six of the act approved the first day of May one thousand nine hundred and twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as amended by the act approved the twenty-second day of June one thousand nine hundred and thirtyone (P. L. 751) is hereby further amended to read as follows

Section 706 Trailers and semi-trailers trailers and semi-trailers equipped with pneumatic or solid rubber or cushion rubber tires approved by the secretary of highways shall be divided into seven (7) classes and the fee for annual registration of such vehicles in each of the respective classes based on the combined weight of chaiis and body if so constructed or the gross weight of the trailer or semi-trailer exclusive of the load to be transported shall be as follows

TWO-WHEELED SEMI-TRAILER

Class	Weight in Pounds	Fee Tire Equipment Pneumatic	Cushion	Solid
A	Less than 1000	$ 5.00	$ 6.00	$ 8.00
B	1000 and over but less than 2000	8.00	10.00	15.00
C	2000 and over but less than 3000	15.00	20.00	25.00
D	3000 and over but less than 4000	25.00	30.00	35.00
E	4000 and over but less than 5000	30.00	40.00	50.00
F	5000 and over but less than 6000	45.00	60.00	75.00
G	6000 and over	75.00	85.00	100.00

FOUR-WHEELED (2 AXLES) TRAILER OR SEMI-TRAILER

Class	Weight in Pounds	Fee Tire Equipment Pneumatic	Cushion	Solid
AX	less than 1000	$5.00	$6.00	$8.00
BX	1000 and over but less than 2000	8.00	10.00	15.00
CX	2000 and over but less than 3000	15.00	20.00	25.00
DX	3000 and over but less than 4000	[25.00] 32.00	[30.00] 40.00	[35.00] 46.00
EX	4000 and over but less than 5000	[30.00] 40.00	[40.00] 58.00	[50.00] 72.00
FX	5000 and over but less than 6000	[45.00] 68.00	[60.00] 90.00	[75.00] 112.00
GX	6000 and over	[75.00] 108.00	[85.00] 122.00	[100.00] 144.00

SIX-WHEELED (3 AXLES) TRAILER

Class	Weight in Pounds	Fee Tire Equipment Pneumatic	Cushion	Solid
AZ	Less than 3000	$40.00	$45.00	$50.00
BZ	3000 and over but less than 4000	45.00	50.00	60.00
CZ	4000 and over but less than 5000	50.00	60.00	70.00
DZ	5000 and over but less than 6000	60.00	75.00	90.00
EZ	6000 and over but less than 7000	75.00	100.00	125.00
FZ	7000 and over but less than 9000	85.00	110.00	135.00
GZ	9000 and over	100.00	125.00	150.00

Section 2 Clause (H) of section nine hundred three of said act as added by the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 751) and as last amended by the act approved the twenty-seventh day of April one thousand nine hundred forty-five (P. L. 328) is hereby further amended to read as follows

Section 903 Weight of Vehicles and Loads

* * * * *

(h) No commercial motor vehicle and trailer combined and no two axle truck tractor in combination with a semi-trailer having two axles except fire department equipment shall be operated upon any highway with a gross weight in excess of sixty-two thousand (62,000) pounds or in excess of eight hundred (800) pounds on any one wheel for each nominal inch of width of tire on such wheel

No truck tractor semi-trailer and trailer combined except fire department equipment shall be operated upon any highway with a gross weight in excess of sixty-five thousand (65,000) pounds or in excess of eight hundred (800) pounds on any one wheel for each nominal inch of width of tire on such wheel

Section 3 The new annual registration fees fixed by the amendments to section 706 of the Vehicle Code shall first become effective for the registration year commencing April 1, 1948 the amendments to clause (H) of Section 903 of the Vehicle Code shall become effective immediately upon final enactment

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. ERB. Mr. Speaker, I would like to have the roll called slowly and only those recorded who answer to their names; those not answering not to be recorded.

The SPEAKER. The Chair will so instruct the Clerks.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—79

Andrews,	Crowley,	Kelley,	Royer,
Bane,	Dague,	Kemp,	Scanlon,
Barrett,	De Long,	Laughner,	Snider,
Baumunk,	Dennison,	Layer,	Sorg,
Beech,	Ewing,	Lovett,	Sproul,
Bender,	Fish,	Lyons,	Stank,
Bentzel,	Fiss,	Madden,	Stimmel,
Bloom,	Foor,	Madigan,	Stoner,
Boies,	Frost,	Mazza,	Swope,
Bonawitz,	Greer,	McCullough,	Thomassy,
Brice,	Guthrie,	McDonald,	Vaughan,
Brown,	Gyger,	McMillen,	Wagner,
Brunner,	Haller,	Mooney,	Waldron,
Bucchin,	Helm,	Moore, C. E.,	Waterhouse,
Capano,	Hoopes,	O'Neill,	Wescott,
Chervenak,	Imbt,	Orban,	Wheeler,
Cochran,	Jennings,	Powers,	Wood,

Cole,	Johnston,	Propert,	Yeakel,
Cock,	Jump,	Richter,	Lichtenwalter,
Cooper,	Kean,	Root,	Speaker.

NAYS—93

Aaronson,	Graybill,	Myers,	Schuster,
Boorse,	Griffiths,	Najaka,	Scott,
Bower,	Henry,	Needham,	Serrill,
Breisch,	Hewitt,	Nelson,	Shoemaker,
Cassidy,	Hocker,	O'Connor,	Simons,
Cordier,	Hoffman,	O'Dare,	Smith, C. C.,
Costa,	Johnson,	O'Donnell,	Smith, C. M.,
Dalrymple,	Jones,	Patten,	Sollenberger,
Davison,	Kent,	Pichney,	Stuart,
Demech,	Kline,	Pickens,	Tittle,
Depuy,	Kohl,	Polaski,	Tompkins,
Dix,	Krise,	Ragot,	Turner,
Dye,	Lee,	Readinger,	Upshur,
Efenberg,	Leisey,	Reagan,	Wachhaus,
Elder,	Livingston,	Reese, D. P.,	Walton,
Erb,	McCosker,	Reese, R. E.,	Watkins,
Evans,	McKinney,	Reilly, J. M.,	Watson,
Feola,	Mikula,	Reilly, W. J.,	Weiss,
Flack,	Miller,	Riley,	West,
Fleming,	Mills,	Robbins,	Wolf,
Gallagher,	Mintess,	Robertson,	Worley,
Gibson,	Mohr,	Rowen,	Yester,
Goodling,	Morrison,	Sax,	Yetzer,
Gorman,			

NOT VOTING—33

Cadwalader,	Kirley,	Murray,	Tahl,
Chudoff,	Kratz,	Naumann,	Thompson,
Clevenger,	Kurtz,	Neff,	Toomey,
Getchey,	Livingstone,	Petrosky,	Trout,
Goff,	Loftus,	Price,	Verona,
Greenwood,	McCormack,	Rose,	Wallin,
Hall,	Mihm,	Sarraf,	Weidner,
Haudenshield,	Moore, H. A.,	Stockham,	Young,
Horan,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

BILLS PASSED OVER

There being no objection

House Bill No. 1043, Printer's No. 433 and

House Bill No. 1090, Printer's No. 407,

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1098, as follows:

An Act to further amend sections two and nine of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2051) entitled "An act relating to public assistance providing for and regulating assistance to certain classes of persons designated and defined as defendant children aged persons blind persons and other persons requiring relief providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose authorizing the Department of Public Assistance to cooperate with and to accept and disburse moneys received from the United States Government for assistance to such persons providing for the liquidation of the State Emergency Relief Boards of Trustees of the Mothers' Assistance Fund and Boards of Trustees of Pension Fund for the Blind and repealing laws relating to mothers' assistance pensions for the blind old age assistance and the State Emergency Relief Board" by changing the definition of "Assistance" and eligible requirements for aged persons and other persons

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2051) entitled "An act relating to public assistance providing for and regulating assistance to certain classes of persons designated and defined as dependent children aged persons blind persons and other persons requiring relief providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose authorizing the Department of Public Assistance to cooperate with and to accept and disburse moneys received from the United States Government for assistance to such persons providing for the liquidation of the State Emergency Relief Board Boards of Trustees of the Mothers' Assistance Fund and Boards of Trustees of Pension Fund for the Blind and repealing laws relating to mothers' assistance pensions for the blind old age assistance and the State Emergency Relief Board" as last amended by the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 434) is hereby further amended to read as follows

Section 2 Definitions As used in this act unless otherwise indicated

"Assistance" means assistance in money goods shelter medical care work relief or services provided from or with State or Federal funds for indigent persons who reside in Pennsylvania and need assistance to [enable them to maintain] provide for themselves and their dependents a decent and healthful standard of living and for indigent homeless or transient persons. The word assistance shall be construed to include pensions for those blind persons who are entitled to pensions as provided in this act and to include also burial for those indigent persons who were receiving assistance at the time of their death

"General Assistance" means assistance provided from or with State or Federal funds only to persons entitled under this act to assistance other than dependent children aged persons and blind persons

"Local Board" means any county board of assistance established under the provisions of this act

"Public Institution" means one operated by any political subdivision the Commonwealth of Pennsylvania or the United States of America

The masculine pronoun includes the feminine

Section 2 Section nine of said act as last amended by the act approved the thirty-first day of May one thousand nine hundred forty-five (P. L. 1205) is hereby further amended to read as follows

Section 9 Eligibility for Assistance Any person residing within this Commonwealth shall hereafter be entitled to receive public assistance as provided by law without regard to the period of time he or she has resided therein and this Commonwealth or any political subdivision thereof charged with the granting of public assistance may do so without regard to the period of time any person seeking public assistance and otherwise entitled thereto shall have resided within this State Provided however That if the applicant for public assistance has resided in Pennsylvania for less than one (1) year such person shall only be entitled to receive public assistance if he or she was formerly a resident of a state which grants public assistance without regard to the period of time he or she has resided therein Except as hereinafter specifically otherwise provided in the case of pensions for the blind all persons of the following classes except those who hereafter advocate and actively participate by an overt act or acts in a movement proposing a change in the form of government of the United States by means not provided for in the Constitution of the United States shall be eligible to receive assistance in accordance with rules regulations and standards established by the Department of Public Assistance with the approval of the State Board of Assistance as to eligibility for assistance and as to its nature and extent

(a) Dependent Children A dependent child is defined as any needy child under the age of sixteen or under the age of eighteen if found to be regularly attending school who [(1)] has been deprived of parental support or care by reason of the death continued absence from the home or physical or mental incapacity of a parent and who is living with his father mother grandfather grandmother

brother sister stepfather stepmother stepbrother stepsister uncle or aunt in a place of residence maintained by one or more of such relatives as his or their own home [, and (2) has resided in this Commonwealth for one year immediately preceding the date of application for assistance or has been born in this Commonwealth within one year immediately preceding the date of such application of a mother who has resided in this Commonwealth for one year immediately preceding the birth of the child]

(b) Aged Persons An aged person is defined as one who (1) [is seventy years of age or more or who after December thirty-first one thousand nine hundred thirty-nine] is sixty-five years of age or more (2) [resides in this Commonwealth and has so resided therein for five years during the nine years immediately preceding the date of making application for assistance and has so resided continuously for one year immediately preceding the date of making such application except that in all cases where the state in which the applicant last had a residence makes similar provision for persons whose last residence was in this Commonwealth residence in this Commonwealth of one year immediately preceding the date of application shall be sufficient (3)] is not at the time of receiving assistance an inmate of a public institution except those persons who are physically infirm or chronically ill and who were not on the effective date of this act residing in public institutions for the physically infirm or chronically ill and thereafter voluntarily enter such public institutions (except institutions for mental or tubercular diseases) Provided That a resident of such an institution shall be eligible to receive assistance only when the facilities and their operation are in conformity with minimum recognized requirements for safe-guarding health safety and comfort and [(4)] (3) has not conveyed or transferred his real or personal property of the value of five hundred dollars ($500.00) or upwards without fair consideration within two years preceding the date of making such application or has not at an earlier time take such action for the purpose of establishing eligibility for public assistance

Absence in the service of the Commonwealth or of the United States shall not be deemed to interrupt residence of an aged person in the Commonwealth if a domicile has not been acquired outside the Commonwealth

(c) Blind Persons A blind person is defined as one who (1) is twenty-one years of age or more (2) has three-sixtieth or ten-two hundredths or less normal vision (3) [has resided in the Commonwealth for at least five years during the nine years immediately preceding his application for a pension and has resided therein continuously for one year immediately preceding the application (4)] is not receiving assistance as an aged person during the period for which he is receiving assistance as a blind person [(5)] (4) is not at the date of making application an inmate of any prison jail insane asylum or any other public reform or correctional institution The pension of a blind person shall be forty dollars ($40) per month Provided That any blind person with an actual income of twelve hundred dollars ($1200) or upwards and any blind person having real property with an assessed valuation of over five thousand dollars ($5000) is not entitled to such pension And provided further That where a blind person has an income of less than twelve hundred dollars ($1200) per year the pension shall be fixed in such amount so that the combined income and pension shall not exceed twelve hundred dollars ($1200) a year No person shall be denied a pension because of the fact that he or she is not citizen of the United States In the event that any act of Congress providing Federal aid toward pension for the blind requires the recipients to be citizens no such Federal aid moneys shall be expended in the payment of pensions to noncitizens but such persons shall receive pensions out of moneys appropriated by this Commonwealth

(d) Other persons who [are citizens of the United States and who have a settlement in Pennsylvania and all aliens who have within two years previous to the first day of January one thousand nine hundred and forty filed their declaration of intention to become a citizen and who have a legal settlement in Pennsylvania and] need assistance [to enable them to maintain for themselves and their dependents a decent and healthful standard of living and who do not require institutional care because of physical or mental infirmity] and are not inmates of a public institution except those persons who are physically infirm or chronically ill and who were not in the effective date of this act residing in public institutions for the physically infirm or chronically ill and thereafter voluntarily enter such public institutions (except institutions for mental or tubercular diseases) Provided That a resident of such an institution shall be eligible to receive assistance only when the facilities and their operation are in conformity with minimum recognized requirements for safeguarding health safety and comfort

(e) Any person within any group defined in this section who has settlement in the Commonwealth or a quasi-settlement in this Commonwealth until he is removed to his place of legal settlement

Section 3 All acts and parts of acts to the extent that the same are inconsistent with this act are hereby repealed

Section 4 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Frost,	McCosker,	Sax,
Andrews,	Gallagher,	McCullough,	Scanlon,
Bane,	Getchey,	McDonald,	Schuster,
Barrett,	Gibson,	McKinney,	Scott,
Baumunk,	Goff,	McMillen,	Serrill,
Beech,	Goodling,	Mihm,	Shoemaker,
Bender,	Gorman,	Mikula,	Simons,
Bentzel,	Graybill,	Miller,	Smith, C. C.,
Bloom,	Greenwood,	Mills,	Smith, C. M.,
Boles,	Greer,	Mintess,	Snider,
Bonawitz,	Griffiths,	Mohr,	Sollenberger,
Boorse,	Guthrie,	Mooney,	Sorg,
Bower,	Gyger,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenshield,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Bucchin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,
Clevenger,	Jennings,	O'Dare,	Tompkins,
Cochran,	Johnson,	O'Donnell,	Toomey,
Cole,	Johnston,	O'Neill,	Turner,
Cook,	Jones,	Orban,	Upshur,
Cooper,	Jump,	Patten,	Vaughan,
Cordier,	Kean,	Petrosky,	Verona,
Costa,	Kelley,	Pichney,	Wachhaus,
Crowley,	Kemp,	Pickens,	Wagner,
Dague,	Kent,	Polaski,	Waldron,
Dalrymple,	Kirley,	Powers,	Wallin,
Davison,	Kline,	Price,	Walton,
De Long,	Kohl,	Propert,	Waterhouse,
Demech,	Kratz,	Ragot,	Watkins,
Dennison,	Krise,	Readinger,	Watson,
Depuy,	Kurtz,	Reagan,	Weidner,
Dix,	Laughner,	Reese, D. P.,	Weiss,
Dye,	Layer,	Reese, R. E.,	Wescott,
Efenberg,	Lee,	Reilly, J. M.,	West,
Elder,	Leisey,	Reilly, W. J.,	Wheeler,
Erb,	Livingston,	Richter,	Wolf,
Evans,	Livingstone,	Riley,	Wood,
Ewing,	Loftus,	Robbins,	Worley,
Feola,	Lovett,	Robertson,	Yeakel,
Fish,	Lyons,	Root,	Yester,
Fiss,	Madden,	Rose,	Yetzer,
Flack,	Madigan,	Rowen,	Young,
Fleming,	Mazza,	Royer,	Lichtenwalter,
Foor,	McCormack,	Sarraf,	Speaker.

NAYS—0

NOT VOTING—2

Hall, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1099, as follows:

An Act to amend section four hundred two of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2017) entitled "An act creating in each county (except of the first class) as a separate corporation and in each city of the first and second class as a part of the city government an institution district for the care and maintenance of certain indigent persons and children prescribing the powers and duties of county commissioners county treasurers city departments of public welfare the State Department of Welfare and the State Department of Public Assistance in respect thereto abolishing certain poor districts and terminating the terms of directors overseers guardians and managers of the poor and poor district auditors and providing for the temporary employment of certain of them providing for the transfer vesting sale and disposition of the property or poor districts and the payment of their obligations imposing certain existing obligations on institution districts and on the Commonwealth regulatng the affairs of poor districts until abolished revising amending changing and consolidating the law relating to the care of the poor and repealing existing laws" by clarifying the powers and duties of the institution districts

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section four hundred two of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2017) entitled "An act creating in each county (except of the first class) as a separate corporation and in each city of the first and second class as a part of the city government an institution district for the care and maintenance of certain indigent persons and children prescribing the powers and duties of county commissioners county treasurers city departments of public welfare the State Department of Welfare and the State Department of Public Assistance in respect thereto abolishing certain poor districts and terminating the terms of directors overseers guardians and managers of the poor and poor district auditors and providing for the temporary employment of certain of them providing for the transfer vesting sale and disposition of the property of poor districts and the payment of their obligations imposing certain existing obligations on institution districts and on the Commonwealth regulating the affairs of poor districts until abolished revising amending changing and consolidating the law relating to the care of the poor and repealing existing laws" is hereby amended to read as follows

Section 402 Care of Persons Referred by Department of Public Assistance The local authorities shall have power to care for any dependent or other indigent person in the county or city who is referred to them by the Department of Public Assistance or by a local board under its supervision pending the determination of such person's legal settlement Where institutions operated by the local authorities of any institution district provide care for the physically infirm or chronically ill such local authorities shall require payment in any amount not to exceed the annual per capita operating and maintenance costs (exclusive of such items as capital expenditures depreciation and interest on indebtedness for capital expenditures) of such care from those persons who are able to pay or who receive assistance or other moneys from public or private agencies Provided That the facilities and their operation are in conformity with minimum recognized requirements prescribed in the standards rules and regulations of the Department of Welfare for safeguarding health safety and comfort

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Frost,	McCosker,	Sax,
Andrews,	Gallagher,	McCullough,	Scanlon,
Bane,	Getchey,	McDonald,	Schuster,
Barrett,	Gibson,	McKinney,	Scott,
Baumunk,	Goff,	McMillen,	Serrill,
Beech,	Goodling,	Mihm,	Shoemaker,
Bender,	Gorman,	Mikula,	Simons,
Bentzel,	Graybill,	Miller,	Smith, C. C.,
Bloom,	Greenwood,	Mills,	Smith, C. M.,
Boies,	Greer,	Mintess,	Snider,
Bonawitz	Griffiths,	Mohr,	Sollenberger,
Boorse,	Guthrie,	Mooney,	Sorg,
Bower,	Gyger,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenshield,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Bucchin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,
Clevenger,	Jennings,	O'Dare,	Tompkins,
Cochran,	Johnson,	O'Donnell,	Toomey,
Cole,	Johnston,	O'Neill,	Turner,
Cook,	Jones,	Orban,	Upshur,
Cooper,	Jump,	Patten,	Vaughan,
Cordier,	Kean,	Petrosky,	Verona,
Costa,	Kelley,	Pichney,	Wachhaus,
Crowley,	Kemp,	Pickens,	Wagner,
Dague,	Kent,	Polaski,	Waldron,
Dalrymple	Kirley,	Powers,	Wallin,
Davison,	Kline,	Price,	Walton,
De Long,	Kohl,	Propert,	Waterhouse,
Demech,	Kratz,	Ragot,	Watkins,
Dennison,	Krise,	Readinger,	Watson,
Depuy,	Kurtz,	Reagan,	Weidner,
Dix,	Laughner,	Reese, D. P.,	Weiss,
Dye,	Layer,	Reese, R. E.,	Wescott,
Efenberg,	Lee,	Reilly, J. M.,	West,
Elish,	Leisey,	Reilly, W. J.,	Wheeler,
Erb,	Livingston,	Richter,	Wolf,
Evans,	Livingstone,	Riley,	Wood,
Ewing,	Loftus,	Robbins,	Worley,
Feola,	Lovett,	Robertson,	Yeakel,
Fish,	Lyons,	Root,	Yester,
Fiss,	Madden,	Rose,	Yetzer,
Flack,	Madigan,	Rowen,	Young,
Fleming	Mazza,	Royer,	Lichtenwalter,
Foor,	McCormack,	Sarraf,	Speaker.

NAYS—0

NOT VOTING—2

Hall, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS PASSED OVER

There being no objection

House Bill No. 1279, Printer's No. 435,

House Bill No. 1281, Printer's No. 436,

House Bill No. 1282, Printer's No. 437, and

House Bill No. 1298, Printer's No. 438

were passed over at the request of Mr. DIX.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1313, as follows:

An Act to amend section one of the act approved the twenty-ninth day of May one thousand nine hundred forty-five (Appropriation Acts page 20 Act No. 26-A) entitled "An act making an appropriation to the Elwyn Training School at Elwyn in the County of Delaware Commonwealth of Pennsylvania and prescribing certain conditions upon which the appropriation will be available to the school" increasing the pe rcapita annual maintenance rate of wards of the State and the amount of the total appropriation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one of the act approved the twenty-ninth day of May one thousand nine hundred forty-five (Appropriation Acts page 20 Act No. 26-A) entitled "An act making an appropriation to the Elwyn Training School at Elwyn in the County of Delaware Commonwealth of Pennsylvania and prescribing certain conditions upon which the appropriation will be available to the school" is hereby amended to read as follows

Section 1 An appropriation is hereby made to the Elwyn Training School of Elwyn in the County of Delaware Commonwealth of Pennsylvania for the maintenance of six hundred (600) wards of the State at four hundred and [thirty dollars ($430)] eighty dollars ($480) per capita per annum and the sum of five hundred and [sixteen thousand dollars ($15,000)] seventy-six thousand dollars ($576,000) or as much thereof as may be necessary is hereby specifically appropriated to the said institution for the purpose stated to cover the two fiscal years beginning June first one thousand nine hundred and forty-five

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Frost	McCosker,	Sax,
Andrews,	Gallagher,	McCullough,	Scanlon,
Bane,	Getchey,	McDonald,	Schuster,
Barrett,	Gibson,	McKinney,	Scott,
Baumunk,	Goff,	McMillen,	Serrill,
Beech,	Goodling,	Mihm,	Shoemaker,
Bender,	Gorman,	Mikula,	Simons,
Bentzel,	Graybill,	Miller,	Smith, C. C.,
Bloom,	Greenwood,	Mills,	Smith, C. M.,
Boles,	Greer,	Mintess,	Snider,
Bonawitz,	Griffiths,	Mohr,	Sollenberger,
Boorse,	Guthrie,	Mooney,	Sorg,
Bower,	Gyger,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenshield,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Bucchin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,
Clevenger,	Jennings,	O'Dare,	Tompkins,
Cochran,	Johnson,	O'Donnell,	Toomey,
Cole,	Johnston,	O'Neill,	Turner,
Cook,	Jones,	Orban,	Upshur,
Cooper,	Jump,	Patten,	Vaughan,
Cordier,	Kean,	Petrosky,	Verona,
Costa,	Kelley,	Pichney,	Wachhaus,
Crowley,	Kemp,	Pickens,	Wagner,
Dague,	Kent,	Polaski,	Waldron,
Dalrymple,	Kirley,	Powers,	Wallin,
Davison,	Kline,	Price,	Walton,
De Long,	Kohl,	Propert,	Waterhouse,
Demech,	Kratz,	Ragot,	Watkins,
Dennison,	Krise,	Readinger,	Watson,
Depuy,	Kurtz,	Reagan,	Weidner,
Dix,	Laughner,	Reese, D. P.,	Weiss,
Dye,	Layer,	Reese, R. E.,	Wescott,
Efenberg,	Lee,	Reilly, J. M.,	West,
Elder,	Leisey,	Reilly, W. J.,	Wheeler,
Erb,	Livingston,	Richter,	Wolf,
Evans,	Livingstone,	Riley,	Wood,
Ewing,	Loftus,	Robbins,	Worley,
Feola,	Lovett,	Robertson,	Yeakel,
Fish,	Lyons,	Root,	Yester,
Fiss,	Madden,	Rose,	Yetzer,
Flack,	Madigan,	Rowen,	Young,
Fleming,	Mazza,	Royer,	Lichtenwalter,
Foor,	McCormack,	Sarraf,	Speaker.

NAYS—0

NOT VOTING—2

Hall,	Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 66, as follows:

An Act making a deficiency appropriation to the Pennsylvania Institution for the Deaf at Mount Airy Philadelphia Pennsylvania

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of one hundred thousand dollars ($100,000) or so much thereof as may be necessary is hereby specifically appropriated to the Pennsylvania Institution for the Deaf at Mount Airy Philadelphia Pennsylvania to cover a deficiency for the payment of maintenance and education of State pupils for the two fiscal years ending May thirty-first one thousand nine hundred forty-seven

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Frost,	McCosker,	Sax,
Andrews,	Gallagher,	McCullough,	Scanlon,
Bane,	Getchey,	McDonald,	Schuster,
Barrett,	Gibson,	McKinney,	Scott,
Baumunk,	Goff,	McMillen,	Serrill,
Beech,	Goodling,	Mihm,	Shoemaker,
Bender,	Gorman,	Mikula,	Simons,
Bentzel,	Graybill,	Miller,	Smith, C. C.,
Bloom,	Greenwood,	Mills,	Smith, C. M.,
Boles,	Greer,	Mintess,	Snider,
Bonawitz,	Griffiths,	Mohr,	Sollenberger,
Boorse,	Guthrie,	Mooney,	Sorg,

Bower,	Gyger,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenshield,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Bucchin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,
Clevenger,	Jennings,	O'Dare,	Tompkins,
Cochran,	Johnson,	O'Donnell,	Toomey,
Cole,	Johnston,	O'Neill,	Turner,
Cook,	Jones,	Orban,	Upshur,
Cooper,	Jump,	Patten,	Vaughan,
Cordier,	Kean,	Pentrack,	Verona,
Costa,	Kelley,	Pichney,	Wachhaus,
Crowley,	Kemp,	Pickens,	Wagner,
Dague,	Kent,	Polaski,	Waldron,
Dalrymple,	Kirley,	Powers,	Wallin,
Davison,	Kline,	Price,	Walton,
De Long,	Kohl,	Propert,	Waterhouse,
Demech,	Kratz,	Ragot,	Watkins,
Dennison,	Krise,	Readinger,	Watson,
Depuy,	Kurtz,	Reagan,	Weidner,
Dix,	Laughner,	Reese, D. P.,	Weiss,
Dye,	Layer,	Reese, R. E.,	Wescott,
Efenberg,	Lee,	Reilly, J. M.,	West,
Elder,	Leisey,	Reilly, W. J.,	Wheeler,
Erb,	Livingston,	Richter,	Wolf,
Evans,	Livingstone,	Riley,	Wood,
Ewing,	Loftus,	Robbins,	Worley,
Feola,	Lovett,	Robertson,	Yeakel,
Fish,	Lyons,	Root,	Yester,
Fiss,	Madden,	Rose,	Yetzer,
Flack,	Madigan,	Rowen,	Young,
Fleming,	Mazza,	Royer,	Lichtenwalter,
Foor,	McCormack,	Sarraf,	Speaker.

NAYS—0

NOT VOTING—2

Hall, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate, with the information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 342, as follows:

An Act making an appropriation to the Senate and the House of Representatives to pay the expenses of their committees directed to visit State institutions under the supervision of the Department of Welfare

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of three thousand five hundred dollars ($3000) or as much thereof as may be necessary is hereby appropriated to the Senate and the House of Representatives as follows

For the purpose of paying the expenses of the members of the Senate Committee on Public Health and Welfare in visiting the State institutions under the supervision of the Department of Welfare as directed by Senate Resolution Serial Number twenty-five adopted February seventeen one thousand nine hundred forty-seven the sum of one thousand seven hundred fifty dollars ($1250) and for the purpose of paying the expenses of the members of the House of Representatives Committee on Welfare in visiting said institutions as directed by House Resolution Number twenty-four Serial Number twenty-nine adopted March one thousand nine hundred forty-seven the sum of one thousand seven hundred fifty dollars ($1750)

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Frost,	McCosker,	Sax,
Andrews,	Gallagher,	McCullough,	Scanlon,
Bane,	Getchey,	McDonald,	Schuster,
Barrett,	Gibson,	McKinney,	Scott,
Baumunk,	Goff,	McMillen,	Serrill,
Beech,	Goodling,	Mihm,	Shoemaker,
Bender,	Gorman,	Mikula,	Simons,
Bentzel,	Graybill,	Miller,	Smith, C. C.,
Bloom,	Greenwood,	Mills,	Smith, C. M.,
Boies,	Greer,	Mintess,	Snider,
Bonawitz,	Griffiths,	Mohr,	Sollenberger,
Boorse,	Guthrie,	Mooney,	Sorg,
Bower,	Gyger,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenshield,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Bucchin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,
Clevenger,	Jennings,	O'Dare,	Tompkins,
Cochran,	Johnson,	O'Donnell,	Toomey,
Cole,	Johnston,	O'Neill,	Turner,
Cook,	Jones,	Orban,	Upshur,
Cooper,	Jump,	Patten,	Vaughan,
Cordier,	Kean,	Petrosky,	Verona,
Costa,	Kelley,	Pichney,	Wachhaus,
Crowley,	Kemp,	Pickens,	Wagner,
Dague,	Kent,	Polaski,	Waldron,
Dalrymple,	Kirley,	Powers,	Wallin,
Davison,	Kline,	Price,	Walton,
De Long,	Kohl,	Propert,	Waterhouse,
Demech,	Kratz,	Ragot,	Watkins,
Dennison,	Krise,	Readinger,	Watson,
Depuy,	Kurtz,	Reagan,	Weidner,
Dix,	Laughner,	Reese, D. P.,	Weiss,
Dye,	Layer,	Reese, R. E.,	Wescott,
Efenberg,	Lee,	Reilly, J. M.,	West,
Elder,	Leisey,	Reilly, W. J.,	Wheeler,
Erb,	Livingston,	Richter,	Wolf,
Evans,	Livingstone,	Riley,	Wood,
Ewing,	Loftus,	Robbins,	Worley,
Feola,	Lovett,	Robertson,	Yeakel,
Fish,	Lyons,	Root,	Yester,
Fiss,	Madden,	Rose,	Yetzer,
Flack,	Madigan,	Rowen,	Young,
Fleming,	Mazza,	Royer,	Lichtenwalter,
Foor,	McCormack,	Sarraf,	Speaker.

NAYS—0

NOT VOTING—2

Hall, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate, with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 385, as follows:

An Act to amend subsection (b) of section four of the act approved the twenty-fifth day of May one thousand nine hundred forty-five (P. L. 1050) entitled "An act relating to the collection of taxes levied by counties county institution districts cities of the third class boroughs towns townships certain school districts and vo-

cational school districts conferring powers and imposing duties on tax collectors courts and various officers of said political subdivisions and prescribing penalties" by providing that where borough taxes are collected by an appointee of council the council may prescribe the bond that may be required for the borough taxes

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (b) of section four of the act approved the twenty-fifth day of May one thousand nine hundred forty-five (P. L. 1050) entitled "An act relating to the collection of taxes levied by counties county institution districts cities of the third class boroughs towns townships certain school districts and vocational school districts conferring powers and imposing duties on tax collectors courts and various officers of said political subdivisions and prescribing penalties" is hereby amended to read as follows

Section 4 Bonds of Tax Collectors

* * * * *

(b) In boroughs towns and townships of the second class the elected tax collector shall be the collector of borough town or township taxes as the case may be and of county and institution school and vocational school district taxes He shall before he enters upon the duties of his office take and subscribe an oath of office and file the same in the office of the clerk of the court of quarter sessions of the county He shall enter into one surety bond to the Commonwealth for all taxes to be collected by him in an amount to be fixed by the court of quarter sessions of the county which amount shall never exceed the estimated amount of taxes charged in the duplicates to be delivered to him in one year Such bond may at the option of the tax collector be an annual bond or may cover the full term of office for which the tax collector shall have been elected Such bond shall have thereon at least two sufficient sureties or one bonding company and the sufficiency of the sureties on the bond shall be approved by the court of quarter sessions at any time prior to the delivery of a tax duplicate to the tax collector The bond shall be filed in the office of the clerk of the court of quarter sessions Should any of the taxing districts be of the opinion at any time that the bond given by the tax collector is not sufficient in amount or as to the surety thereon the said taxing district may apply to the court by petition to have the tax collector furnish additional bond in the manner provided by this section Thereupon the tax collector shall furnish such additional bond if any as the court of quarter sessions may prescribe but not exceeding the limitation as to amount hereinbefore prescribed Provided That where taxes for borough purposes are collected by an appointee of council the bond shall be as may be prescribed by council

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Frost,	McCosker,	Sax,
Andrews,	Gallagher,	McCullough,	Scanlon,
Bane,	Getchey,	McDonald,	Schuster,
Barrett.	Gibson,	McKinney,	Scott,
Baumunk,	Goff,	McMillen,	Serrill,
Beech,	Goodling,	Mihm,	Shoemaker,
Bender,	Gorman,	Mikula,	Simons,
Bentzel,	Graybill,	Miller,	Smith, C. C.,
Bloom,	Greenwood,	Mills,	Smith, C. M.,
Boies,	Greer,	Mintess,	Snider,
Bonawitz,	Griffiths,	Mohr,	Sollenberger,
Boorse,	Guthrie,	Mooney,	Sorg,
Bower,	Gyger,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenshield,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Bucchin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,
Clevenger,	Jennings,	O'Dare,	Tompkins,
Cochran,	Johnson,	O'Donnell,	Toomey,
Cole,	Johnston,	O'Neill,	Turner,
Cook,	Jones,	Orban,	Upshur,
Cooper	Jump,	Patten,	Vaughan,
Cordier,	Kean,	Petrosky,	Verona,
Costa,	Kelley,	Pichney,	Wachhaus,
Crowley,	Kemp,	Pickens,	Wagner,
Dague,	Kent,	Polaski,	Waldron,
Dalrymple,	Kirley,	Powers,	Wallin,
Davison,	Kline,	Price,	Walton,
De Long,	Kohl,	Propert,	Waterhouse,
Demech,	Kratz,	Ragot,	Watkins,
Dennison,	Krise,	Readinger,	Watson,
Depuy,	Kurtz,	Reagan,	Weidner,
Dix,	Laughner,	Reese, D. P.,	Weiss,
Dye,	Layer,	Reese, R. E.,	Wescott,
Efenberg,	Lee,	Reilly, J. M.,	West,
Elder,	Leisey,	Reilly, W. J.,	Wheeler,
Erb,	Livingston,	Richter,	Wolf,
Evans,	Livingstone,	Riley,	Wood,
Ewing,	Loftus,	Robbins,	Worley,
Feola,	Lovett,	Robertson,	Yeakel,
Fish,	Lyons,	Root,	Yester,
Fiss,	Madden,	Rose,	Yetzer,
Flack,	Madigan,	Rowen,	Young,
Fleming,	Mazza,	Royer,	Lichtenwalter,
Foor,	McCormack,	Sarraf,	Speaker.

NAYS—0

NOT VOTING—2

Hall,	Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate, with the information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 447, as follows:

An Act to amend the act approved the fourth day of June one thousand nine hundred forty-five (Appropriation Acts page 106) entitled "An act making an appropriation for the preparation of the Eightieth Division History and creating a commission for such purposes" continuing the commission and reappropriating the unexpended balance

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections one and two of the act approved in the sum of seven thousand five hundred dollars ($7500) the fourth day of June one thousand nine hundred forty-five (Appropriation Acts page 106) entitled "An act making an appropriation for the preparation of the Eightieth Division History and creating a commission for such purposes" are hereby amended to read as follows

Section 1 In order to commemorate the heroic achievements of the citizens of Pennsylvania who served in the battlefields of Europe and to perpetuate the memories of those who fell in the World War there is hereby appropriated to the commission hereinafter constituted the sum of [twenty-five thousand dollars ($25,000)] seven thousand five hundred dollars ($7500) or so much thereof as may be necessary for the compilation and the printing in book form of the history of the Eightieth Division

A commission is hereby constituted which shall be composed of five (5) citizens who were former Pennsylvania soldiers and who served with the Eightiieth Divi-

sion during the war with Germany The members of the commission shall be appointed by the Governor They shall serve without compensation but shall receive their actual and necessary expenses incurred in the performance of the duties imposed upon them by this act The commission shall organize at the call of the Governor Vacancies occurring in the membership of the commission shall be filled by appointment by the Governor Any member so appointed shall have the same qualifications as is required of the original appointees The commission shall remain in existence until the purposes for which it is constituted are achieved

Section 2 It shall be the duty of the commission after its organization to forthwith make arrangements for the preparation of the history and the furnishing of photographs with accompanying maps and shall then make a complete report of its proceeding to the General Assembly as soon as possiible In such report the commission shall state the amount of money required to print and furnish each citizen who served as a member of the Eightieth Division with a copy of the history in book form

The unexpended balance of the appropriation made by the act to which this is an amendment is hereby reappropriated for the purposes specified therein The appropriation made hereby shall not lapse at the end of any fiscal biennium but shall continue to be available until expended for the purposes for which it is made

Payments from said appropriation shall be made by reguisition of the secretary of the commission under such regulations as the Auditor General shall prescribe

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Frost,	McCosker,	Sax,
Andrews,	Gallagher,	McCullough,	Scanlon,
Bane,	Getchey,	McDonald,	Schuster,
Barrett,	Gibson,	McKinney,	Scott,
Baumunk,	Goff,	McMillen,	Serrill,
Beech,	Goodling,	Mihm,	Shoemaker,
Bender,	Gorman,	Mikula,	Simons,
Bentzel,	Graybill,	Miller,	Smith, C. C.,
Bloom,	Greenwood,	Mills,	Smith, C. M.,
Boies,	Greer,	Mintess,	Snider,
Bonawitz,	Griffiths,	Mohr,	Sollenberger,
Boorse,	Guthrie,	Mooney,	Sorg,
Bower,	Gyger,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenshield,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Bucchin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoggard,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,
Clevenger,	Jennings,	O'Dare,	Tompkins,
Cochran,	Johnson,	O'Donnell,	Toomey,
Cole,	Johnston,	O'Neill,	Turner,
Cook,	Jones,	Orban,	Upshur,
Cooper,	Jump,	Patten,	Vaughan,
Cordier,	Kean,	Petrosky,	Verona,
Costa,	Kelley,	Pichney,	Wachhaus,
Crowley,	Kemp,	Pickens,	Wagner,
Dague,	Kent,	Polaski,	Waldron,
Dalrymple,	Kirley,	Powers,	Wallin,
Davison,	Kline,	Price,	Walton,
De Long,	Kohl,	Propert,	Waterhouse,
Demech,	Kratz,	Ragot,	Watkins,
Dennison,	Krise,	Readinger,	Watson,
Depuy,	Kurtz,	Reagan,	Weidner,
Dix,	Laughner,	Reese, D. P.,	Weiss,
Dye,	Layer,	Reese, R. E.,	Wescott,
Efenberg,	Lee,	Reilly, J. M.,	West,
Elder,	Leisey,	Reilly, W. J.,	Wheeler,
Erb,	Livingston,	Richter,	Wolf,
Evans,	Livingstone,	Riley,	Wood,
Ewing,	Loftus,	Robbins,	Worley,
Feola,	Lovett,	Robertson,	Yeakel,
Fish,	Lyons,	Root,	Yester,
Fiss,	Madden,	Rose,	Yetzer,
Flack,	Madigan,	Rowen,	Young,
Fleming,	Mazza,	Royer,	Lichtenwalter,
Foor,	McCormack,	Sarraf,	Speaker.

NAYS—0

NOT VOTING—2

Hall, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate. with the information that the House of Representatives has passed the same without amendment.

The SPEAKER. If there is no objection, the Chair will return to pages 18, 19 and 20 of today's calendar and take up the bills which were passed over earlier in the session. The Chair hears none.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 18, as follows:

An Act to further amend clause thirty-four and to amend clause forty-one of section two thousand four hundred three of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" including American Veterans of World War II (AMVETS) and the Marine Corps League among the veterans organizations for which certain appropriations may be made and for which space for meetings may be given

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Seition 1 Clauses thirty-four and forty-one of section two thousand four hundred three of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidatng the law relating thereto" clause thirty-four of which was amended by the act approved the second day of June one thousand nine hundred thirty-seven (P. L. 1188) are hereby amended or further amended as the case may be to read as follows

Section 2403 Specific Powers In adition to other powers granted by this act the council of each city shall have power by ordinance

* * * *

34 Appropriations to Posts of Veterans To appropriate annually to each group of the United States War Veterans and to each post of the American Legion and to each post of the Veterans of Foreign Wars and to each post of the American Veterans of World War II (AMVETS) and to each detachment of the Marine Corps League and to each Naval Association and to each post of the Grand Army of the Republic and to each post of the Disabled American Veterans of the World War and to each chapter of the Military Order of the Purple Heart and to each post of the Jewish War Veterans and to each organization of ex-service men in the city incorporated under the laws of the Commonwealth a sum not to exceed two hundred dollars to aid in defraying the expenses of Memorial Day and Armistice Day Where the Grand Army of the Republic has ceased to exist or to funition such appropriation may be made to the Sons of Union Veterans of the Civil War or in the absence of such order to a duly constituted organization which conducts the decorating of the graves

of Union veterans of the Civil War Such payments shall be made to defray actual expenses only Before any payment is made the organization receiving the same shall submit verified accounts of their expenditures

* * * * *

41 Rooms for Meetings of Veterans To furnish upon application to each organization composed of veterans of the Civil War veterans of the Spanish American War veterans of the [War with Germany and Austria] World War or World War II veterans of any foreign war and sons of veterans a room or rooms in any public building of suih city sufficient for the meeting of each of such organizations at least once each month

Section 2 The provisions of this act shall become effective immediately upon final enactment

On the question,

Will the House agree to the bill on third reading?

Mr. CHUDOFF. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend title, page 1, of title, second from last line of title on said page, by inserting after "(AMVETS)" "the Coast Guard League."

Amend Sec. 1 (Sec. 2403) page 3, line 2, by inserting after the word "League" "and to each chapter of the Coast Guard League."

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

Mr. VAUGHAN. Mr. Speaker, I am against these amendments for this reason, the Coast Guard League consists of persons who served one day a month during the World War service, and for that one reason I am against the Coast Guard League amendments being put into this bill.

Mr. CHUDOFF. Mr. Speaker, I am really surprised at the gentleman from Allegheny. I should think that any Member of this House who would take a microphone should know whereof he speaks. The Coast Guard League is a nationally recognized organization, recognized by the Congress of the United States, with national headquarters in Washington, D. C., and it has some twenty chapters in Pennsylvania. Unfortunately I did not expect to run into this difficulty this afternoon and I do not have the material with me. I asked the gentleman from Allegheny to hold these bills over until tomorrow, until I could provide the necessary information for the House, but he refused to do so. The gentleman seems to be in a hurry that this legislation should be passed.

The Coast Guard League is made up of veterans of the U. S. Coast Guard, both men and women of World War I and World War II. It is true that the members of the Temporary Reserve are eligible for membership in this organization. I do not see how any man can belittle a member of the Temporary Reserve who gave six days a week during the War to release a Coast Guard for active duty, without any pay, without any benefit whatsoever—and he asked for no benefits whatsoever. But there are many members of the Coast Guard League who were regular Coast Guardsmen in World War II and took the LST's to the South Pacific beach-heads and no doubt were captured.

What this bill does is to prefer one service organization to the other. I have no objection and I made no objection last Thursday when the gentleman from Delaware, Mr. Layer, offered amendments to include the Marine Corps. I think they should be in the bill—I think every nationally recognized veteran organization in this state has just as much right to get the benefits of these bills as any other nationally recognized organization of war veterans. If any Member wants to belittle the United States Coast Guard, then let him vote against these amendments.

Mr. LAYER. Mr. Speaker, it has been my privilege to ride ashore in the LCT's out in the Pacific with the Coast Guard. It has also been my privilege to be on ships or transports manned by Coast Guard personnel of the highest type that we could get. They asked no favors when the shells and bullets were flying around, but these organizations that are recognized nationally, The American Legion, The Amvets, The Marine Corps League, The Jewish War Veterans, The Veterans of Foreign Wars, they all have stipulations in their by-laws and Constitutions that the people that join those organizations must have served seven days a week, thirty or thirty-one days a month, and three hundred sixty-five days a year. They do not take into their organizations men that only served one day a month. There is no criticism of the men who only served one day a month—they did a wonderful job, but the veterans' organizations such as I have mentioned all have in their by-laws and Constitutions and regulations that a man must have served full time.

Now, Mr. Vaughan is objecting, and I agree with him one hundred per-cent, that only those men who have served in the armed forces full time should derive the benefit from the bills that are up for third reading and final passage.

This is nothing personal against Mr. Chudoff or the Coast Guard League. As I said the Coast Guard has a very fine personnel, but I have inquired from men that have been in the newspaper business, writers and other men in the Halls of this House, and I personally myself have never heard of the Coast Guard League. Now, that does not say that the Coast Guard League doesn't exist. The Coast Guard League must exist because Mr. Chudoff is a member of the Coast Guard League.

I would just like to voice these objections and ask that these amendments be voted down.

Mr. CHUDOFF. Mr. Speaker, I desire to interrogate the gentleman from Delaware, Mr. Layer.

The SPEAKER. Will the gentleman from Delaware permit himself to be interrogated?

Mr. LAYER. I shall, Mr. Speaker.

Mr. CHUDOFF. I should like, Mr. Speaker, to know from the gentleman from Delaware, Mr. Layer, whether or not he is a member of the Marine Corps Leaque?

Mr. LAYER. Yes, Mr. Speaker, I am proud that I am a member of the Marine Corps League.

Mr. CHUDOFF. I thank the gentleman.

Mr. Speaker, I should like to interrogate the gentleman from Allegheny, Mr. Vaughan.

The SPEAKER. Will the gentleman from Allegheny permit himself to be interrogated?

Mr. VAUGHAN. I shall, Mr. Speaker.

Mr. CHUDOFF. I should like to know from the gentle-

man from Allegheny whether or not he is a member of the AMVETS.

Mr. VAUGHAN. Yes, Mr. Speaker, I am a member and I am very proud of it; also the American Legion and Veterans of Foreign Wars.

Mr. CHUDOFF. Mr. Speaker, I simply wanted to say to the Members of the House that I am a member of the Coast Guard League and I am proud of that too. I just want to reiterate that the members of the United States Coast Guard Temporary Reserve did not serve one day a month on the river front; they served forty-eight hours a month, six eight hour watches to relieve a regular Coast Guardsman for active duty in combat zone, and further that they received no pay and no benefits, nor did they ask for any. I am simply offering these amendments to give those men in the regular Coast Guard Reserve the same rights as the American Legion, the AMVETS and the Marine Corps League.

Mr. Speaker, I ask for a roll call.

On the question recurring,

Will the House agree to the amendments?

he yeas and nays were required by Mr. Chudoff and Mr. Weiss, and were as follows:

YEAS—24

Andrews,	Chudoff,	Mills,	Scanlon,
Barrett,	Cochran,	O'Connor,	Snider,
Beech,	Cole,	O'Neill,	Stank,
Bentzel,	Hocker,	Powers,	Swope,
Boies,	Kean,	Readinger,	Wheeler,
Bucchin,	Lovett,	Rowen,	Yetzer,

NAYS—147

Aaronson,	Goff,	McCormack,	Serrill,
Bender,	Goodling,	McCosker,	Simons,
Bloom,	Graybill,	McDonald,	Smith, C. C.,
Bonawitz,	Greer,	McKinney,	Smith, C. M.,
Bower,	Guthrie,	McMillen,	Sorg,
Brice,	Gyger,	Mikula,	Sproul,
Brunner,	Haller,	Miller,	Stimmel,
Cadwalader,	Haudenshield,	Mohr,	Stonier,
Cassidy,	Helm,	Mooney,	Stuart,
Clevenger,	Henry,	Moore, C. E.,	Thomassy,
Cook,	Hewitt,	Morrison,	Tittle,
Cooper,	Hoffman,	Murray,	Tompkins,
Cordier,	Hoopes,	Najaka,	Toomey,
Costa,	Horan,	Needham,	Turner,
Crowley,	Imbt,	Neff,	Upshur,
Dague,	Jennings,	Nelson,	Vaughan,
Davison,	Johnson,	O'Dare,	Verona,
De Long,	Johnston,	O'Donnell,	Wachhaus,
Demech,	Jones,	Orban,	Wagner,
Dennison,	Jump,	Petrosky,	Waldron,
Depuy,	Kent,	Pickens,	Wallin,
Dix,	Kline,	Propert,	Walton,
Dye,	Kohl,	Ragot,	Waterhouse,
Efenberg,	Kratz,	Reese, D. P.,	Watkins,
Elder,	Krise,	Reese, R. E.,	Watson,
Erb,	Kurtz,	Reilly, J. M.,	Weidner,
Ewing,	Laughner,	Reilly, W. J.,	Weiss,
Feola,	Layer,	Richter,	Wescott,
Fish,	Lee,	Riley,	West,
Fiss,	Leisey,	Robbins,	Wolf,
Flack,	Livingston,	Robertson,	Wood,
Fleming,	Livingstone,	Rose,	Worley,
Foor,	Loftus,	Royer,	Yeakel,
Frost,	Lyons,	Sarraf,	Yester,
Gallagher,	Madden,	Sax,	Young,
Getchey,	Madigan,	Scott,	Lichtenwalter,
Gibson,	Mazza,		Speaker.

NOT VOTING—34

Bane,	Gorman,	Mintess,	Root,
Baumunk,	Greenwood,	Moore, H. A.,	Schuster,
Boorse,	Griffiths,	Myers,	Shoemaker,
Breisch,	Hall,	Naumann,	Sollenberger,
Brown,	Kelley,	Patten,	Stockham,
Capano,	Kemp,	Pichney,	Tahl,
Chervenak,	Kirley,	Polaski,	Thompson,
Dalrymple,	McCullough,	Price,	Trout,
Evans,	Mihm,	Reagan,	

So the question was determined in the negative and the amendments were not agreed to.

On the question recurring.

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Frost,	McCosker,	Sax,
Andrews,	Gallagher,	McCullough,	Scanlon,
Bane,	Getchey,	McDonald,	Schuster,
Barrett,	Gibson,	McKinney,	Scott,
Baumunk,	Goff,	McMillen,	Serrill,
Beech,	Goodling,	Mihm,	Shoemaker,
Bender,	Gorman,	Mikula,	Simons,
Bentzel,	Graybill,	Miller,	Smith, C. C.,
Bloom,	Greenwood,	Mills,	Smith, C. M.,
Boies,	Greer,	Mintess,	Snider,
Bonawitz,	Griffiths,	Mohr,	Sollenberger,
Boorse,	Guthrie,	Mooney,	Sorg,
Bower,	Gyger,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenshield,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Bucchin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,
Clevenger,	Jennings,	O'Dare,	Tompkins,
Cochran,	Johnson,	O'Donnell,	Toomey,
Cole,	Johnston,	O'Neill,	Turner,
Cook,	Jones,	Orban,	Upshur,
Cooper,	Jump,	Patten,	Vaughan,
Cordier,	Kean,	Petrosky,	Verona,
Costa,	Kelley,	Pichney,	Wachhaus,
Crowley,	Kemp,	Pickens,	Wagner,
Dague,	Kent,	Polaski,	Waldron,
Dalrymple,	Kirley,	Powers,	Wallin,
Davison,	Kline,	Price,	Walton,
De Long,	Kohl,	Propert,	Waterhouse,
Demech,	Kratz,	Ragot,	Watkins,
Dennison,	Krise,	Readinger,	Watson,
Depuy,	Kurtz,	Reagan,	Weidner,
Dix,	Laughner,	Reese, D. P.,	Weiss,
Dye,	Layer,	Reese, R. E.,	Wescott,
Efenberg,	Lee,	Reilly, J. M.,	West,
Elder,	Leisey,	Reilly, W. J.,	Wheeler,
Erb,	Livingston,	Richter,	Wolf,
Evans,	Livingstone,	Riley,	Wood,
Ewing,	Loftus,	Robbins,	Worley,
Feola,	Lovett,	Robertson,	Yeakel,
Fish,	Lyons,	Root,	Yester,
Fiss,	Madden,	Rose,	Yetzer,
Flack,	Madigan,	Rowen,	Young,
Fleming,	Mazza,	Royer,	Lichtenwalter,
Foor,	McCormack,	Sarraf,	Speaker.

NAYS—0

NOT VOTING—2

Hall,	Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 19, as follows:

An Act to amend section one of the act approved the second day of June one thousand nine hundred thirty-seven (P. L. 1184) entitled "An act authorizing cities of the first and second class and second class A and incorporated towns to make appropriations to organizations of ex-service men to aid in defraying the expenses of Memorial Day and Armistice Day" including the American Veterans of World War II (AMVETS) and the Marine Corps League among the veterans' organization to which certain appropriations may be made

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one of the act approved the second day of June one thousand nine hundred thirty-seven (P. L. 1184) entitled "An act authorizing cities of the first and second class and second class A and incorporated towns to make appropriations to organizations of ex-service men to aid in defraying the expenses of Memorial Day and Armistice day" is hereby amended to read as follows

Section 1 Be it enacted &c That the respective authorities of the several cities of the first and second class and second class A and incorporated towns of this Commonwealth are hereby authorized to appropriate annually to each camp of the United Spanish War Veterans and to each post of the American Legion and to each post of the Veterans of Foreign Wars and to each post of the American Veterans of World War II (AMVETS and to each Detachment of the Marine Corps League and to each Naval Veterans of World War II (AMVETS) and to each Naval Association and to each post of the Grand Army of the Republic and to each post of the Disabled American Veterans of the World War and to each chapter of the Military Order of the Purple Heart and to each post of the Jewish War Veterans and to each organization of ex-service men incorporated under the laws of this Commonwealth in the respective cities or towns a sum not to exceed two hundred dollars to aid in defraying the expenses of Memorial Day and Armistice Day Where the Grand Army of the Republic has ceased to exist or to function such appropriation may be made to the Sons of Union Veterans of the Civil War or in the absence of such order to a duly constituted organization which conducts the decorating of the graves of Union veterans of the Civil War Such payments shall be made to defray actual expenses only Before any payment is made the organizations receiving the same shall submit verified accounts of their expenditures

Section 2 The provisions of this act shall become effective immediately upon final enaitment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Frost,	McCosker,	Sax,
Andrews,	Gallagher,	McCullough,	Scanlon,
Bane,	Getchey,	McDonald,	Schuster,
Barrett.	Gibson,	McKinney,	Scott,
Baumunk,	Goff,	McMillen,	Serrill.
Beech,	Goodling,	Mihm,	Shoemaker,
Bender,	Gorman,	Mikula,	Simons,
Bentzel,	Graybill,	Miller,	Smith, C. C.,
Bloom,	Greenwood,	Mills,	Smith, C. M.,
Boles,	Greer,	Mintess,	Snider,
Bonawitz,	Griffiths,	Mohr,	Sollenberger,
Boorse,	Guthrie,	Mooney,	Sorg,
Bower.	Gyger,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenshield,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Bucchin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,
Clevenger,	Jennings,	O'Dare,	Tompkins,
Cochran,	Johnson,	O'Donnell,	Toomey,
Cole,	Johnston,	O'Neill,	Turner,
Cook,	Jones,	Orban,	Upshur,
Cooper,	Jump,	Patten,	Vaughan,
Cordier,	Kean,	Petrosky,	Verona,
Costa,	Kelley,	Pichney,	Wachhaus,
Crowley,	Kemp,	Pickens,	Wagner,
Dague,	Kent,	Polaski,	Waldron,
Dalrymple,	Kirley,	Powers,	Wallin,
Davison,	Kline,	Price,	Walton,
De Long,	Kohl,	Propert,	Waterhouse,
Demech,	Kratz,	Ragot,	Watkins,
Dennison,	Krise,	Readinger,	Watson,
Depuy,	Kurtz,	Reagan,	Weidner,
Dix,	Laughner,	Reese, D. P.,	Weiss,
Dye,	Layer,	Reese, R. E.,	Wescott,
Efenberg,	Lee,	Reilly, J. M.,	West,
Elder,	Leisey,	Reilly, W. J.,	Wheeler,
Erb,	Livingston,	Richter,	Wolf,
Evans,	Livingstone,	Riley,	Wood,
Ewing,	Loftus,	Robbins,	Worley,
Feola,	Lovett,	Robertson,	Yeakel,
Fish,	Lyons,	Root,	Yester,
Fiss,	Madden,	Rose,	Yetzer,
Flack,	Madigan,	Rowen,	Young,
Fleming,	Mazza,	Royer,	Lichtenwalter,
Foor,	McCormack,	Sarraf,	Speaker.

NAYS—0

NOT VOTING—2

Hall,	Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 20 as follows:

An Act to amend section four hundred thirty-one of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" including the American Veterans of World War II (AMVETS) and the Marine Corps League among the veterans' organizations for which certain appropriations may be made

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section four hundred thirty-one of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws thereto" is hereby amended to read as follows

Section 431 Appropriations to Veterans' Organizations for Expenses of Memorial Day The board of commissioners may appropriate annually to each camp of the United Spanish War Veterans and to each post of the American Legion and to each post of the Veterans of Foreign Wars and to each post of the American War Veterans of World War II (AMVETS) and to each detachment of the Marine Corps League and to each Naval Association and to each post of the Grand Army of the Republic and to each post of the Disabled American Veterans of the World War and to each organization of ex-service men iniorporated

under the act of April twenty-ninth one thousand eight hundred and seventy-four and the supplements thereto in the county a sum not to exceed two hundred dollars to aid in defraying the expenses of Memorial Day and Armistice Day Where the Grand Army of the Republic has ceased to exist or to function such appropriation may be made to the Sons of Union Veterans of the Civil War or in the absence of such order to a duly constituted organization which conducts the decorating of graves of Union veterans of the Civil War Suih payments shall be made to defray actual expenses only Before any payment is made the organization receiving the same shall submit verified accounts of their expenditures

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Frost,	McCosker,	Sax,
Andrews,	Gallagher,	McCullough,	Scanlon,
Bane,	Getchey,	McDonald,	Schuster,
Barrett,	Gibson,	McKinney,	Scott,
Baumunk,	Goff,	McMillen,	Serrill,
Beech,	Goodling,	Mihm,	Shoemaker,
Bender,	Gorman,	Mikula,	Simons,
Bentzel,	Graybill,	Miller,	Smith, C. C.,
Bloom,	Greenwood,	Mills,	Smith, C. M.,
Boies,	Greer,	Mintess,	Snider,
Bonawitz,	Griffiths,	Mohr,	Sollenberger,
Boorse,	Guthrie,	Mooney,	Sorg,
Bower,	Gyger,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenshield,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Bucchin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,
Clevenger,	Jennings,	O'Dare,	Tompkins,
Cochran,	Johnson,	O'Donnell,	Toomey,
Cole,	Johnston,	O'Neill,	Turner,
Cook,	Jones,	Orban,	Upshur,
Cooper,	Jump,	Patten,	Vaughan,
Cordier,	Kean,	Petrosky,	Verona,
Costa,	Kelley,	Pichney,	Wachhaus,
Crowley,	Kemp,	Pickens,	Wagner,
Dague,	Kent,	Polaski,	Waldron,
Dalrymple,	Kirley,	Powers,	Wallin,
Davison,	Kline,	Price,	Walton,
De Long,	Kohl,	Propert,	Waterhouse,
Demech,	Kratz,	Ragot,	Watkins,
Dennison,	Krise,	Readinger,	Watson,
Depuy,	Kurtz,	Reagan,	Weidner,
Dix,	Laughner,	Reese, D. P.,	Weiss,
Dye,	Layer,	Reese, R. E.,	Wescott,
Efenberg,	Lee,	Reilly, J. M.,	West,
Elder,	Leisey,	Reilly, W. J.,	Wheeler,
Erb,	Livingston,	Richter,	Wolf,
Evans,	Livingstone,	Riley,	Wood,
Ewing,	Loftus,	Robbins,	Worley,
Feola,	Lovett,	Robertson,	Yeakel,
Fish,	Lyons,	Root,	Yester,
Fiss,	Madden,	Rose,	Yetzer,
Flack	Madigan,	Rowen,	Young,
Fleming,	Mazza,	Royer,	Lichtenwalter,
Foor,	McCormack,	Sarraf,	Speaker.

NAYS—0

NOT VOTING—2

Hall, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 23 as follows:

An Act to further amend subsection (a) of section seven hundred twenty-two of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts of the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" including the American Veterans of World War II (AMVETS) and the Marine Corps League among the organizations exempt from payment of registration fees of vehicles used by such organization

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (a) of section seven hundred twenty-two of the act aproved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as last amended by the act approved the twenty-ninth day of June one thousand nine hundred thirty-seven (P. L. 2329) is hereby further amended to read as follows

Section 722 Exemptions from Fees

(a) No fee shall be charged for a certificate of title or registration of motor vehicles fire department equipment trailers and semitrailers owned by and used exclusively in the performance of the duties of (a) the Federal Government (b) any state other than Pennsylvania which issues titles or registrations to this Commonwealth without charge (c) the Commonwealth of Pennsylvania (d) any city borough incorporated towns township county poor or school district of this Commonwealth (e) any

duly authorized volunteer fire force in the extinguishment and prevention of fires or in rescue work hospital humane society or anti-cruelty society in this Commonwealth (f) the American Red Cross (g) churches (h) Girl Scouts of America (i) Boy Scouts of American (j) Salvation Army (k) duly chartered post or organization of the American Legion Veterans of Foreign Wars American Veterans of World War II (AMVETS) the Marine Corps League or United Spanish War Veterans of this Commonwealth or La Societe Des Forty Hommes et Eight Chevaux and organizations and units of the Pennsylvania National Guard (1) mine or industrial ambulances (m) ambassadors ministers foreign consuls general consuls and vice consuls who are nationals of the country appointing them and who are assigned to foreign consulates in this Commonwealth Provided That American consular officers of equal rank who are citizens of the United States and who exercise their official functions at American consulates in such foreign country are granted reciprocal exemptions but all such vehicles except those owned and used by the Federal Government shall be titled and registered and shall display registration plates as is now provided for privately owned motor vehicles trailers and semi-trailers

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Frost,	McCosker,	Sax,
Andrews,	Gallagher,	McCullough,	Scanlon,
Bane,	Getchey,	McDonald,	Schuster,
Barrett,	Gibson,	McKinney,	Scott,
Baumunk,	Goff,	McMillen,	Serrill,
Beech,	Goodling,	Mihm,	Shoemaker,
Bender,	Gorman,	Mikula,	Simons,
Bentzel,	Graybill,	Miller,	Smith, C. C.,
Bloom,	Greenwood,	Mills,	Smith, C. M.,
Boies,	Greer,	Mintess,	Snider,
Bonawitz,	Griffiths,	Mohr,	Sollenberger,
Boorse,	Guthrie,	Mooney,	Sorg,
Bower,	Gyger,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenshield,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Bucchin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,
Clevenger,	Jennings,	O'Dare,	Tompkins,
Cochran,	Johnson,	O'Donnell,	Toomey,
Cole,	Johnston,	O'Neill,	Turner,
Cook,	Jones,	Orban,	Upshur,
Cooper,	Jump,	Patten,	Vaughan,
Cordier,	Kean,	Petrosky,	Verona,
Costa,	Kelley,	Pichney,	Wachhaus,
Crowley,	Kemp,	Pickens,	Wagner,
Dague,	Kent,	Polaski,	Waldron,
Dalrymple,	Kirley,	Powers,	Wallin,
Davison,	Kline,	Price,	Walton,
De Long,	Kohl,	Propert,	Waterhouse,
Demech,	Kratz,	Ragot,	Watkins,
Dennison,	Krise,	Readinger,	Watson,
Depuy,	Kurtz,	Reagan,	Weidner,
Dix,	Laughner,	Reese, D. P.,	Weiss,
Dye,	Layer,	Reese, R. E.,	Wescott,
Efenberg,	Lee,	Reilly, J. M.,	West,
Elder,	Leisey,	Reilly, W. J.,	Wheeler,
Erb,	Livingston,	Richter,	Wolf,
Evans,	Livingstone,	Riley,	Wood,
Ewing,	Loftus,	Robbins,	Worley,
Feola,	Lovett,	Robertson,	Yeakel,
Flack,	Lyons,	Root,	Yester,
Fleming,	Madden,	Rose,	Yetzer,
Foor,	Madigan,	Rowen,	Young,
Fish,	Mazza,	Royer,	Lichtenwalter,
Fiss,	McCormack,	Sarraf,	Speaker.

NAYS—0

NOT VOTING—2

Hall, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 24, as follows:

An Act to further amend the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" including American Veterans of World War II (AMVETS) and the Marine Corps League among the veterans' organizations for which certain appropriations may be made and making more specific the veterans' organizations for which money may be appropriated for rental of meeting rooms of such organizations

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clauses forty-two forty-four and forty-five of section one thousand two hundred two of the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" clause forty-five of which was amended by the act approved the eighteenth day of July one thousand nine hundred thirty-five (P. L. 1290) are hereby amended or further amended as the case may be to read as follows

Section 1202 Specific Powers The powers of the borough shall be vested in the corporate officers They shall have power

* * * * *

XLII Appropriations to Posts of Veterans To appropriate annually to each camp of the United Spanish War Veterans and to each post of the American Legion and to each post of the Veterans of Foreign Wars and to each post of the American Veterans of World War II (AMVETS) and to each detachment of the Marine Corps League and to each Naval Association and to each post of the Disabled American Veterans of the World War and to each organization of ex-service men incorporated under the act of April twenty-ninth one thousand eight hundred and seventy-four and the supplements thereto in the respective boroughs a sum not to exceed two hundred dollars to aid in defraying the expenses of Memorial Day and Armistice Day Such payments shall be made to defray actual expenses only Before any payment is made the organization receiving the same shall submit verified accounts of their expenditures

* * * * *

XLIV Payment of Rent for Veterans Posts and Camps By a two-thirds vote of the council appropriate money to any incorporated camp or post of veterans of any war in which the United States was engaged or to any nationally recognized veterans organization of the World War or World War II to be used in the payment of the rent of any building or room or rooms in which such camp or post has its regular meetings

XLV Rooms for Veterans Posts and Camp Upon application therefor to furnish to each organization composed of veterans of the Civil War veterans of the Spanish American War veterans of the [War with Germany and Austria] World War or World War II veterans of any foreign war and sons of veterans a room or rooms in any public building of such boough sufficient for the meeting of each of such organizations at least once each month and in the case of municipally owned utilities to furnish

service without charge to such rooms and also to buildings occupied by posts camps or veterans of any war in which the United States was engaged

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Frost,	McCosker,	Sax,
Andrews,	Gallagher,	McCullough,	Scanlon,
Bane,	Getchey,	McDonald,	Schuster,
Barrett,	Gibson,	McKinney,	Scott,
Baumunk,	Goff,	McMillen,	Serrill,
Beech,	Goodling,	Mihm,	Shoemaker,
Bender,	Gorman,	Mikula,	Simons,
Bentzel,	Graybill,	Miller,	Smith, C. C.,
Bloom,	Greenwood,	Mills,	Smith, C. M.,
Boies,	Greer,	Mintess,	Snider,
Bonawitz,	Griffiths,	Mohr,	Sollenberger,
Boorse,	Guthrie,	Mooney,	Sorg,
Bower,	Gyger,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenshield,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Bucchin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,
Clevenger,	Jennings,	O'Dare,	Tompkins,
Cochran,	Johnson,	O'Donnell,	Toomey,
Cole,	Johnston,	O'Neill,	Turner,
Cook,	Jones,	Orban,	Upshur,
Cooper,	Jump,	Patten,	Vaughan,
Cordier,	Kean,	Petrosky,	Verona,
Costa,	Kelley,	Pichney,	Wachhaus,
Crowley,	Kemp,	Pickens,	Wagner,
Dague,	Kent,	Polaski,	Waldron,
Dalrymple,	Kirley,	Powers,	Wallin,
Davison,	Kline,	Price,	Walton,
De Long,	Kohl,	Propert,	Waterhouse,
Demech,	Kratz,	Ragot,	Watkins,
Dennison,	Krise,	Readinger,	Watson,
Depuy,	Kurtz,	Reagan,	Weidner,
Dix,	Laughner,	Reese, D. P.,	Weiss,
Dye,	Layer,	Reese, R. E.,	Wescott,
Efenberg,	Lee,	Reilly, J. M.,	West,
Elder,	Leisey,	Reilly, W. J.,	Wheeler,
Erb,	Livingston,	Richter,	Wolf,
Evans,	Livingstone,	Riley,	Wood,
Ewing,	Loftus,	Robbins,	Worley,
Feola,	Lovett,	Robertson,	Yeakel,
Fish,	Lyons,	Root,	Yester,
Fiss,	Madden,	Rose,	Yetzer,
Flack,	Madigan,	Rowen,	Young,
Fleming,	Mazza,	Royer,	Lichtenwalter,
Foor,	McCormack,	Sarraf,	Speaker.

NAYS—0

NOT VOTING—2

Hall, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 25 as follows:

An Act to further amend section one of the act approved the third day of May one thousand nine hundred twenty-three (P. L. 134) entitled "An act making the proceedings of the conventions of the Departments of Pennsylvania of the Grand Army of the Republic and the United Spanish War Veterans a part of the public records of the State and providing for their publication and distribution" including American Veterans of World War II (AMVETS) and the Marine Corps League among the veterans organizations entitled to the printing of convention reports

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one of the act approved the third day of May one thousand nine hundred twenty-three (P. L. 134) entitled "An act making the proceedings of the conventions of the Departments of Pennsylvania of the Grand Army of the Republic and the United Spanish War Veterans a part of the public records of the State and providing for their publication and distribution" as last amended by the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 680), is hereby further amended to read as follows

Section 1 Be it enacted &c That whenever the department commanders of the Grand Army of the Republic the United Spanish War Veterans the Veterans of Foreign Wars of the United States the American Legion [and] the Disabled American Veterans of the World War the American Veterans of World War II (AMVETS) and the Marine Corps League shall report to the Department of Property and Supplies the proceedings of the annual encampment or conventions of their respective departments with such general and special orders and circulars and other data which may form a part of said proceedings then the said proceedings so reported shall be considered State records and under the direction of the Department of Property and Supplies shall be printed and bound and a printed and bound copy thereof shal be sent to each post or detachment in the Commonwealth of Pennsylvania of the organization of whose proceedings the same is a report

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Frost,	McCosker,	Sax,
Andrews,	Gallagher,	McCullough,	Scanlon,
Bane,	Getchey,	McDonald,	Schuster,
Barrett,	Gibson,	McKinney,	Scott,
Baumunk,	Goff,	McMillen,	Serrill,
Beech,	Goodling,	Mihm,	Shoemaker,
Bender,	Gorman,	Mikula,	Simons,
Bentzel,	Graybill,	Miller,	Smith, C. C.,
Bloom,	Greenwood,	Mills,	Smith, C. M.,
Boies,	Greer,	Mintess,	Snider,
Bonawitz,	Griffiths,	Mohr,	Sollenberger,
Boorse,	Guthrie,	Mooney,	Sorg,
Bower,	Gyger,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenshield,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Bucchin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,
Clevenger,	Jennings,	O'Dare,	Tompkins,
Cochran,	Johnson,	O'Donnell,	Toomey,
Cole,	Johnston,	O'Neill,	Turner,
Cook,	Jones,	Orban,	Upshur,
Cooper,	Jump,	Patten,	Vaughan,

Cordier,	Kean,	Petrosky,	Verona,
Costa,	Kelley,	Pichney,	Wachhaus,
Crowley,	Kemp,	Pickens,	Wagner,
Dague,	Kent,	Polaski,	Waldron,
Dalrymple,	Kirley,	Powers,	Wallin,
Davison,	Kline,	Price,	Walton,
De Long,	Kohl,	Propert,	Waterhouse,
Demech,	Kratz,	Ragot,	Watkins,
Dennison,	Krise,	Readinger,	Watson,
Depuy,	Kurtz,	Reagan,	Weidner,
Dix,	Laughner,	Reese, D. P.,	Weiss,
Dye,	Layer,	Reese, R. E.,	Wescott,
Efenberg,	Lee,	Reilly, J. M.,	West,
Elder,	Leisey,	Reilly, W. J.,	Wheeler,
Erb,	Livingston,	Richter,	Wolf,
Evans,	Livingstone,	Riley,	Wood,
Ewing,	Loftus,	Robbins,	Worley,
Feola,	Lovett,	Robertson,	Yeakel,
Fish,	Lyons,	Root,	Yester,
Fiss,	Madden,	Rose,	Yetzer,
Flack,	Madigan,	Rowen,	Young,
Fleming,	Mazza,	Royer,	Lichtenwalter,
Foor,	McCormack,	Sarraf,	Speaker.

NAYS—0

NOT VOTING—2

Hall, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 26, as follows:

An Act to further amend the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" prohibiting the unauthorized wearing of insignia or selling of the official flower of the American Veterans of World War II (AMVETS) or of the Marine Corps League and including such organizations among those whose members may wear military uniforms for certain purposes

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections eight hundred eighty-nine and eight hundred ninety-one of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" are hereby amended to read as follows

Section 889 Illegally Wearing Military Insignia Whoever wilfully wears the insignia badge shield or button of the Loyal Legion of the United States or the Grand Army of the Republic or the Union Veteran Legion or the Order Sons of Veterans or the Spanish-American War Veterans or the Society of Spanish-American or Philippine Wars or the American Legion or the Veterans of Foreign Wars of the United States or the Disabled American Veterans of the World War on the American Veterans of World War II (AMVETS) or the Marine Corps League or the official decorations of any of said organizations or uses the same to obtain aid or assistance unless he is entitled to use or wear the same under the constitution and by-laws rules and regulations of such organizations is guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine not to exceed one hundred dollars ($100) or be imprisoned for a period not to exceed sixty (60) days or both

Section 891 Illegally Wearing Military Uniform Whoever wears the uniform or any distinctive part thereof of the United States Army Navy Marine Corps Revenue Cutter Service or Coast Guard or of the National Guard while soliciting alms or while engaged for personal profit in selling merchandise or taking orders for the same or while engaged for personal profit in seeking or receiving contributions in support of any cause enterprise or undertaking or while engaged in soliciting or receiving subscriptions to any book paper or magazine unless said wearer is a duly authorized solicitor of the Grand Army of the Republic the United Spanish War Veterans the Veterans of Foreign Wars of the United States the American Legion or the Disabled American Veterans of the World War or the American Veterans of World War II (AMVETS) or the Marine Corps League or any local branch campor post thereof is guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one hundred dollars ($100) or undergo imprisonment for not more than two (2) months or both

This section shall not apply to any member of the United States Army Navy Marine Corps Revenue Cutter Service or Coast Guard or to any member of the National Guard while in service

Section 2 Section eight hundred ninety-two of said act as amended by the act approved the twenty-fifth day of April one thousand nine hundred forty-five (P. L. 300) is hereby further amended to read as follows

Section 892 Illegal Sale of Veterans' Flowers Whoever imitates sells or offers to sell the labeled artificial flowers of the American Legion Veterans of Foreign Wars Spanish-American War Veterans American War Mothers [and] Disabled American Veterans of the World War and the American Veterans of World War II (AMVETS) and the Marine Corps League namely the poppy the buddy poppy carnation American War Mothers' carnation [and] the for-get-me-not the four leaf white clover and the poinsettia except on the day or days designated or appointed by the respective veterans' organizations to conduct such sales shall upon conviction in a summary proceeding be sentenced to pay a fine of not more than fifty dollars ($50) and in default of the payment of such fine and costs shall be sentenced to imprisonment for ten (10) days

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Frost,	McCosker,	Sax,
Andrews,	Gallagher,	McCullough,	Scanlon,
Bane,	Getchey,	McDonald,	Schuster,
Barrett,	Gibson,	McKinney,	Scott,
Baumunk,	Goff,	McMillen,	Serrill,
Beech,	Goodling,	Mihm,	Shoemaker,
Bender,	Gorman,	Mikula,	Simons,
Bentzel,	Graybill,	Miller,	Smith, C. C.,
Bloom,	Greenwood,	Mills,	Smith, C. M.,
Boies,	Greer,	Mintess,	Snider,
Bonawitz,	Griffiths,	Mohr,	Sollenberger,
Boorse,	Guthrie,	Mooney,	Sorg,
Bower,	Gyger,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenshield,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Bucchin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,
Clevenger,	Jennings,	O'Dare,	Tompkins,
Cochran,	Johnson,	O'Donnell,	Toomey,
Cole,	Johnston,	O'Neill,	Turner,
Cook,	Jones,	Orban,	Upshur,
Cooper,	Jump,	Patten,	Vaughan,
Cordier,	Kean,	Petrosky,	Verona,
Costa,	Kelley,	Pichney,	Wachhaus,
Crowley,	Kemp,	Pickens,	Wagner,

Dague,	Kent,	Polaski,	Waldron,
Dalrymple,	Kirley,	Powers,	Wallin,
Davison,	Kline,	Price,	Walton,
De Long,	Kohl,	Propert,	Waterhouse,
Demech,	Kratz,	Ragot,	Watkins,
Dennison,	Krise,	Readinger,	Watson,
Depuy,	Kurtz,	Reagan,	Weidner,
Dix,	Laughner,	Reese, D P.,	Weiss,
Dye,	Layer,	Reese, R E.,	Wescott,
Efenberg,	Lee,	Reilly, J. M.,	West,
Elder,	Leisey,	Reilly, W. J.,	Wheeler,
Erb,	Livingston,	Richter,	Wolf,
Evans,	Livingstone,	Riley,	Wood,
Ewing,	Loftus,	Robbins,	Worley,
Feola,	Lovett,	Robertson,	Yeakel,
Fish,	Lyons,	Root,	Yester,
Fiss,	Madden,	Rose,	Yetzer,
Flack,	Madigan,	Rowen,	Young,
Fleming,	Mazza,	Royer,	Lichtenwalter,
Foor,	McCormack,	Sarraf,	Speaker.

NAYS—0

NOT VOTING—2

Hall, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

COMMUNICATIONS FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

VETO OF HOUSE BILL 402

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 28, 1947.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I return herewith, without my approval, House Bill No. 402, Printer's No. 60, entitled "An Act to amend section three of the act approved the fifteenth day of June one thousand nine hundred thirty-seven (P. L. 1743 Number 368) entitled 'An act relating to magistrates and magistrates' courts in the city of Philadelphia imposing certain duties upon and prohibiting certain practices by magistrates imposing certain duties on the city controller in regard thereto authorizing the employment by him of additional clerks and fixing their compensation regulating the practice in magistrates' courts the entering of bail and the issuance of discharges in criminal cases in the county of Philadelphia conferring certain powers over magistrates and magistrates' courts and imposing certain duties in connection therewith upon the judges of the courts of common pleas of the county of Philadelphia providing for the appointment and employment of stenographers to report proceedings in certain cases heard by magistrates fixing salaries of persons employed by authority of this act providing penalties for violations of the provisions thereof and repealing certain prior acts' by removing the restrictions against magistrates participating in political activities."

This bill would remove from the Act (1937 Magistrates' Court Act) the restriction in Section 3 prohibiting magistrates in the City of Philadelphia from serving as representatives of any political party in an election district or on the governing body of any political party organization.

One need look no further than the opinion of the Supreme Court of Pennsylvania in the case of Rutenberg et al. v. Philadelphia et al 329 Pa. 26 (1938), to find adequate reasons for disapproval of this bill. In that case the constitutionality of the 1937 act was questioned and the Court in speaking of a report made in 1926 by the Committe on Legislation to the Law Association of Philadelphia said:

> "* * * The committee recommended that magistrates be divorced from politics by restricting them to the performance of their duties and forbidding them to engage in any business or profession, or to serve in any capacity as the representative of any political party, organization or committee; * * *"

The opinion calls attention to the fact that in passing the 1927 act, the Legislature ignored the foregoing recommendation and the 1937 Magistrates' Court Act, including the provision this bill would remove, was enacted because a special Grand Jury investigation disclosed widespread illegal practices, denial of justice and the oppression of citizens by magistrates. The report filed by the Grand Jury recommended the appointment of a committee to make an investigation, and this committee in its report to the Goverenor and the General Assembly said:

> "* * * 'The principal underlying cause of most, if not all, of the evils and abuses which have crept into the administration of the magistrates' courts in Philadelphia, is the practically universal participation of the magistrates in politics. The temptation to which a magistrate is subjected to use the great powers of his office for his personal political aggrandizement, by granting immunity from criminal responsibility for political considerations, or by using his powers to oppress and extort factional political support from the citizen in difficulty with the criminal law, is, in the judgment of the commission, the fundamental weakness of the system.'"

The Court quoted the above language of the committee report and subsequently in the opinion said:

> "The functions of the magistrates' courts come closer to the great mass of our population than any other part of our judicial machinery. The faith and respect of the citizens in the competency and integrity of these tribunals in which they appear must be maintained. These are the courts to which the ordinary citizen for relatively small but to him important problems, whether criminal or civil, resorts for the redress of his grievances. Competent and honest the magistrate can be a protector against both unlawful invasion of private rights by public officers, and the wrongdoing of criminals and racketeers. Dishonest or incompetent, the magistrate becomes the tool of oppression and the ally of crime."

The court also said:

> "We have said that where an act is the product of the study made by a commission of citizens appointed to investigate conditions found to be harmful, and authorized to draft an act to eradicate such evils, the act should not be condemned unless the breach of the fundamental law is so glaring that there is no escape: Minsinger v. Rau, 236 Pa. 327."

Statutory violations of constitutional inhibitions may be no more objectionable than factual or conscientious reasons which make legislation undesirable. In view of the well-reasoned opinion of the Supreme Court of Pennsylvania as evidenced by the foregoing excerpts, it would be a backward step to remove from the statute the restriction applying to political activity by magistrates in the City of Philadelphia.

For these reasons the bill is not approved.

JAMES H. DUFF.

On the question,

Shall the bill become a law, the veto of the Governor to the contrary notwithstanding?

Mr. SORG. Mr. Speaker, I move that the communication, together with the bill be laid upon the table.

The motion was agreed to.

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which read as follows:

APPROVAL OF HOUSE BILLS NOS. 118, 120, 135, 175, 208, 237, 239, 296, 297, 298, 332, 333, 337, 350, 463, 464, 501, 617, 646.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 24, 1947.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day aproved and signed House Bill No. 118, Printer's No. 12, entitled "An Act to further amend the third paragraph of section five of the act approved the eleventh day of June one thousand nine hundred thirty-five (P. L. 26) entitled 'An act relating to counties of the first class defining deceased service persons providing for contributions by the county to the funeral expenses for such persons and their widows providing for the erection and care of markers headstones and flags and for the compilation of war records' authorizing the erection of headstones for deceased service persons whose bodies will not or cannot be returned to the United States and increasing amount of costs in certain cases."

JAMES H. DUFF.

April 24, 1947.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 120, Printer's No. 13, entitled "An Act to further amend the third paragraph of section four hundred twenty-six of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled 'An act relating to counties of the second third fourth fifth sixth seventh and eight classes and revising amending and consolidating the laws relating thereto' authorizing the erection of headstones for deceased service persons whose bodies will not or cannot be returned to the United States and increasing amount of costs in certain cases."

JAMES H. DUFF.

April 24, 1947.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 135, Printer's No. 14, entitled "An Act to amend sections one thousand three and one thousand one hundred ten of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled 'An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections' changing method of determining priority of political parties on ballot"

JAMES H. DUFF.

April 24, 1947.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 175, Printer's No. 228, entitled "An Act to further amend section six hundred twenty-two of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled 'An act concerning townships of the first class amending revising consolidating and changing the law relating thereto' increasing expense allowance."

JAMES H. DUFF.

April 24, 1947.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 208, Printer's No. 227, entitled "An Act to amend section five hundred fifteen of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled 'An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto' increasing compensation of supervisors for each meeting attended."

JAMES H. DUFF.

April 25, 1947.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day and signed House Bill No. 237, Printer's No. 314, entitled "An Act to amend sections one thousand seventeen and one thousand two hundred seven of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled 'An act relating to cities of the third class and amending revising and consolidating the law relating thereto" removing the maximum limits on salaries of councilmen and mayors."

JAMES H. DUFF.

April 24, 1947.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 239, Printer's No. 169, entitled "An Act to further amend the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 457) entitled 'An act relating to the business of building and loan associations providing for the organization and voluntary dissolution of such associations defining the rights powers duties liabilities and immunities of such associations and of their officers directors shareholders solicitors and other employes prohibiting the transaction of business in this Commonwealth by foreign building and loan associations conferring powers and imposing duties upon the courts records of deeds and certain State departments commissions and officers establishing limitations of certain actions imposing penalties and repealing certain acts and parts of acts' by further defining and limiting the rights powers duties liabilities and immunities of building and loan associations and their shareholders."

JAMES H. DUFF.

April 24, 1947.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 296, Printer's No. 243, entitled "An Act relating to the incidents of legal and equitable interests in real and personal property including the validity thereof the powers rights and duties of persons with respect thereof and the disposition of interests which fail and containing provisions concerning termination of trusts releases and disclaimers of powers and interests perpetuities accumulations charitable estates rights of a surviving spouse in property as to which the decendent has retained certain powers spendthrift trusts limited estates in property rules of interpretation estates pur

auter vie estates in fee tail and the Rule in Shelley's Case."

JAMES H. DUFF.

April 24, 1947.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 297, Printer's No. 242, entitled "An Act relating to the descent of the real and personal estates of persons dying intestate and the procedure in reference thereto."

JAMES H. DUFF.

April 24, 1947.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 298, Printer's No. 244, entitled "An Act relating to the form execution revocation operation and interpretation of wills to nuncupative wills to the appointment of testamentary guardians to elections to take under or against wills and the procedure in reference thereto."

JAMES H. DUFF.

April 24, 1947.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 332, Printer's No. 42, entitled "An Act to amend the title and section one of the act approved the twenty-eighth day of July one thousand nine hundred forty-one (P. L. 560) entitled 'An act authorizing and empowering school districts of the first and second class to furnish food including milk to undernourished and poor school children in their districts and providing that the acceptance and distribution of surplus commodities furnished by the Federal Government to such school districts shall not affect or limit the provisions hereof' extending the provisions thereof to all classes of school districts."

JAMES H. DUFF.

April 24, 1947.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 333, Printer's No. 50, entitled "An Act to provide for the establishment maintenance operation and expansion of nonprofit school lunch programs in schools in the Commonwealth of Pennsylvania."

JAMES H. DUFF.

April 24, 1947.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 337, Printer's No. 144, entitled "An Act authorizing the Department of Property and Supplies with the approval of the Governor to convey to the Borough of Ebensburg Cambria County certain property located in Cambria County and commonly known as the 'Keystone Airport'."

JAMES H. DUFF.

April 24, 1947.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 350, Printer's No. 44, entitled "An Act to amend section sixteen of the act approved the twenty-fourth day of January one thousand eight hundred forty-nine (P. L. 678) entitled 'An act authorizing the commissioners of the incorporated districts of the Northern Liberties and Kensington to open a street to be called Delaware avenue relative to the duties of assessors venders of mineral waters the Fire association of Philadelphia vacancies in the school boards in the county of Philadelphia to lost mortgages auditors of Philadelphia county rebuilding of the court house in Philadelphia to enable the commissioners of Philadelphia county to borrow money to settle certain accounts between Spring Garden and the Commonwealth and respecting the appointment of aduitors' limiting appointive powers of judges in certain cases."

JAMES H. DUFF.

April 24, 1947.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 463, Printer's No. 126, entitled "An Act to add clause IL to section one thousand five hundred two of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled 'An act concerning townships of the first class amending revising consolidating and changing the law relating thereto' authorizing either alone or jointly with other political subdivisions or municipality authorities the acquisition of land for and the operation and leasing of airports airdromes landing fields and airport facilities."

JAMES H. DUFF.

April 24, 1947.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 464, Printer's No. 128, entitled "An Act to add clause XXVI to section seven hundred two of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled 'An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto' authorizing either alone or jointly with other political subdivisions or municipality authorities the acquisition of land for and the operation and leasing of airports airdromes landing fields and airport facilities."

JAMES H. DUFF.

April 24, 1947.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 501, Printer's No. 155, entitled "An Act to amend article seven section seven hundred one paragraph (i) of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled 'An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant-Governor and certain other executive and administrative officers providing for the appointment of certain administratice officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined' by authorizing the substitution of a facsimile signature of the

Governor on official documents requiring his signature or approval."

JAMES H. DUFF.

April 24, 1947.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 617, Printer's No. 375, entitled "An Act to further amend section four hundred one of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled 'An act concerning townships of the first class amending revising consolidating and changing the law relating thereto' further regulating the abolition of wards."

JAMES H. DUFF.

April 24, 1947.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 646, Printer's No. 178, entitled "An Act to further amend clause two of section nine of the act approved the twenty-fifth day of May one thousand nine hundred thirty-three (P. L. 1050) entitled 'An act creating and establishing a fund for the care maintenance and relief of aged retired and disabled employes of the bureau of fire in cities of the second class creating a board for the management thereof providing the mode and manner of payment to beneficiaries and for the care and disposition of its funds and providing for the transfer and payment of all moneys and securities in existing funds in similar boards superseded by the fund and board herein created' by changing the method of distributing dues paid into the fund in cases of deceased firemen."

JAMES H. DUFF.

SENATE MESSAGE

HOUSE BILLS CONCURRED IN BY SENATE.

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 287.

An Act authorizing the Department of Property and Supplies with the approval of the Governor to convey to the Borough of Towanda for use as an airport certain real estate located in the Township of Towanda County of Bradford and hereintofore acquired by the Commonwealth for development as an airport

HOUSE BILL No. 592.

An Act authorizing the conveyance to the Borough of Norristown of a certain tract of land in the Borough of Norristown County of Montgomery Pennsylvania

With the information that the Senate has passed the same without amendment.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 287.

An Act authorizing the Department of Property and Supplies with the approval of the Governor to convey to the Borough of Towanda for use as an airport certain real estate located in the Township of Towanda County of Bradford and heretofore acquired by the Commonwealth for development as an airport

HOUSE BILL No. 592.

An Act authorizing the conveyance to the Borough of Norristown of a certain tract of land in the Borough of Norristown County of Montgomery Pennsylvania

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. TURNER asked and obtained permission for the Special Dinner Committee to meet during the session of the House.

SENATE MESSAGE

AMENDED SENATE BILL CONCURRED IN BY SENATE

The Clerk of the Senate being introduced informed that the Senate has concurred in the amendments made by the House of Representatives to Senate Bill numbered and entitled as follows

SENATE BILL No. 360.

An Act authorizing the Department of Property and Supplies with the approval of the Governor to convey to the Borough of Bristol certain real property located in said Borough

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

SENATE BILL No. 148.

An Act to amend the act approved the fifth day of June, one thousand nine hundred thirty-seven (P. L. 1703), entitled "An act relating to criminal prosecutions; limiting the effect of demurrers by defendants at the close of the cases of the Commonwealth," providing for the disposition of cases where evidence has been improperly admitted and the court has failed to sustain the demurrer at the close of the Commonwealth's case.

SENATE BILL No. 360.

An Act authorizing the Department of Property and Supplies with the approval of the Governor to convey to the Borough of Bristol certain real property located in said Borough

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

SENATE MESSAGES

TIME OF NEXT MEETING

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, April 28, 1947.

Resolved (if the House of Representatives concur), That when the Senate adjourns this week it reconvene on Monday, May 5, 1947, at three o'clock p. m. Eastern Standard Time: and when the House of Representatives adjourns this week it reconvene on Monday, May 5, 1947, at three thirty o'clock p. m, Eastern Standard Time.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, presented extracts from the Journal of the Senate:

Senate Bills for concurrence 391, 515, 516, 553 and 554.

CONDOLENCE RESOLUTION

Messrs. VAUGHAN and WALDRON offered a resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was read, considered and adopted as follows:

In the House of Representatives, April 28, 1947.

The Members of this House of Representatives are saddened to learn of the death of William F. McCann, a former member, who died April 21, 1947.

Mr. McCann was born in Pittsburgh and throughout his life, active in its affairs. He was elected from the second legislative district in Allegheny County as Representative in 1920. His achievements were recognized, for he was reelected in 1922 and again in 1924, 1926 and 1928.

William McCann was a man whose integrity was above reproach. He willingly assumed civic responsibilities and served his community and State with honor. Those who knew him well can attest to his wholesome personality and to his sympathetic understanding; therefore be it

Resolved, That in the passing of William F. McCann his community and State have lost the services of a conscientious citizen; and be it further

Resolved, That the Members of this House of Representatives extend to his widow their heartfelt sympathy, and direct that the Chief Clerk, in token thereof, shall transmit to her a copy of this resolution.

RESOLUTION

Messrs. LOFTUS and O'NEILL offered a resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was read, considered and adopted as follows:

In the House of Representatives, April 28, 1947.

The Legislative Sons of St. Patrick held their legislative dinner on March 31st, in accordance with the well laid plans of the Joint Legislative Committee.

In keeping with the Irish practice of spreading good cheer, one hardly got off the elevator on the banquet floor before he found himself in the arms of his friends and in the midst of a happy Irish party filled with much laughter and wholesome friendliness, not to be duplicated by any others than the Sons of St. Patrick.

A splendid banquet was served during which we all were patriotically thrilled by the appearance of the Irish American Veterans Color Guard and later entertained with the Irish band from—was it Reading?

At this point John Cummings, the toastmaster of the evening, came into his own by holding down the slinging of brick-bats and shillelaghs by the gentleman who had become knee-deep in old Irish folk lore.

The Lieutenant Governor was in a jovial mood and stated he couldn't prove that the early Strickler settlers came directly from Ireland.

Our good friend, Franklin H. Lichtenwalter, Speaker of the House, became the singer of the evening by singing an Irish song in Pennsylvania Dutch, so that henceforth his title should be "Speaker and Singer of the House".

Senator Farrell played his part with genuine perfection in smiling that great big smile of his that sticks way out beyond his face.

Con J. McCole, the mayor of Wilkes-Barre was there with his matchless stories, mixed as they are with humor, pathos good homely observations, patriotic reminders and wholesome lofty intentions—pointing out humorously the good in man, woman and child. Surely he must be regarded as the most able American story teller of his age.

Honorable John H. McCann, President Judge of Common Pleas Court of Cambria County spoke at length on Lincoln and St. Patrick as great men of the ages and reviewed briefly a list of distinguished Irish Americans.

It is impossible to give due mention to all those who contributed to the memorable evening. It is, however, sufficient to say that the committee had planned a great evening and it became a great evening of enjoyment and pleasure for all who attended; therefore be it

Resolved, That the Members of the House who were present at the celebration for themselves and for all those who were fortunate enough to have been there, extend to the members of the committee who arranged the banquet, their profound thanks and they request the Chief Clerk of the House to forward a copy of this resolution to the toastmaster John M. Cummings, and His Excellency, the Lieutenant Governor, Monsignor George D. Mulcahy, the Honorable John H. McCann, the Honorable Louis H. Farrell, the Honorable Cornelius J. Loftus, the Honorable Harry O'Neill, the Honorable Thomas Griffin for their extraordinary efforts spent in making a most enjoyable evening and a memorable celebration of the birthday of St. Patrick.

COMMITTEE MEETINGS

Banking and Building and Loan Associations, Room No. 330, Tuesday, April 29, 1947, at 12 o'clock noon.

Cities—Third Class, Room No. 521, Tuesday, April 29, 1947, at 10:30 a. m.

Highways, Room No. 329, Tuesday, April 29, 1947, at 10 a. m.

Judiciary, Room No. 438, Tuesday, April 29, 1947, at 11 a. m.

Welfare, Room No. 330, Tuesday, April 29, 1947, at 10 a. m.

ADJOURNMENT

Mr. THOMASSY. Mr. Speaker, I move that this House do now adjourn until Tuesday, April 29, 1947 at 12:00 Eastern Standard Time.

The motion was agreed to, and (at 5:39 p. m. EST) the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1947. 137th of the General Assembly.

Vol. 30. HARRISBURG, PA., TUESDAY, APRIL 29, 1947. No. 47.

SENATE

TUESDAY, April 29, 1947

The Senate met at 1:00 o'clock, p. m., Eastern Standard Time.

The PRESIDENT (Lieutenant-Governor Daniel B. Strickler) in the Chair.

PRAYER

The Chaplain, Reverend W. MURRAY YOUNG offered the following prayer:

Almighty God, our Heavenly Father, Who of Thy great mercy hath promised forgiveness of sins to all them that call upon Thy holy Name; have mercy upon us, and take now the veil from our insincerities and enable use to worship Thee in spirit and in truth. Grant us the gift of genuine grief for our many sins and misdoings, may the remembrance of them have a sobering and humbling influence upon us. Mercifully grant us full pardon, and bring us into favor with Thee and our fellowman.

And now, O Lord, pour out upon us, in this hour and in this place, the power of Thy Spirit. Grant that the work whereunto Thou hast called this Senatorial Body be executed with dignity and honor. May all the grants of mercy and wisdom be appropriated to the greatest good for the largest group. Realizing fully that we are not here to be served, but to serve.

Thy blessing, O God, our Father, be upon this Commonwealth, his Excellency the Governor, the Lieutenant-Governor, and the entire Legislative and Administrative Family. Be with the President of these United States and Congress now in session. Make of America the very citadel of truth and democracy. In the name of Christ, the Prince of Peace, we pray. Amen!

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when on motion of Mr. TALLMAN and Mr. HARE, further reading was dispensed with, and the Journal was approved.

MEMBERS OF DOWNINGTOWN HIGH SCHOOL SENIOR CLASS INTRODUCED TO SENATE

Mr. SCARLETT. Mr. President, I desire to call the attention of the members of the Senate to the fact that we have in the balcony seventy-five Downingtown High School Seniors, who are here with their leaders, Mr. Evans and Miss Phillips.

The PRESIDENT. On behalf of the Senators, the Chair welcomes to this session of the Senate the members of the Downingtown High School and hopes they will enjoy their visit here this afternoon.

MEMBERS OF WOMENS REPUBLICAN COUNCIL OF JUNIATA COUNTY INTRODUCED TO SENATE

Mr. WADE. Mr. President, I call to the attention of yourself, Mr. President, and my colleagues, that we are honored today with a visit by a number of ladies who belong to the Women's Republican Council of Juniata County, and that in this Council they have a membership of 725, which is the largest pro rata membership of any council in any county of Pennsylvania. Mrs. Herman Fisher is president of the council. They came here today particularly to honor one of their very active members, Mrs. Eldred Pennell, whom we hope will be confirmed as a member of the Civil Service Commission. I would like to also tell you that with this group of very fine ladies is Mrs. Charles Swartz, who is cake-baker par-excellence to His Excellency the Governor, James H. Duff, of the Commonwealth of Pennsylvania.

The PRESIDENT. The Chair is sure the members of the Senate appreciate the visit to this session of the members of the Republican Council of Juniata County. We welcome them and trust they will enjoy their visit this afternoon.

NOMINATIONS BY THE GOVERNOR

NOTARIES PUBLIC

The Secretary to the Governor being introduced, presented in writing from His Excellency, the Governor of the Commonwealth, nominations for appointment as Notaries Public.

CONSIDERATION OF NOTARIES PUBLIC

Mr. KEPHART. Mr. President, I move that the Senate do now proceed to the consideration of nominations for appointment as Notaries Public, sent to the Senate, by His Excellency, the Governor of the Commonwealth, on April 29, 1947.

Mr. BERGER. Mr. President, I second the motion.

The motion was agreed to.

The nominations were read as follows:

Commonwealth of Pennsylvania.
Governor's Office, Harrisburg, April 29, 1947.

To the Honorable the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the dates set opposite their names:

ADAMS COUNTY

John C. Tate, Gettysburg, Confirmation.

ARMSTRONG COUNTY

Harry I. McGregor, Raybourn Twp., R. D. 2, Kittanning, Confirmation.

BERKS COUNTY

Mrs. Jean L. Ciliberti, West Reading, Confirmation.

BLAIR COUNTY

Don C. Rorabaugh, Altoona, Confirmation.

DELAWARE COUNTY

E. Walter Helm, Jr., Aldan, Confirmation.

LEHIGH COUNTY

Hugh D. O'Donnell, Allentown, Confirmation.
Miss Gladys Owens, Allentown, Confirmation.

LUZERNE COUNTY

James E. Graham, Luzerne, Confirmation.

NORTHUMBERLAND COUNTY

Miss Louise Wilson, Shamokin, Confirmation.

PHILADELPHIA COUNTY

Robert A. Ladner, 1501 Walnut St., (2) Philadelphia, Confirmation.

ALLEGHENY COUNTY

Miss Margaret Kenny, 2150 W. Liberty Ave., (26) Pittsburgh, May 1, 1947.

PHILADELPHIA COUNTY

John E. Baxter, 134 S. 4th St., Philadelphia, May 2, 1947.

JAMES. H. DUFF.

NOMINATION FOR NOTARIES PUBLIC

A motion was made by Mr. KEPHART and Mr. BERGER.

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows viz:

YEAS—49

Barr,	Geltz,	Lord,	Tarr,
Becker,	Haluska,	Mahany,	Taylor,
Berger,	Hare,	Mallery,	Tyler,
Blass,	Heyburn,	Margie,	Wade,
Carr,	Holland,	Rahauser,	Wagner,
Chapman	Homsher	Rosenfelc.	Walker,
Crider,	Jaspan,	Ruth,	Watson,
Crowe,	Kephart,	Scarlett,	Wilson,
Dent,	Klein,	Snowden,	Wolfe,
DiSilvestr	Lane,	Stevenson,	Wood, L. H.,
Doehla,	Leader,	Stiefel,	Wood, T. N.,
Farrell,	Letzler,	Tallman,	Woodring,
Frazier,			

NAYS—0

Two thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

He also presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows, and referred to the Committee on Executive Nominations.

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office Harrisburg, April 29, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Charles Ross, Box No. 1, Analomink, Monroe County, for appointment as Justice of the Peace in and for the Township of Stroud, Monroe County, until the first Monday of January, 1948, to fill a vacancy.

JAMES H. DUFF.

HOUSE MESSAGE

HOUSE CONCURS IN SENATE CONCURRENT RESOLUTION

The Clerk of the House of Reprsentatives being introduced informed the Senate that the House has concurred in resolution from the Senate as follows:

TIME OF NEXT MEETING

In the Senate, April 28, 1947.

Resolved (if the House of Representatives concur) That when the Senate adjourns this week it reconvene on Monday, May 5, 1947, at three o'clock p. m., Eastern Standard Time; and when the House of Representatives adjourns this week it reconvene on Monday, May 5, 1947, at three thirty o'clock p. m., Eastern Standard Time.

BILLS SIGNED

The PRESIDENT (Lieutenant-Governor, Daniel B. Strickler) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

Senate Bill No. 38, entitled:

An Act to further amend sections one and two of the act approved the thirty-first day of May, one thousand eight hundred and ninety-three (P. L. 188), entitled "An act designating the days and half days to be observed as legal holadays, and for the payment, acceptance and protesting of bills, notes, drafts checks and other negotiable paper on such days" by making Saturdays bank holidays under certain conditions, and repealing inconsistent laws.

Senate Bill No. 293, entitled:

An Act to further amend sections one thousand three, one thousand one hundred seven and one thousand eight hundred two and to amend section one thousand one hundred three of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-one (P. L. 1206), entitled "An act concerning townships of the first class; amending revising, consolidating, and changing the law relating thereto," further regulating the powers and duties of township auditors and controllers and the letting of contracts.

Whereupon,

The PRESIDENT (Lieutenant-Governor, Daniel B. Strickler) in the presence of the Senate signed the same.

HOUSE MESSAGES

HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives being introduced presented for concurrence bills of the House, as follows:

House Bill No. 18, entitled:

An Act to further amend clause thirty-four and to amend clause forty-one of section two thousand four hundred three of the act approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "Third Class City Law," including American Veterans of World War II (AMVETS) among the veterans organizations for which certain appropriations may be made and for which space for meetings may be given.

Which was committed to the Committee on Military Affairs and Aeronautics.

House Bill No. 19, entitled:

An Act to further amend section one of the act, approved the second day of June, one thousand nine hundred thirty-seven (P. L. 1184), entitled "An act authorizing cities of the first and second class and second class A and incorporated towns to make appropriations to organizations of ex-service men and to aid in defraying the expenses of Memorial Day and Armistice Day," including the American Veterans of World War II among the veterans' organizations to which certain appropriations may be made.

Which was committed to the Committee on Military Affairs and Aeronautics.

House Bill No. 20, entitled:

An Act to amend section four hundred thirty-one of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "General County Law," including the American Veterans of World War II (AMVETS) among the veterans' organizations for which certain appropriations may be made.

Which was committed to the Committee on Military Affairs and Aeronautics.

House Bill No. 23, entitled:

An Act to further amend subsection (a) of section seven hundred twenty-two of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "Vehicle Code," including the American Veterans of World War II (AMVETS) among those organizations exempt from payment of registration fees of vehicles used by such organization.

Which was committed to the Committee on Military Affairs and Aeronautics.

House Bill No. 24, entitled:

An Act to further amend the act, approved the fourth day of May, one thousand nine hundred twenty-seven (P. L. 519), entitled "General Borough Act," including American Veterans of World War II (AMVETS) among the veterans' organizations for which certain appropriations may be made and making more specific the veterans' which organizations for which money may be appropriated for rental of meeting rooms of such organizations.

Which was committed to the Committee on Military Affairs and Aeronautics.

House Bill No. 25, entitled:

An Act to further amend section one of the act, approved the third day of May, one thousand nine hundred twenty-three (P. L. 134), entitled "An act making the proceedings of the conventions of the Departments of Pennsylvania of the Grand Army of the Republic and the United Spanish War Veterans a part of the public records of the State; and providing for their publication and distribution," including American Veterans of World War II (AMVETS) among the veterans organizations entitled to the printing of convention reports.

Which was committed to the Committee on Military Affairs and Aeronautics.

House Bill No. 26, entitled:

An Act to further amend the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872), entitled "The Penal Code," prohibiting the unauthorized wearing of insignia or selling of the official flower of the American Veterans of World War II (AMVETS) and including such organizations among those whose members may wear military uniforms for certain purposes.

Which was committed to the Committee on Military Affairs and Aeronautics.

House Bill No. 216, entitled:

An Act creating a commission to study the educational facilities and needs of the citizens in certain educational fields; the financing, administration and other features of collegiate institutions; prescribing the powers and duties; and making an appropriation.

Which was committed to the Committee on State Government.

House Bill No. 309, entitled:

An Act to further amend section seven of the act, approved the fourth day of June, one thousand nine hundred forty-three (P. L. 883), entitled "An act authorizing and directing the Department of Highways to erect and maintain, as a post war construction project, a toll bridge over the Allegheny River between a point in or near the Borough of Tarentum, Allegheny County, and a point in Westmoreland County, and to provide the necessary approaches and connections with State highways; providing for the acceptance of Federal aid; empowering counties to pay certain damages; providing for the collection of tolls on such bridge; and making an appropriation," appropriating additional funds from the Motor License Fund for the construction of said bridge.

Which was committed to the Committee on Highways.

House Bill No. 647, entitled:

An Act to add section one thousand two hundred forty-two point one to the act, approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309), entitled "Public School Code," making special provisions for reimbursement of school districts under certain circumstances.

Which was committed to the Committee on Education.

House Bill No. 865, entitled:

An Act to further amend section nine hundred six and to amend section one thousand two hundred one of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333), entitled "Pennsylvania Election Code," reducing the number of times publication of notice of officers to be elected and time of November elections shall be given.

Which was committed to the Committee on Elections.

House Bill No. 891, entitled:

An Act to amend section eight hundred ten of the act, approved the fourth day of May, one thousand nine hundred twenty-seven (P. L. 519), entitled "General Borough Act," providing for the election and terms of councilmen in cases of invalid elections.

Which was committed to the Committee on Local Government.

House Bill No. 922, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Govenor and the Board of Trustees of Woodville State Hospital to acquire a certain tract of land adjacent thereto for the use of said hospital and making an appropriation therefor.

Which was committed to the Committee on State Government.

House Bill No. 932, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor and the Board of Trustees of the Harrisburg State Hospital, to acquire by purchase or condemnation proceedings certain tracts of land for the use of said hospital; and making an appropriation therefor.

Which was committed to the Committee on State Government.

House Bill No. 949, entitled:

An Act to authorize political subdivisions and agencies thereof to participate in the Federal Social Security program in order to secure coverage for their officers and employes under the old-age and survivors insurance provisions of the Federal Social Security Act upon the extensions of the provisions of such Federal act to include such persons.

Which was committed to the Committee on State Government.

House Bill No. 1098, entitled:

An Act to further amend sections two and nine of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-seven (P. L. 2051), entitled "Public Assistance Law," by changing the definition of "Assistance" and eligible requirements for aged persons and other persons.

Which was committed to the Committee on Public Health and Welfare.

House Bill No. 1099, entitled:

An Act to amend section four hundred two of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-seven (P. L. 2017), entitled "County Institution District Law," by clarifying the powers and duties of the institution districts.

Which was committed to the Committee on Public Health and Welfare.

House Bill No. 1122, entitled

An Act providing for the payment of salary, wages, medical and hospital expenses of employes of a jail, prison, workhouse, penitentiary, penal reformatory, or correctional institution, hospitals for the insane, or any institution for the feeble minded, or epileptic persons, for inebriates, or for juvenile delinquents, and dependents maintained in whole, or in part, by the Commonwealth, or any county within the Commonwealth, who are injured in the performance of their duty, and providing that absence during such injury shall not reduce any usual sick leave period.

Which was committed to the Committee on State Government.

House Bill No. 1313, entitled:

An Act to amend section one of the act approved the twenty-ninth day of May, one thousand nine hundred forty-five (Appropriation Acts, page 20, Act No. 26-A), entitled "An act making an appropriation to the Elwyn Training School at Elwyn, in the County of Delaware, Commonwealth of Pennsylvania, and prescribing certain conditions upon which the appropriation will be available to the school" increasing the per capita annual maintenance rate of wards of the State and the amount of the total appropriation.

Which was committed to the Committee on Appropriations.

HOUSE CONCURS IN SENATE BILL No. 66

He also returned to the Senate, Senate Bill No. 66, entitled:

An Act making a deficiency appropriation to the Pennsylvania Institution for the Deaf at Mount Airy, Philadelphia, Pennsylvania.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 385

He also returned to the Senate, Senate Bill No. 385, entitled

An Act to amend subsection (b) of section four of the act approved the twenty-fifth day of May one thousand nine hundred forty-five (P. L. 1050) entitled "An act relating to the collection of taxes levied by counties county institution districts cities of the third class boroughs towns townships certain school districts and vocational school districts conferring powers and imposing duties on tax collectors courts and various officers of said political subdivisions and prescribing penalties" by providing that where borough taxes are collected by an appointee of council the council may prescribe the bond that may be required for the borough taxes

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 447

He also returned to the Senate, Senate Bill No. 447, entitled

An Act to amend the act approved the fourth day of June one thousand nine hundred forty-five (Appropriation Acts page 106) entitled "An act making an appropriation for the preparation of the Eightieth Division History and creating a commission for such purposes" continuing the commission and reappropriating the unexpended balance

with the information that the House has passed the same without amendments.

SENATE BILL No. 313 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 313, entitled

An Act to reenact, amend and revise the act approved the first day of May one thousand nine hundred and thirty-three (P. L. 103), as amended, entitled "An act concerning townships of the second class; and amending, revising consolidating, and changing the law relating thereto."

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill as amended, will appear on tomorrow's Calendar.

SENATE BILL No. 342 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 342, entitled

An Act making an appropriation to the Senate, and the House of Representatives to pay the expenses of their committees directed to visit State institutions under the supervision of the Department of Welfare.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill as amended, will appear on tomorrow's Calendar.

REPORTS FROM COMMITTEES

Mr. FARRELL, from the Committee on Local Government, reported as committed, House Bill No. 875, entitled:

An Act to further amend section one of the act approved the seventh day of June, one thousand nine hundred eleven (P. L. 680), entitled "An act providing for the examination, licensure, and registration of persons, firms, or corporations engaged or engaging in the business or work of plumbing or house drainage, and prescribing certain rules, regulations, and requirements for the construction of plumbing, house drainage, and cesspools in cities of the first class, and imposing fines, penalties, and forfeiture for violation thereof," by exempting therefrom the construction of sewers and water lines.

Mr SCARLETT, from the Committee on Banking, reported as committed, Senate Bill No. 491, entitled:

An Act to further amend Subsection C, of Section two hundred four of the act approved the fifteenth day of May, one thousand nine hundred thirty-three (P. L. 624), entitled "An act relating to the business of banking, and to the exercise of fiduciary powers by corporations; providing for the organization of corporations with fiduciary powers, and of banking corporations, with or without fiduciary powers, including the conversion of National banks into State banks and for the licensing of private bankers; defining the rights, powers, duties, liabilities, and immunities of such corporations, of existent corporations authorized to engage in a banking business, with or without fiduciary powers, of private bankers, and of the officers, directors, trustees, shareholders, attorneys, and other employes of all such corporations or private bankers, or of affiliated corporations, associations, or persons; restricting the exercise of banking powers by any other corporation, association, or person, and of fiduciary powers by any other corporation, conferring powers and imposing duties upon the courts, prothonotaries, recorders of deeds, and certain State departments, commissions, and officers; imposing penalties; and repealing certain acts and parts of acts," by further providing for the establishment of branch offices and sub-agencies; and for approval thereof by the Department of Banking and the Banking Board.

Mr. LORD, from the Committee on Banking, reported as amended, Senate Bill No. 383, entitled:

An Act to amend the title and the act, approved the eighth day of April, one thousand nine hundred thirty-seven (P. L. 262), entitled "An act relating to consumer credit in amounts of one thousand dollars ($1,000) or less; requiring licenses from the Secretary of Banking; restricting licenses to domestic business corporations; fixing minimum capital requirements; conferring certain powers on the Secretary of Banking; limiting interest and other charges; providing certain exemptions; and imposing penalties," by further prescribing the powers of said licensees and the Secretary of Banking; and further regulating the granting of said licenses, and the loans, charges, interest and refunds to be made or collected by such licensees.

He also, from the Committee on Law and Order, reported as amended, Senate Bill No. 561, entitled

An Act to amend sections eight hundred sixty-eight and eight hundred sixty-nine of the act approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," further regulating the use and possession of certain containers.

Mr. CHAPMAN, from the Committee on Appropriations, reported as committed, Senate Bill No. 496, entitled:

An Act making an appropriation to the Pennsylvania Museum and School of Industrial Art, Philadelphia, for the support of research and investigation of basic problems affecting the textile industry and providing for the making of a report thereon to the Department of Commerce.

Mr. HARE, from the Committee on Elections, reported as committed, House Bill No. 50, entitled:

An Act to further amend the act, approved the twenty-fifth day of May, one thousand nine hundred thirty-seven (P. L. 849), entitled "An act to provide for the permanent personal registration of electors in cities of the third class as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration, and other appointees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; imposing penalties; and repealing existing legislation," by changing the provisions of said act relating to removal notices, transfer of registration, checkup of registers and street lists.

He also, from the Committee on Elections, reported as committed, House Bill No. 526, entitled

An Act to reenact section four hundred one of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333), entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners

imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" providing for the election and term of judges and inspectors of elections.

He also, from the Committee on Elections, reported as committed, House Bill No. 803, entitled

An Act to further amend the act approved the twenty-ninth day of April one thousand nine hundred thirty-seven (P. L. 487) entitled "An act to provide for the permanent personal registration of electors in boroughs towns and townships as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors requiring the county commissioners of the various counties to act as a registration commission therefor and prescribing the powers and duties of citizens parties political bodies registration commissions registrars inspectors of registration and other appointees of registration commissions county election boards election officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors and imposing penalties" changing the provisions of said act relating to removal notices transfer of registration checkup of registers and street lists

He also, from the Committee on Elections, reported as committed, House Bill No. 275, entitled:

An Act to amend section twenty-seven and subsection (a) of section twenty-eight of the act approved the first day of June one thousand nine hundred thirty-seven (P. L. 1132), entitled "An act to provide for the permanent personal registration of electors in cities of the second class A as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors and imposing penalties" increasing the period of time in which removal notices and registration transfers must be made.

He also, from the Committee on Elections, reported as committed, House Bill No. 60, entitled:

An Act to further amend section thirty-nine of the act, approved the twenty-fifth day of May, one thousand nine hundred thirty-seven (P. L. 849), entitled "An act to provide for the permanent personal registration of electors in cities of the third class as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, county election boards. election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; imposing penalties; and repealing existing legislation," by further regulating and changing the provisions of the act relating to cancellation of registration upon the failure to vote within two years by giving removal notice same effect as request for reinstatement.

He also, from the Committee on Elections, reported as committed, House Bill No. 882, entitled:

An Act to further amend section thirty-eight of the act approved the twenty-ninth day of April one thousand nine hundred thirty-seven (P. L. 487) entitled "An act to provide for the permanent personal registration of electors in boroughs towns and townships as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors requiring the county commissioners of the various counties to act as a registration commission therefor and prescribing the powers and duties of citizens parties political bodies registration commissions registrars inspectors of registration and other appointees of registration commissions county election boards election officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors and imposing penalties" further regulating and changing the provisions of the act relating to cancellation of registration upon failure to vote within two years by giving removal notice same effect as request for reinstatement

He also, from the Committee on Elections, reported as committed, Senate Bill No. 587, entitled:

An Act to further amend subsection (b) of section thirty of the act, approved the thirtieth day of March, one thousand nine hundred thirty-seven (P. L. 115), entitled "An act to provide for the permanent personal registration of electors in cities of the first class as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens, parties, bodies of electors, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commission, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, real estate brokers, rental agents, certain public service companies, persons, firms and corporations operating vehicles for moving furniture and household goods and boards of school directors; and imposing penalties," clarifying the provisions relating to the time for giving change of party enrollment notice.

Mr. CRIDER, from the Committee on Local Government, reported as committed, House Bill No. 387, entitled:

An Act to further amend section one of the act approved the eighth day of April, one thousand eight hundred sixty-eight (P. L. 73), entitled "An act to authorize the recorder of deeds in the several counties of this Commonwealth to record the discharges of all honorably

discharged officers and soldiers," providing for the recording of certificates of service issued commissioned officers.

He also, from the Committee on Local Government reported as committed, House Bill No. 554, entitled:

An Act providing that in cities of the first class, in all cases where taxes are due and unpaid upon a single tract of land and it is desired to divide such tract into separate parcels, the Board of Revision of Taxes may apportion such taxes ratably between or among the parcels so divided; and providing that upon payment of the taxes and proper costs on any such parcel it shall be released from the lien.

He also, from the Committee on Local Government reported as committed, Senate Bill No. 617, entitled:

An Act to reenact and amend sections four hundred ninety-six, four hundred ninety-six point one, four hundred ninety-six point two, four hundred ninety-six point three, and four hundred ninety-six point four, of the act, approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes and revising, amending and consolidating the laws relating thereto," authorizing eighth class counties to acquire, operate and lease aviation landing fields and airdromes; conferring power of eminent domain for such purposes; authorizing the appropriation of certain lands purchased at tax sales for such purposes and joint action with other political subdivisions in the operation and maintenance of such airfields and providing for the expenditure of funds for such purposes in cooperation with State, Federal or other public agencies.

Mr. TYLER, from the Committee on Banking, reported as committed, House Bill No. 1148, entitled:

An Act to further amend section one thousand four of the act, approved the fifteenth day of May, one thousand nine hundred thirty-three (P. L. 624), entitled "An act relating to the business of banking, and to the exercise of fiduciary powers by corporations; providing for the organization of corporations with fiduciary powers, and of banking corporations, with or without fiduciary powers, including the conversion of National banks into State banks, and for the licensing of private bankers; defining the rights, powers, duties, liabilities, and immunities of such corporations; of existent corporations authorized to engage in a banking business, with or without fiduciary powers, of private bankers, and of the officers, directors, trustees, shareholders, attorneys, and other employes of all such corporations or private bankers, or of affiliated corporations, associations, or persons; restricting the exercise of banking powers by any other corporation, association, or person, and of fiduciary powers by any other corporation; conferring powers and imposing duties upon the courts, prothonotaries, recorders of deeds, and certain State departments, commissions, and officers; imposing penalties; and repealing certain acts and parts of acts," further regulating the pledge of assets for deposits.

He also, from the Committee on Banking, reported as committed, Senate Bill No. 556, entitled:

An Act to further amend the act, approved the fifteenth day of May, one thousand nine hundred thirty-three (P. L. 624), entitled "An act relating to the business of banking, and to the exercise of fiduciary powers by corporations; providing for the organization of corparations with fiduciary powers, and of banking corporations, with or without fiduciary powers, including the conversion of National banks into State banks, and for the licensing of private bankers; defining the rights, powers, duties, liabilities, and immunities of such corporations, of existent corporations authorized to engage in a banking business, with or without fiduciary powers, of private bankers, and of the officers, directors, trustees, shareholders, attorneys, and other employes of all such corporations or private bankers, or of affiliated corporations, associations, or persons; restricting the exercise of banking powers by any other corporation, association, or person, and of fiduciary powers by any other corporation; conferring powers and imposing duties upon the courts, prothonotaries, recorders of deeds, and certain State departments, commissions, and officers; imposing penalties; and repealing certain acts and parts of acts," further providing for authorized investments and limitations upon loans and discounts of savings banks.

Mr. WATSON, from the Committee on Appropriations, reported as committed, Senate Bill No. 651, entitled:

An Act making an additional deficiency appropriation to the Department of Public Assistance and providing for certain allocations therefrom for the purpose of carrying out the Public Assistance Law for the two fiscal years beginning June first one thousand nine hundred forty-five and for the payment of assistance and expenses accrued or incurred prior to and remaining unpaid on May thirty-first one thousand nine hundred forty-five.

Mr. T. NEWELL WOOD, from the Committee on Banking, reported as amended, Senate Bill No. 459, entitled:

An Act to add subsection E to section one thousand two of the act, approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 457), entitled "An act relating to the business of building and loan associations; providing for the organization and voluntary dissolution of such associations; defining the rights, powers, duties, liabilities, and immunities of such associations, and of their officers, directors, shareholders, solicitors, and other employes; prohibiting the transaction of business in this Commonwealth by foreign building and loan associations; conferring powers and imposing duties upon the courts, recorders of deeds, and certain State departments, commissions, and officers; establishing limitations of actions; imposing penalties; and repealing certain acts and parts of acts," further limiting the merger, consolidation of conversion of building and loan associations in certain cases.

He also, from the Committee on Banking, reported as amended, Senate Bill No. 577, entitled:

An Act to amend section one thousand one hundred five of the act, approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 457), entitled "An act relating to the business of building and loan associations; providing for the organization and voluntary dissolution of such associations; defining the rights, powers, duties, liabilities, and immunities of such associations, and of their officers, directors, shareholders, solicitors, and other employes; prohibiting the transaction of business in this Commonwealth by foreign building and loan associations; conferring powers and imposing duties upon the courts, recorders of deeds, and certain State departments, commissions, and officers; establishing limitations of actions; imposing penalties; and repealing certain acts and parts of acts," providing for the transaction of business by a majority of the liquidating trustees.

SENATE BILL 235 REPORTED FROM COMMITTEE

Mr. STIEFEL. Mr. President, Senate Bill 235 relates to acquisition of the Brandywine battlefield as a state park. This bill was referred to the Committee on Military Affairs and Aeronautics, was reported out, had two readings, and was then re-referred to the Committee on Appropriations. I am at this time privileged to report this bill as committed from the Committee on Appropriations.

Mr. STIEFEL, from the Committee on Appropriations, re-reported as committed, Senate Bill No. 235, entitled

An Act to establish The Brandywine Battlefield Park Commission and to authorize the acquisition by purchase condemnation or gift of lands for the establishment of the Brandywine Battlefield Park providing for the control management and supervision of the property to be acquired for such park by such commission authorizing the commission to make and to enforce rules and regulations for its preservation development and visitation and making appropriations.

Mr. ROSENFELD, from the Committee on Banking, reported as amended, Senate Bill No. 422, entitled:

An Act to amend the title and sections one, two, and three of the act approved the thirty-first day of July, one thousand nine hundred forty-one (P. L. 606), entitled "An act relating to the sale, transfer, assignment and pledge of accounts receivable", by further defining the term "accounts receivable" and further providing for notation of assignments upon the books of the assignors and for giving notice of assignments to account debtors and the effects thereof respectively.

He also, from the Committee on Banking, reported as committed, Senate Bill No. 523, entitled:

An Act to further amend paragraph four of Subsection A. of Section one thousand one of the act approved the fifteenth day of May, one thousand nine hundred thirty-three (P. L. 624) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations; providing for the organization of corporations with fiduciary powers, and of banking corporations, with or without fiduciary powers, including the conversion of National banks into State banks and for the licensing of private bankers; defining the rights, powers, duties, liabilities, and immunities of such corporations, of existent corporations authorized to engage in a banking business, with or without fiduciary powers, of private bankers, and of the officers, directors, trustees, shareholders, attorneys, and other employes of all such corporations or private bankers or of affiliated corporations, associations, or persons; restricting the exercise of banking powers by any other corporation, association, or person, and of fiduciary powers by any other corporation; conferring powers and imposing duties upon the courts, prothonotaries, recorders of deeds, and certain State departments, commissions, and officers; imposing penalties; and repealing certain acts and parts of acts," by further regulating the making of installment loans.

Mr. RAHAUSER, from the Committee on Banking, reported as committed, Senate Bill No. 372, entitled:

An Act to further amend section one thousand twelve and subsection C of section one thousand two hundred ten of the act, approved the fifteenth day of May, one thousand nine hundred and thirty-three (P. L. 624), entitled "An act relating to the business of banking, and to the exercise of fiduciary powers by corporations; providing for the organization of corporations with fiduciary powers, and of banking corporations, with or without fiduciary powers, including the conversion of National banks into State banks, and for the licensing of private bankers; defining the rights, powers, duties, liabilities, and immunities of such corporations, of existent corporations authorized to engage in a banking business, with or without fiduciary powers, of private bankers, and of the officers, directors, trustees, shareholders, attorneys, and other employes of all such corporations or private bankers, or of affiliated corporations, associations, or persons; restricting the exercise of banking powers by any other corporation, association, or person, and of fiduciary powers by any other corporation; conferring powers and imposing duties upon the courts, prothonotaries, recorders of deeds, and certain State Departments, commissions, and officers; imposing penalties; and repealing certain acts and parts of acts," by further providing for the powers and duties and limitations upon powers of corporations and persons authorized to engage in a banking or fiduciary business or both.

Mr. KLEIN, from the Committee on Local Government, reported as committed, Senate Bill No. 613, entitled:

An Act to authorize counties, cities, boroughs, incorporated towns, townships, school districts, poor districts, and county institution districts to file tax and municipal claims not filed within the time specified by law, and to amend such claims where the property affected is not sufficiently described, and to file suggestions of non-payment and averments of default, or to sue out writs of scire facias on certain tax or municipal claims, and to revive judgments where the lien of such claims or the judgment thereon have been lost; and providing for the reinstatement of the liens of such claims and judgments.

Mr. WOODRING, from the Committee on Law and Order, reported as committed, House Bill No. 537, entitled:

An Act requiring owners of hotels restaurants and places of amusement and entertainment to give notice to patrons thereof that concessions for certain services have been granted to other persons and that gratuities received by the employes of such concessions are the property of the owner thereof

Mr. BARR, from the Committee on Local Government, reported as committed, Senate Bill No. 593, entitled:

An Act to amend sections three hundred two and seven hundred one of the act approved the twenty-first day of May, one thousand nine hundred forty-three (P. L. 571), entitled "An act relating to assessment for taxation in counties of the fourth, fifth, sixth, seventh, and eighth classes; designating the subjects, property and persons subject to and exempt from taxation for county, borough, town, township, school, except in cities and county institution district purposes; and providing for and regulating the assessment and valuation thereof for such purposes; creating in each such county a board for the assessment and revision of taxes; defining the powers and duties of such boards; providing for the acceptance of this act by cities; regulating the office of ward, borough, town and township assessors; abolishing the office of assistant triennial assessor in townships of the first class; providing for the appointment of a chief assessor, assistant assessors and other employes; providing for their compensation payable by such counties; prescribing certain duties of and certain fees to be collected by the recorder of deeds; and eliminating the triennial assessment," enlarging the powers of boards of assessment and revision of taxes as to the revision of assessments and valuations.

He also, from the Committee on Local Government, reported as committed, House Bill No. 538, entitled:

An Act to further amend the act, approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto;" creating a County Transit and Traffic Commission in counties of the second class, providing for its membership and defining its powers and duties.

REPORT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 104

Mr. TARR. Mr. President, I desire to offer the report of the Committee of Conference on Senate Bill No. 104, entitled:

An Act to amend section three of the act approved the fifteenth day of May, one thousand nine hundred forty-five, (P. L. 526) entitled "An act relating to the use of trailing cables on portable electric machinery in coal mines; providing for the health and safety of persons employed therein, and for the protection and preservation of property connected therewith, and for the inspection of such equipment by the Department of Mines," providing for additional grant of time within which to conform to the requirements thereof; and validating actions of the Secretary of Mines and the Department of Mines.

The PRESIDENT. The report of the Committee of Conference will appear on tomorrow's Calendar.

BILLS INTRODUCED AND REFERRED

Mr. CROWE read in his place and presented to the Chair Senate Bill No. 662, entitled:

An Act to add subsection (h) to section fourteen of the act, approved the tenth day of June, one thousand nine hundred thirty-one (P. L. 485), entitled "An act to provide for the better protection of life and health of the citizens of this Commonwealth by requiring and regulating the examination, licensure, and registration of persons, and registration of corporations, engaging in the care, preparation, and disposition of the bodies of deceased persons; and providing penalties," authorizing the issuance of licenses to certain war veterans under certain circumstances.

Which was committed to the Committee on Education.

Mr. WAGNER read in his place and presented to the Chair Senate Bill No. 663, entitled:

An act to fix the salaries of register of wills in counties of the second to sixth class inclusive.

Which was committed to the Committee on Local Government.

Mr. T. NEWELL WOOD read in his place and presented to the Chair Senate Bill No. 664, entitled:

An Act to further amend Rule 12 and to amend Rule 13 of Article XII of the act, approved the second day of June, one thousand eight hundred ninety-one (P. L. 176), entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith," requiring the making of a report of the daily examinations made by the mine foreman or his assistant of the working places while the workmen of such places are or should be at work, and the countersigning of such report by the mine foreman.

Which was committed to the Committee on Mines and Mining.

Mr. T. NEWELL WOOD on behalf of Mr. DONLAN read in his place and presented to the Chair Senate Bill No. 665, entitled:

A Supplement to the act, approved the seventh day of August, one thousand nine hundred forty-one (P. L. 887), entitled "An act authorizing the Department of property and Supplies with the approval of the Governor and the Department of Welfare, to acquire certain land adjacent to and for the use of the Scranton State Hospital, providing for the improvement and use thereof, authorizing the City of Scranton to pay the costs of such improvements in whole or in part, and making an appropriation," making an appropriation to the Department of Property and Supplies for the payment of the cost of acquiring certain property, and the improvement and beautification thereof.

Which was committed to the Committee on State Government.

Mr. FRAZIER. Mr President, as a Pennsylvanian traveling through New Jersey, New York and Connecticut, we are very much impressed, I think, with the type of highways we find in Northern New Jersey. Going into New York, on the West Side Highway, over the Hendrik Hudson Parkway, Saw Mill River Parkway, Cross County Highway, up along the Hudson on the beautiful highway over the Hutchinson River Parkway onto the Merrick Highway into New England, and when I realize what they have there I think we feel in Pennsylvania that we are a little backward.

Mr. President, on the Delaware River, from Trenton to Chester is a distance of thirty-three miles—that is, we measure from the Chestnut Street Wharf in Philadelphia which is the point where the datum is taken, and from the Chestnut Street Wharf to Trenton is thirty-three miles, from Burlington to the Chestnut Street Wharf is eighteen miles, from the Chestnut Street Wharf to Chester is sixteen miles. Going north from Chestnut Street we have the Delaware River Bridge, which cost upwards of $37,000,000 the receipts from which, the first year, were $2,000,000 and the traffic—I am giving round figures—amounted to 8,000,000. In 1945 and 1946 there was income of about $3,769,000 and traffic of almost 15,000,000. In speaking about that time, the fiscal year ends on June 30, and I do not have the figures from that date on.

The net income from the bonds of the Delaware River Bridge for the period ending June 30, 1946, over and above its obligations, the net income was $951,683, as against $321,000 in the preceding year.

Then we have, Mr. President, north of Chestnut Street the Tacony-Palmyra Bridge, with traffic of over two million in 1945 and, again for the first six months of 1946, 1,388,000.

Above that is the Burlington-Bristol Bridge.

In New York we find in 1945, that the Holland Tunnel had 12 million passengers and the Lincoln Tunnel had 6 million passengers, the George Washington Bridge had 8,300,000 and the Staten Island Bridge had 2,800,000. The total under the control of the Port Authority was 30,000,000.

As I look south from Chestnut Street I find we have nothong, in the way of transportation, across the river. We have this tremendously important industrial highway coming from the south and we have in comtemplation extension of the Pennsylvania Turnpike and we have in south Philadelphia the making of the most important airport in America.

It seems to me, Mr. President, that we need added transportation across the river south of Chestnut Street. With that thought in my mind I have had prepared and I now take the privilege of presenting to the chair a bill looking to the creation of a tunnel under the Delaware River south of Chestnut Street.

Mr. FRAZIER read in his place and presented to the Chair Senate Bill No. 666, entitled:

An Act to facilitate vehicular traffic between the Commonwealth of Pennsylvania and the State of New Jersey by providing for the construction, operation and maintenance of a tunnel or tunnels under the Delaware River

and connecting the Commonwealth of Pennsylvania at or near Philadelphia County or Delaware County or any County contiguous to these counties with the State of New Jersey; providing for the creation of the Delaware Tunnel Board, and conferring powers and imposing duties on said Board; authorizing the Board to enter into a contract with a duly constituted and authorized commission created by the laws of the State of New Jersey, with powers similar to the powers conferred on the Board; authorizing and empowering the Board to enter into a contract with any New Jersey commission, which contract may provide that the Delaware River tunnel or tunnels may be constructed, maintained, and operated jointly by the Board and the New Jersey commission or by the Board with the approval of the commission, or by the commission with the approval of the Board; authorizing the issuance of tunnel revenue bonds jointly by the Board and the commission, or by the Board with the approval of the commission, or by the commission with the approval of the Board, payable solely from tolls, to pay the cost of such tunnel or tunnels; providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act; providing for the collection of tolls for the payment of such bonds and for the cost of maintenance, operation and repair of the tunnel or tunnels; making such bonds and tunnel or tunnels and property used in connection therewith exempt from taxation; constituting such bonds legal investments in certain instances; prescribing conditions upon which such tunnel or tunnels shall become free; providing for condemnation; authorizing the Department of Highways to advance moneys in behalf of the Commission and provide for the refund of such advances; granting certain powers and authority to municipal subdivisions and agencies of the Commonwealth to cooperate with the commission; giving the Board under certain conditions, the right to act in the State of New Jersey and giving the commission under certain conditions the right to act in the State of Pennsylvania; and authorizing the issuance of tunnel revenue refunding bonds.

Which was committed to the Committee on Highways.

Mr. MAHANY read in his place and presented to the Chair Senate Bill No. 667, entitled:

An Act to amend section two thousand five hundred fifty-one of the act approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising and consolidating the law relating thereto," changing the provisions thereof authorizing the levy and collection of taxes.

Which was committed to the Committee on Local Government.

Mr. T. NEWELL WOOD on behalf of Mr. DONLAN read in his place and presented to the Chair Senate Bill No. 668, entitled:

An Act to further amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," creating the State Examining Board for Teachers and defining its powers and duties.

Which was committed to the Committee on Education.

Mr. HARE read in his place and presented to the Chair Senate Bill No. 669, entitled:

An Act limiting the duty of persons taking title to real property in their own name as agents for another to that of transferring such property upon demand of the beneficial owner and providing that no duty exists to make such real property productive unless otherwise so agreed in writing.

Which was committed to the Committee on Judiciary General.

Mr. CHAPMAN read in his place and presented to the Chair Senate Bill No. 670, entitled:

An Act to further amend section one thousand four hundred two of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," defining the residence of certain children living upon State owned property and providing for certain Commonwealth reimbursements.

Which was committed to the Committee on Education.

Mr. RUTH read in his place and presented to the Chair Senate Bill No. 671, entitled:

An Act to add section two hundred fifty-six point one to the act, approved the second day of May, one thousand nine hundred twenty-five (P. L. 448), entitled "An act relating to fish; and amending, revising, consolidating, and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth," empowering fish wardens to receive acknowledgments of guilt from violators and payment of fines with costs upon issuance of printed receipt therefor to such violators in full satisfaction thereof.

Which was committed to the Committee on Forest and Waters, Game and Fish.

Mr. RAHAUSER read in his place and presented to the Chair Senate Bill No. 672, entitled:

An Act to reenact and amend the title an dthe act, approved the twenty-ninth day of April, one thousand nine hundred thirty-seven (P. L. 487), entitled "An act to provide for the permanent personal registration of electors in boroughs, towns and townships as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; requiring the county commissioners of the various counties to act as a registration commission therefor; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration and other appointees

of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; and imposing penalties," as previously amended by extending the provisions thereof to cities of the second class.

Which was committed to the Committee on Elections.

Mr. SNOWDEN read in his place and presented to the Chair Senate Bill No. 673, entitled:

An Act to amend the act, approved the eighteenth day of May, one thousand nine hundred forty-five (P. L. 809), entitled "An act removing certain roads or sections of roads from the State highway system; and providing for their future maintenance and construction," by removing additional roads from the State highway system.

Which was committed to the Committee on Highways.

He also read in his place and presented to the Chair Senate Bill No. 674, entitled:

An Act validating county commissioners' deeds where the acknowledgment of such deed or deeds was defective in any respect, or where the acknowledgment was not properly taken.

Which was committed to the Committee on Judiciary General.

He also read in his place and presented to the Chair Senate Bill No 675, entitled:

An Act validating County treasurers' deeds where the acknowledgment of such deed or deeds was defective in any respect, if, in fact, such acknowledgment was taken before any officer duly authorized by law to take acknowledgments.

Which was committed to the Committee on Judiciary General.

HOUSE RESOLUTION TAKEN FROM TABLE

Mr. CARR. Mr. President, I call from the table House Resolution No. 43, Serial No. 50, on page 55 of the House History, and move its adoption.

Mr. BERGER. Mr. President, I second the motion.

The Clerk read the resolution as follows:

DEPARTMENT OF PROPERTY AND SUPPLIES TO MAINTAIN FIRST-AID ROOM IN MAIN CAPITOL BUILDING

In the House of Representatives, April 17, 1947.

Whereas, The dictates of common sense require, and experience has proven, that where large numbers of persons are in daily attendance within a given area, first-aid facilities for the treatment and control of persons suffering minor accidents or illness should be maintained; and

Whereas, Hundreds of persons, particularly during the legislative sessions, are in daily attendance in the capitol buildings as visitors, interested parties and guests; and

Whereas, Frequently among such persons there are those who meet with a minor accident or suffer an illness, and no facilities presently exist where such persons may seek emergency aid or comfort, therefore be it

Resolved (if the Senate concur), That the Department of Property and Supplies be directed to establish and maintain at a central location in the main capitol building a first aid room with adequate first-aid equipment, supplies and comfort facilities, and that during the sessions of the General Assembly the services of a registered nurse in daily attendance be supplied.

On the question,

Will the Sentae agree to the resolution?

Mr. CARR. Mr. President, I ask for a roll call.

The yeas and nays were required by Mr. CARR and were as follows, viz:

YEAS—49

Barr,	Geltz	Lord,	Tarr,
Becker,	Haluska	Mahany,	Taylor,
Berger,	Hare,	Mallery,	Tyler,
Blass,	Heyburn	Margie,	Wade,
Carr,	Holland	Rahauser,	Wagner,
Chapman,	Homsher	Rosenfeld,	Walker,
Crider,	Jaspan	Ruth,	Watson,
Crowe,	Kephart,	Scarlett,	Wilson,
Dent,	Klein,	Snowden,	Wolfe,
DiSilvestro,	Lane,	Stevenson,	Wood, L. H.,
Doehla,	Leader,	Stiefel,	Wood, T. N.,
Farrell,	Letzler,	Tallman,	Woodring,
Frazier,			

NAYS—0

So the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

EXECUTIVE NOMINATIONS TAKEN FROM TABLE

Mr. KEPHART. Mr. President, I call from the table the Executive Nominations reported from Committee yesterday.

EXECUTIVE NOMINATIONS

A motion was made by Mr. KEPHART and Mr. WADE,

That the Senate do now resolve itself into Executive Session, for the purpose of considering the nominations of His Excellency, The Governor of the Commonwealth of Pennsylvania, which were laid on the table yesterday.

The motion was agreed to.

The Clerk read the nominations as follows:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 17, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following:

MEMBERS OF THE STATE VETERAN'S COMMISSION

Wm. Ellis Zimmerman, Lazy Creek Farm, Lansdale, Montgomery County, until the third Tuesday of January, 1951, and until his successor shall have been appointed and qualified. (Reappointment)

Carl W. Herdic, Esq., 429 Pine Street, Williamsport, Lycoming County, until the third Tuesday of January, 1951, and until his successor shall have been appointed and qualified. (Reappointment)

William C. McKelvie, Department Commander, Disabled American Veterans of Pennsylvania, 265 Ninth Avenue, Bethlehem, Lehigh County, until the third Tuesday of January, 1951, and until his successor shall have been appointed and qualified. (Reappointment)

Oscar M. Kamp, Department Commander, United Spanish War Veterans, 316 North Front Street, Milton, Northumberland County, until the third Tuesday of January, 1951, and until his successor shall have been appointed and qualified. (Reappointment)

John U. Shroyer, Department Commander, Veterans of Foreign Wars, 515 East Dewart Street, Shamokin, Northumberland County, until the third Tuesday of January, 1951, and until his successor shall have been appointed and qualified. (Reappointment)

Clyde E. Rankin, Department Commander, American Legion, 406 Chandler Street, Fox Chase, Philadelphia, Philadelphia County, until the third Tuesday of January, 1951, and until his successor shall have been appointed and qualified, to fill a vacancy.

David B. Ludwig, State Commander, AMVETS, 808 Herberton Street, East End, Pittsburgh, Allegheny County, until the third Tuesday of January, 1951, and until his successor shall have been appointed and qualified, vice Guy J. Wadlinger, New Castle, whose term expired.

JAMES H. DUFF

MEMBERS OF THE STATE CIVIL SERVICE COMMISSION

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 17, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Members of the State Civil Service Commission:

Mrs. Ruth Pennell (Republican), Mifflintown, Juniata County, until April 9, 1952, and until her successor shall have been appointed and qualified. (Reappointment)

George Young (Republican), 353 North Wade Avenue, Washington, Washington County, from September 18, 1945, until April 9, 1948, and until his successor shall have been appointed and qualified.

JAMES H. DUFF

JUSTICES OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 17, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Edward L. McKelvey, R. D. No. 1, Kittanning, Armstrong County, for appointment as Justice of the Peace in and for the Township of Manor, Armstrong County, until the first Monday of January, 1948, vice Clarence Charles Olinger, whose term expired.

JAMES H. DUFF

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 16, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate George N. Highley, Malvern, Chester County, for appointment as Justice of the Peace in and for the Borough of Malvern, Chester County, until the first Monday of January, 1948, vice Harvey K. Shenk, resigned.

JAMES H. DUFF

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 15, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following:

Leroy S. Burkhart, Post Office Box 324, Johnstown, for appointment as Justice of the Peace in and for the Township of Conemaugh, Cambria County, until the first Monday of January, 1948, vice H. A. Malzi, resigned.

Harry L. Kennel, R. D. 2, Malvern, for appointment as Justice of the Peace in and for the Township of Willistown, Chester County, until the first Monday of January, 1948, vice Boyd M. Torelli, resigned.

JAMES H. DUFF

ALDERMAN

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 24, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Thomas B. McDonough, 78 Easy Street, Uniontown, Fayette County, for appointment as Alderman in and for the Eighth Ward of the City of Uniontown, Fayette County, until the first Monday of January, 1948, vice Ralph D. Umbel, resigned.

JAMES H. DUFF

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 22, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Joseph M. Cribbs, Main Street, Saegertown, Crawford County, for appointment as Justice of the Peace in and for the Borough of Saegertown, Crawford County, until the first Monday of January, 1948, to fill a vacancy.

JAMES H. DUFF

Whereupon,

A motion was made by Mr. KEPHART and Mr. BERGER,

That the Senate do advise and consent to the nominations reported.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Geltz	Lord,	Tarr,
Becker,	Haluska	Mahany,	Taylor,
Berger,	Hare,	Mallery,	Tyler,
Blass,	Heyburn	Margie,	Wade,
Carr,	Holland	Rahauser,	Wagner,
Chapman,	Homsher	Rosenfeld,	Walker,
Crider,	Jaspan	Ruth,	Watson,
Crowe,	Kephart,	Scarlett,	Wilson,
Dent,	Klein,	Snowden,	Wolfe,
DiSilvestro,	Lane,	Stevenson,	Wood, L. H.,
Doehla,	Leader,	Stiefel,	Wood, T. N.,
Farrell,	Letzler,	Tallman,	Woodring,
Frazier,			

NAYS—0

Two thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

EXECUTIVE SESSION RISES

Mr. KEPHART. Mr. President, I move that the Executive Session do now rise.

Mr. BERGER. Mr. President, I second the motion.

The motion was agreed to.

Mr. KEPHART. Mr. President, the nominations for the Board of Trustees of the Pennsylvania Soldiers and Sailors Home will lay on the table, awaiting action by the Senate.

CALENDAR

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 358, as follows:

An Act to further amend the act approved the nineteenth day of July one thousand nine hundred thirty-five (P. L. 1356) entitled "An act to regulate the sale and delivery of solid fuel as herein defined providing for appointment of licensed weighmasters prescribing their powers and duties authorizing substitute licensed weighmasters imposing certain duties on the Department of Internal Affairs and providing penalties" providing for transportation of solid fuel over a public highway making exceptions to necessity of a weighmaster's certificate and designating certain acts as prima facie evidence of short weight

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections two and subsection (1) of section three of the act approved the nineteenth day of July one thousand nine hundred thirty-five (P. L. 1356) entitled "An act to regulate the sale and delivery of solid fuel as herein defined providing for appointment of licensed weighmasters prescribing their powers and duties authorizing substitute licensed weighmasters imposing certain duties on the Department of Internal Affairs and providing penalties" as last amended by the act approved the twenty-seventh day of May one thousand nine hundred forty-three (P. L. 684) are hereby further amended to read as follows

Section 2 [It shall be unlawful to sell solid fuels excepting by avoirdupois weight] No person shall sell transport over a public highway or deliver or start out for delivery less than two thousand (2000) pounds avoirdupois of weight to the ton of any solid fuel or a proper proportion thereof in quantities less than a ton and such solid fuel shall be duly weighed by a licensed weighmaster of the Commonwealth of Pennsylvania on accurate scales suitable for weighing a tare and the gross weight of the vehicle or vehicle and trailer transporting solid fuel located in this state and which has been tested and approved by an official empowered by law to test such scales A tolerance at the rate of thirty (30) pounds to two thousand pounds shall be allowed for wastage and variation in scales

Section 3 (1) No person [upon the sale or purchase of solid fuel] shall sell transport over a public highway deliver or cause to be delivered or to be started out for delivery any solid fuel in a lot or lots in amounts of exceeding one hundred (100) pounds without each lot in each separate compartment of any vehicle or vehicle and trailer being accompanied by a weighmaster's certificate for each lot issued by a licensed weighmaster of the Commonwealth of Pennsylvania Provided That this section shall be inapplicable to a producer of solid fuel who furnishes proof satisfactory to the Department or an Inspector of Weights and Measures that the solid fuel being transported comes from his own mine is his own property and is being transported for a purpose other than for sale or that the vehicle is accompanied by a valid certificate of transportation permitting such transportation without a weighmaster's certificate as provided for by the rules and regulations as promulgated by the Department of Internal Affairs

Section 2 Section seven of said act as amended by the act approved the twenty-fourth day of June one thousand nine hundred forty-one (P. L. 152) is hereby further amended to read as follows

Section 7 It shall be unlawful for any weighmaster to issue a false or incorrect weighmaster's certificate or for any person to solicit him to do so or for any person to use or issue any weighmaster's certificate except one prepared on a form issued or approved by the department or for any person to print or distribute any forms of weighmaster's certificate unless authorized so to do by the department or to use a false or incorrect weighmaster's certificate or weighmaster's certificate not bearing the signature and license number of a licensed weighmaster and the license number of the vehicle or for any weighmaster knowingly to permit any weighmaster's certificate to be issued or used which purports to bear his signature and which was not in fact signed by him at the time of weighing or which expresses a gross tare or net weight not ascertained by him or for any person to deliver solid fuel without an official weighmaster's certificate or to permit any diminution of the load or solid fuel before its delivery to the purchaser or purchasers thereof or except as otherwise provided in this act to fail neglect or refuse to deliver a correct and lawful weighmaster's certificate to the purchaser of solid fuel whose name and address appears on said weighmaster's certificate or to otherwise directly or indirectly violate any of the provisions of this act

Whenever solid fuel is sold and delivered to the purchaser named in the approved weighmaster's certificate and whenever the seller or his representative neglects fails or refuses to deliver an approved weighmaster's certificate at the time of delivery or the net weight of the solid fuel shall be determined to be less than the net amount stated on the approved weighmaster's certificate or as otherwise represented to the purchaser such determination shall constitute prima facie evidence of short weight and the seller shall be prosecuted under this provision for short weight

Whenever the gross weight of a vehicle and load the tare weight and the net weight of solid fuel has been determined in accordance with the provisions of this act and the net weight of the solid fuel shall be determined to be less than that stated in a weighmaster's certificate proof of such determination shall constitute prima facie evidence of the diminution of the load of solid fuel before delivery to the purchaser

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Geltz	Lord,	Tarr,
Becker,	Haluska	Mahany,	Taylor,
Berger,	Hare,	Mallery,	Tyler,
Blass,	Heyburn	Margie,	Wade,
Carr,	Holland	Rahauser,	Wagner,
Chapman,	Homsher	Rosenfeld,	Walker,
Crider,	Jaspan	Ruth,	Watson,
Crowe,	Kephart,	Scarlett,	Wilson,
Dent,	Klein,	Snowden,	Wolfe,
DiSilvestro,	Lane,	Stevenson,	Wood, L. H.,
Doehla,	Leader,	Stiefel,	Wood, T. N.,
Farrell,	Letzler,	Tallman,	Woodring,
Frazier,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House or Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 361, as follows:

An Act to further amend two hundred twenty of the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" providing for free fishing licenses to certain disabled war veterans

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two hundred twenty of the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" as last amended by the act approved the twenty-ninth day of March one thousand nine hundred forty-five (P. L. 99) is hereby further amended to read as follows

Section 220 Resident Fishing License Fees For the purposes of this article every person sixteen years of age and upward upon application to any issuing agent within the Commonwealth or to the Department of Revenue and upon the establishment of his identity to the satisfaction of the issuing agent or the Department of Revenue by producing a bank book letters lodge cards police cards a motor vehicle operator's permit or some other positive means of identification that he has been a bona fide resident of this Commonwealth for a period of sixty days next preceding his application and was born in the United States and in the case of naturalized foreign-born residents the production of such applicant's naturalization papers shall upon the payment to the issuing agent or the Department of Revenue of a license fee of one dollar and fifty cents ($1.50) for the use of the Commonwealth and in the event that the license is issued by an issuing agent a fee of ten cents (10c) for the use of the issuing agent be entitled to the license herein referred to as "a resident fishing license"

Any disabled veteran of any war whose disability consists of the loss of one or more limbs or the loss of the use of one or more limbs or a veteran who is totally blind and who meets the above qualifications shall be issued such license upon application to any county treasurer without the payment of the above license fee provided for the use of the Commonwealth The application for the issuance of a license in such case shall in addition to the other information required contain a statement that the applicant is a war veteran and that his disability was service incurred The county treasurer may likewise require of such applicant the production of such applicant's discharge papers.

For the duration of the present war any person with the above qualifications who is in service with the armed forces of the United States shall be issued such license upon application to any county treasurer within the Commonwealth without the payment of the above license fee provided for the use of the Commonwealth

The application for the issuance of a license in such case shall in addition to the other information required give the serial number of the branch of service to which the applicant is attached together with the applicant's rank company battalion regiment division and other military organization

In case the license certificate is lost or destroyed a duplicate can be secured from the Department of Revenue by making affidavit to that effect In case the button is lost or destroyed the licensee can make a duplicate and in case both the license certificate and the button are lost or destroyed a new license and button may be secured from the Department of Revenue upon making affidavit to that effect and the payment of a fee of fifty cents (50c)

Upon the making of an application by any person to the Department of Revenue for a special license to catch eels by the use and operation of eel chutes and the payment of a fee of one dollar ($1) for the use of the Commonwealth such person shall be entitled to a special eel chute license and a special metal tag which shall give him the right to use and operate an eel chute in the Susquehanna River below the boundary line of the city of Pittston and the Duryea Borough line on the north branch below the bridge at the Northumberland-Lycoming County line on the west branch in the Juniata River below Mount Union and in the Delaware River in accordance with the provisions of this act

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

Mr. WOODRING. Mr. President and members of the Senate, I have observed that we do not make or lose many votes on the floor of the Senate, and I am going to refrain hereafter from asking any other Senator to vote the way I do, but as to this bill I would like to make a statement to the effect that I am going to vote for House Bill 351, but in doing so I trust that a lot of other veteran legislation which is in committee in both the House and the Senate will come out so that we can also vote on it.

This bill gives to some, but not all veterans who have lost one arm, one limb or more, or lost the use of one or more limbs or one who are totally blind, it gives some of those people the right to receive a free fishing license.

I am going to vote for this measure, although I have not uniformly voted for such measures. I think that we owe considerable more to the veterans of the Commonwealth of Pennsylvania, than free fishing licenses for some disabled veterans; I think we owe them something in the way of housing and education and hospitalization, and we owe them financial and physical rehabilitation, and we owed them, for a great many years, a timely bonus, so that whatever bonus the state of Pennsylvania wanted to give would have been available at the time of their discharge, when they most needed it. A bonus in 1950 or 1951 is not going to serve the purpose for which it is designed.

So that, while I am going to vote for this bill, I hope that my record as a member of the 1947 session of the Senate will not consist, in veteran legislation, solely in the giving of limited fishing licenses to some disabled veterans.

Mr. President, you will find in the phraseology of the bill that we first purport to give to disabled veterans free fishing licenses, but then we have additional language —those who meet the above qualifications—in addition to their disability they have to meet other qualifications, so that we are not even doing what the bill on its face purports to do.

I am not very proud of this legislation, but I will vote for it.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Geltz	Lord,	Tarr,
Becker,	Haluska	Mahany,	Taylor,
Berger,	Hare,	Mallery,	Tyler,
Blass,	Heyburn	Margie,	Wade,
Carr,	Holland	Rahauser,	Wagner,
Chapman,	Homsher	Rosenfeld,	Walker,
Crider,	Jaspan	Ruth,	Watson,
Crowe,	Kephart,	Scarlett,	Wilson,
Dent,	Klein,	Snowden,	Wolfe,
DiSilvestro,	Lane,	Stevenson,	Wood, L. H.,
Doehla,	Leader,	Stiefel,	Wood, T. N.,
Farrell,	Letzler,	Tallman,	Woodring,
Frazier,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 474, as follows:

An Act to add clause (1) to section one thousand three hundred four of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" authorizing the Department of Public Instruction to fix the fees to be charged by professional examining boards

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one thousand three hundred four of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" is hereby amended by adding at the end thereof a new clause to read as follows

Section 1304 Professional Education and Licensure The Department of Public Instruction shall have the power and its duty shall be

* * * * *

(1) Unless otherwise provided by law to fix the fees to be charged by the several professional examining boards within the department

Section 2 The act approved the first day of April one thousand nine hundred twenty-five (P. L. 111) entitled "An act authoriing the Department of Public Instruction annually to fix the fees to be charged for the several professional examining boards within the said Department and prescribing the basis upon which such fees shall be fixed" is hereby repealed

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Geltz,	Lord,	Tarr,
Becker,	Haluska,	Mahany,	Taylor,
Berger,	Hare,	Mallery,	Tyler,
Blass,	Heyburn,	Margie,	Wade,
Carr,	Holland,	Rahauser,	Wagner,
Chapman,	Homsher,	Rosenfeld,	Walker,
Crider,	Jaspan,	Ruth,	Watson,
Crowe,	Kephart,	Scarlett,	Wilson,
Dent,	Klein,	Snowden,	Wolfe,
DiSilvestro,	Lane,	Stevenson,	Wood, L. H.,
Doehla,	Leader,	Stiefel,	Wood, T. N.,
Farrell,	Letzler,	Tallman,	Woodring,
Frazier,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 506, as follows:

An Act to further amend the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" providing for fixing the number and compensation of all appointed officers deputies assistants clerks and other persons whose compensation is paid out of the county treasury whether employed by the county the courts or by any judge thereof creating a salary board in each county defining its powers and duties and repealing inconsistent acts

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one hundred nine and one hundred twenty-four of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" are hereby amended to read as follows

Section 109 Chief Clerk The county commissioners shall appoint a chief clerk who shall hold his office for a term of four years In case of a vacancy by death resignation or removal for cause his successor shall serve for the unexpired time for which he was appointed The chief clerk shall enter into a bond for the faithful performance of his duties in such sum as may be designated by the commissioners He shall receive such salary as the salary board [or the county commissioners in counties where there is no salary board] shall determine

Section 124 Counsel Compensation The auditors may employ a competent attorney-at-law to act as their counsel and attorney Such attorney shall be paid out of the funds of the county such reasonable compensation for his services as the [board of auditors and the president judge of the court of common pleas may approve] salary board shall determine

Section 2 Section one hundred thirty-five of said act as last amended by the act approved the twenty-third

day of May one thousand nine hundred thirty-three (P. L. 948) is hereby further amended to read as follows

Section 135 Solicitor to the Controller The county controller may designate and appoint one person learned in the law to act as his solicitor Such solicitor shall advise upon all such legal matters as may be submitted to him and shall conduct any litigation desired by the county controller. He shall hold office at the pleasure of the controller He shall receive such salary as may be fixed by the salary board [but in counties of the fifth class such salary shall not exceed the sum of nine hundred dollars $900.00) per annum]

Section 3 Section one hundred fifty-one of said act is hereby amended to read as follows

Section 151 Appointment Qualifications Term Compensation The county commissioners may appoint a county solicitor who shall be an attorney at law admitted and qualified to practice in the courts of this Commonwealth He shall hold his office during the term of the commissioners appointing him and [except where otherwise provided by law] shall receive such compensation as the [commissioners] salary board may determine He shall before entering upon the duties of his office file with the county commissioners an agreement to pay all fees attorney s fees and commissions received from every source as county solicitor into the county treasury

Section 4 Section one hundred fifty-five of said act as added by the act approved the first day of July one thousand nine hundred thirty-seven (P. L. 2616) is hereby amended to read as follows

Section 155 Assistant Solicitors Clerks and Stenographers In counties of the second class the county solicitor may with the consent and approval of the county commissioners appoint to assist him in the discharge of the duties of his office [such] assistant solicitors who shall be attorneys at law admitted and qualified to practice in the courts of this Commonwealth and [such] clerks and stenographers [as may be deemed necessary who shall receive such salaries as may be fixed according to law] The number and compensation of such assistants clerks and steographers shall be fixed by the salary board

Section 5 Section one hundred sixty-six of said act is hereby amended to read as follows

Section 166 Appointment Term Compensation The county commissioners of any county may appoint a registered professional engineer who shall be styled the county engineer Such engineer shall serve for a term of four years and shall receive such compensation as the [county commissioners] salary board shall fix

Section 6 Sections one hundred seventy-one one hundred eighty seven one hundred eighty-seven point one and one hundred eighty-eight of said act as amended by the act approved the ninth day of June one thousand nine hundred thirty-one (P. L. 401) are hereby further amended to read as follows

Section 171 Number of Members Qualifications Compensation There is hereby established in each county a board of viewers The board of viewers in counties of the second class shall consist of not less than six nor more than nine members one-third of whom may be learned in the law and members of the bar of the county In each county of the third fourth fifth sixth seventh and eighth classes said board shall consist of not less than three nor more than nine members one-third of whom may be surveyors or members of the bar of the county The judges of the court of common pleas shall in each case determine within the aforesaid limits the total number of members of which the board shall be composed fixing and determining such number as shall be deemed necessary for the proper performance of the duties imposed upon the board The court may also from time to time change the total number of members within the above limits

[In counties of the second class each member of the board of viewers shall receive an annual salary of six thousand five hundred dollars ($6500)

In counties of the third and fourth classes each member of the board of viewers shall receive the sum of twelve dollars ($12.00) per day for each day actually and necessarily spent by him in the performance of the duties of his office and ten (10) cents per mile for each mile actually and necessarily traveled by him in the performance of the duties of his office Provided That however that the amount so received by any member of the board of viewers in counties of the third class shall not exceed exclusive of traveling expenses the sum of two thousand dollars ($2000) for any calender year]

[In counties of the fifth and sixth classes each member of the board of county viewers shall receive the sum of ten dollars ($10.00) per day for each day actually and necessarily spent by him in the performance of the duties of his office and the sum of five (5) cents per mile for each mile actually and necessarily traveled by him in the performance of the duties of his office

In counties of the seventh and eighth classes each member of the board of viewers shall receive the sum of seven dollars and fifty cents ($7.50) per day for each day actually and necessarily spent by him in the performance of the duties of his office and five (5) cents per mile for each mile actually and necessarily traveled by him in the performance of the duties of his office

The compensation of said viewers shall be paid monthly by the respective counties under such conditions as to the verification of the time of employment as may be prescribed by rules and regulations which shall be made by the courts of the respective counties] The salary board of each county shall fix the compensation of the members of the board of viewers

Section 187 Chief Deputy Compensation The sheriff of each county shall appoint by deed duly recorded in the office for recording deeds a chief deputy whose appointment shall be revocable at pleasure on recording in said office a written revocation thereof The chief deputy during his continuance in office shall have full power and authority to perform any duty incumbent upon such sheriff with like effect in law as if such official act had been done by the sheriff in person regardless of the ability or temporary disability of such sheriff to act while such sheriff continues in office Nothing in this section shall operate to relieve such sheriff or his sureties from liability upon their official bond. The salary or compensation of such chief deputy shall be fixed by the salary board [where there is such a board and in other counties by the sheriff]

Section 187.1 Real Estate Deputies in Counties of the Second and Third Classes In counties of the second and third classes each sheriff may have a real estate deputy to take charge of all matters relating to sheriff's sales of real estate and distributions of the proceeds thereof whose appointment shall be made and be revocable by writing signed by the sheriff duly recorded in the office for recording deeds for the proper county which deputy shall have full power to perform all duties incumbent upon the sheriff in like manner as his chief deputy with like effect in law as if such official acts had been done by the sheriff in person including the execution and acknowledgment of sheriff's deeds for real estate upon receipt of the purchase price thereof Provided That nothing in this act shall operate to relieve the sheriff or his sureties from liability upon their official bonds to the Commonwealth but such liability shall continue as heretofore

[In counties of the second class the] Each such real estate deputy shall receive an annual salary [of six thousand dollars ($6000) and in counties of the third class four thousand dollars ($4000) which salaries shall be paid by said counties in the same manner as the salaries of the other deputies are payable] to be fixed by the salary board of the county

Section 188 Solicitor in Third Fourth and Fifth Class Counties In all counties of the third fourth and fifth classes the sheriff may appoint one person learned in the law as his solicitor Said solicitor shall advise the sheriff upon all legal matters that may be submitted to him and shall conduct any litigation in connection with

the sheriff's office when requested so to do by the sheriff The solicitor shall hold office for the term for which the sheriff was elected The salary of such solicitor in [counties of the third class] each county shall be fixed by the salary board [In counties of the fourth class said solicitor shall receive an annual salary of five hundred dollars ($500.00) and in counties of the fifth class the salary of the solicitor shall be fixed by the salary board at a sum not exceeding five hundred dollars ($500.00) per annum Said salaries shall be paid by the county]

Section 7 Section one hundred eighty-nine of said act is hereby amended to read as follows

Section 189 Deputies and Clerks in Counties of the Sixth Class The sheriff in counties of the sixth class may appoint such deputies and clerks as may be necessary to properly transact the business of his office and shall have power to discharge them from time to time The number and compensation of such deputies and clerks shall be fixed by the salary board

Section 8 Section two hundred twenty-four of said act as last amended by the act approved the twenty-third of May one thousand nine hundred thirty-three (P. L. 952) is hereby further amended to read as follows

Section 224 Appointment of First Deputies Compensation The prothonotary clerk of the courts of quarter sessions and oyer and terminer and clerk of the orphans' court and register of wills and recorder of deeds shall appoint one first deputy to act in the case of the death or resignation of his principal or when the office shall become vacant from other causes In counties of the second and third classes the first deputy prothonotary shall be designated from the force of clerks in the prothonotary's office and shall give bond in the penal sum of ten thousand dollars conditioned for the proper and faithful performance of his duties

The Salary or compensation of said deputies shall be fixed by the salary boards [in counties where there are such boards and in other counties by the officer appointing the deputy.]

Section 9 Section two hundred twenty-seven of said act as amended by the act approved the twenty-first day of June one thousand nine hundred thirty-five (P. L. 361) is hereby further amended to read as follows

Section 227 In Counties of the Second Class Appointment of Minute Clerks by the Courts of Common Pleas and Courts of Quarter Sessions and Oyer and Terminer In counties of the second class the court of common pleas and the court of quarter sessions and oyer and terminer shall respectively appoint minute clerks of said courts Such clerks shall receive such salaries as the [court making their appointment] salary board may fix and shall give bond in such sum as the respective courts may direct This act shall not affect the power of the prothonotary of Allegheny County to appoint clerks of the county court for the County of Allegheny under the provisions of section five of the act approved the fifth day of May one thousand nine hundred and eleven (P. L. 198) entitled "An act to establish a county court for the county of Allegheny and prescribing its powers and duties regulating the procedure therein and providing for the expenses thereof" or its amendments

Section 10 Section two hundred thirty-one of said act as amended by the act approved the twenty-fifth day of June one thousand nine hundred thirty-five (P. L. 362) is hereby further amended to read as follows

Section 231 Assistant Clerks of Orphans' Court in Counties Where There Is a Separate Orphans' Court and Chief Minute Clerk and Assistant Minute Clerks in the Orphans' Court of Counties of the Second Class Compensation The clerk of the orphans' court of each county in which a separate orphans' court is now or hereafter shall be established may appoint an assistant clerk or clerks but only with the consent and approval of said court

The register of wills and ex officio clerk of the orphans' court with the consent and approval of the judges of the said court shall fix the salaries of the assistant clerks of said court

The salaries of the assistant clerk shall be paid out of the fees of said office paid into the treasury of the county upon bills attested by said register and countersigned by a judge of said court Provided however That in the event that the fees received in said office of register of wills be not sufficient to fully pay the register and his assistants then payment shall be made in full to the said register of wills but to his assistants in manner as follows namely Where there is more than one assistant then the balance of fees remaining to the credit of said office of register of wills shall be divided among each of said assistants in proportion as his salary shall stand to the whole

In counties of the second class in which a separate orphans' court is now or hereafter established the judges of said orphans' court shall appoint a chief minute clerk and a sufficient number of assistant minute clerks to perform such duties in connection with the business of said court as the [judges] salary board may direct [which court] The salary board shall fix the salaries of said chief minute clerk and assistant minute clerks Said salaries shall be paid by the county in the same manner as employes of the office of the register of wills and clerk of the orphans' court Provided That the office of chief assistant clerk and the offices of assistant clerks of the orphans' court shall not be incompatible with the offices of chief minute clerk and assistant minute clerks of said court

Section 11 Sections two hundred thirty-three point one two hundred thirty-five and two hundred thirty-seven of said act as added by the act approved the ninth day of June one thousand nine hundred thirty-one (P. L. 401) are hereby amended and further amended to read as follows

Section 233.1 Solicitor to Register in Counties of the Fifth Class In all counties of the fifth class the register of wills is authorized to appoint one person learned in the law as his solicitor Said solicitor shall advise upon all legal matters that may be submitted to him and shall conduct any litigation when requested so to do by the register of wills The solicitor shall hold office for the term for which the register of wills was elected and shall receive a salary [of five hundred dollars ($500) per annum to be paid out of the county treasury] to be fixed by the salary board

Section 235 Deputy Recorder The recorder of deeds may appoint a deputy for whose conduct he and his sureties shall be accountable Such deputy shall be capable in law to do whatever by law appertains to the office of recorder of deeds

The salary or compensation of the deputy recorder of deeds shall be fixed by the salary board [in counties where there is such a board and in other counties by the recorder of deeds]

Section 237 Solicitor to Recorder of Deeds in Counties of the Fourth Class In all counties of the fourth class the recorder of deeds may appoint one person as his solicitor Said solicitor shall advise the recorder of deeds upon all legal matters that may be submitted to him and conduct all litigation connected with the recorder of deeds' office when requested so to do by the recorder of deeds The solicitor shall hold office for the term for which the recorder of deeds was elected His salary shall be fixed by the [county commissioners and shall be paid by the county in the same manner as the salaries of other county employes are paid] salary board

Section 12 Section two hundred fifty-six of said act as last amended by the act approved the twenty-sixth day of May one thousand nine hundred thirty-nine (P. L. 233), is hereby further amended to read as follows

Section 256 Assistant District Attorneys Number Compensation In counties of the second third fourth fifth and sixth classes the district attorney may appoint such number of assistants learned in the law to assist him in the discharge of his duties as is fixed by [this section]

the salary board of the county The salary board shall fix the salary of each such assistant

[In counties of the second class the district attorney shall have authority to appoint one or more assistants learned in the law not exceeding sixteen in number One of said assistant district attorneys who shall be designated as the first assistant shall receive a salary of seventy-five hundred dollars ($7500) per annum One of said assistant district attorneys who shall be designated as the second assistant shall receive a salary of sixty-five hundred dollars ($6500) per annum Two of said assistant district attorneys shall receive salaries of six thousand dollars ($6000) per annum each Four of said assistant district attorneys shall receive salaries of fifty-five hundred dollars ($5500) per annum each Two of said assistant district attorneys shall receive salaries of five thousand dollars ($5000) per annum each Two of said assistant district attorneys shall receive salaries of forty-five hundred dollars ($4500) per annum each and four of said assistant district attorneys shall receive salaries of four thousand dollars ($4000) per annum each In the event of the appointment of a less number of assistants than sixteen the district attorney shall have the power to determine into which class as to salaries the appointee or appointees shall be placed Said salaries herein provided shall be paid out of the county treasury

For all counties of the third class the district attorney shall have authority to appoint a first assistant district attorney at an annual salary of four thousand dollars ($4000) and three assistant district attorneys at annual salaries of three thousand five hundred dollars $3500) each and two assistant district attorneys at annual salaries of three thousand dollars ($3000) each

In all counties of the fourth class the district attorney shall have authority to appoint a first assistant district attorney at an annual salary of three thousand five hundred dollars ($3500) and three assistant district attorneys at annual salaries of three thousand dollars ($3000) each

In counties of the fifth class the district attorney shall have authority to appoint not more than two assistant district attorneys The first assistant district attorney shall receive a salary of two thousand five hundred dollars ($2500) per annum and the second assistant district attorney shall receive a salary of two thousand dollars ($2000) per annum

In counties of the sixth and seventh classes with the approval of the court the district attorney shall have authority to appoint one assistant district attorney except as otherwise provided in this act In counties of the sixth class having a population of eighty thousand or more such assistant district attorneys shall receive a salary of two thousand dollars ($2000) and in counties of the sixth class having a population of less than eighty thousand such assistant district attorney shall receive a salary of one thousand two hundred and fifty dollars ($1250) and in counties of the seventh class seven hundred and fifty dollars ($750)

In counties of the sixth class where there are two or more judges of the court of common pleas with approval of the court the district attorney may appoint two assistant district attorneys The first assistant district attorney shall receive a salary of two thousand five hundred dollars ($2500) per annum and the second assistant district attorney shall receive a salary of two thousand dollars ($2000) per annum

The salary board of any county of the third class in case of an emergency or on account of increased business or unusual circumstances or conditions may authorize the district attorney to appoint such additional assistant district attorneys as may be approved by the court Provided however That the salary of said appointees shall not exceed the minimum salary provided for assistants in the respective offices]

Section 13 Section two hundred fifty-eight of said act as amended by the act approved the ninth day of June one thousand nine hundred thirty-one (P. L. 401) is hereby further amended to read as follows

Section 258 Clerks in Counties Third Class Indictment and Cost Clerk in Counties of the Fourth Class Compensation The salary board in all counties of the third class shall have authority to provide for the appointment by the district attorney of such clerks and stenographers in the office of the district attorney as may be deemed necessary for the proper dispatch of business and at such salaries as the salary board may fix The district attorney of any county of the fourth class in addition to the assistants hereinbefore authorized may appoint an assistant learned in the law who shall be designated as indictment and cost clerk to assist the district attorney in the discharge of his duties Such appointee shall hold office during the term of office of the district attorney appointing him but the district attorney may remove such appointees for any cause he deems sufficient and appoint another person duly qualified to fill the vacancy Such indictment clerk shall receive [the salary of twelve hundred dollars $1200) per annum] a salary to be fixed by the salary board

Section 14 Section two hundred fifty-nine of said act is hereby amended to read as follows

Section 259 Special Assistants The district attorney of any county of the seventh and eighth classes may with the approval of the [president judge of the court of quarter sessions or the] salary board [as may be provided by law] appoint an assistant attorney learned in the law to aid in the preparation and trial of any indictment for homicide or murder on behalf of the Commonwealth Such assistant shall receive such compensation [not exceeding four hundred dollars as may be approved and recommended by the judge presiding at the trial] as may be fixed by the salary board

Section 15 Section two hundred sixty-two of said act as last amended by the act approved the first day of July one thousand nine hundred thirty-seven (P. L. 2619) is hereby further amended to read as follows

Section 262 Stenographers in Fourth Fifth Sixth Seventh and Eighth Class Counties In counties of the fourth and fifth classes the district attorney may employ a stenographer or stenographers whose [combined annual salaries in any one of said counties shall not exceed two thousand five hundred dollars ($2500) Such] salaries shall be fixed by the [district attorney] salary board

In counties of the sixth class the district attorney may employ a stenographer as an assistant in his office at a salary [of not less than seven hundred fifty dollars ($750) nor more than one thousand five hundred dollars ($1500) a year Said salary] to be fixed by the salary board of the county

In counties of the eighth class the district attorney may with the consent of the county commissioners employ a stenographer as an assistant in his office at a salary [not to exceed seven hundred and fifty dollars ($750.00) per year] to be fixed by the salary board

In counties of the seventh class the district attorney may employ a stenographer as an assistant in his office at a salary [of not less than five hundred dollars and not to exceed one thousand dollars ($1000) a year] to be fixed by the [county commissioners] salary board

[The salaries of said stenographers shall be paid by the respective counties in the same manner as other county employes are paid]

Section 16 Section two hundred seventy-six of said act as last amended by the act approved the twentieth day of June one thousand nine hundred thirty-nine (P. L. 466) is hereby further amended to read as follows

Section 276 Appointment in Counties of the Second Class Duties In counties of the second class the district attorney may appoint one chief county detective an assistant chief county detective [four] and as many county detectives sergeant special county detectives [not exceeding twenty-six in number and ten] and junior county detectives as the salary board shall fix

Such county detectives shall at all times be subject to the orders of the district attorney and shall investigate and make report to the district attorney as to the con-

duct in office of magistrates constables deputy constables and other officers connected with the administration of criminal justice to make investigation and endeavor to obtain such evidence as may be required by the district attorney in any criminal case and perform such other duties as the district attorney may direct Said detectives shall be general police officers and shall have all powers now conferred on constables by existing laws of this Commonwealth so far as they relate to crime or criminal procedure and in counties of the second class they shall serve subpoenas in cases in which the Commonwealth is a party in a court of record

Said chief county detectives assistant chief county detective county detectives sergeant special county detectives and junior county detectives shall not be entitled to receive any fees whatsoever [The chief county detective shall receive a salary of five thousand ($5000) dollars per annum the assistant chief county detective shall receive a salary of four thousand ($4000) dollars per annum the four county detectives sergeant shall receive a salary of two thousand seven hundred and twenty dollars ($2720) per annum each the twenty-six special county detectives shall receive a salary of two thousand six hundred dollars ($2600) per annum each and the ten junior county detectives shall receive a salarly of two thousand one hundred dollars ($2100) per annum each] but shall each receive such salary as shall be fixed by the salary board together with all necessary traveling expenses which said salary and expenses having been verified by affidavit of the chief county detective assistant chief county detective county detective sergeant special county detective or junior county detective incurring the same and approved by the district attorney shall be paid out of the treasury of the county on a certificate issued by the district attorney directed to the controller of the county who shall order warrants for said amounts according to law

Section 17 Section two hundred seventy-seven of said act as amended by the act approved the ninth day of June one thousand nine hundred thirty-one (P. L. 401) is hereby further amended to read as follows

Section 277 In Counties of the Third and Fourth Classes In counties of the third [class] and fourth classes the district attorney may appoint one chief county detective and [five assistant county detectives] as many assistant county detectives as may be fixed by the salary board of the county Each such detective shall receive an annual salary to be fixed by the salary board

[The chief county detective shall receive an annual salary of three thousand dollars ($3000) and the five assistant county detectives shall receive annual salaries of two thousand six hundred dollars ($2600) each

In counties of the fourth class the district attorney shall have power to appoint one chief county detective at an annual salary of three thousand dollars ($3000) one assistant chief county detective at an annual salary of two thousand five hundred dollars ($2500) and two special county detectives at annual salaries of two thousand dollars ($2000) each

The salary board of any county of the third class in case of an emergency or on account of increased business or unusual circumstances or conditions may authorize the district attorney to appoint such additional detectives as may be approved by court Provided however That the salary of said appointees shall not exceed the minimum salaries provided for detectives in counties of the third class]

The salaries and expenses of such detectives in the respective counties shall be paid by the county in the usual manner

Such county detectives shall hold their positions during the term of the district attorney appointing them and shall be removable at his discretion They shall have possess and exercise all of the rights and powers conferred by existing law upon constables so far as such laws relate to crimes and criminal procedure and shall when requested by the district attorney make an investigation and endeavor to obtain such evidence as may be required in any criminal case They shall also perform such other duties as the district attorney may direct. Such county detectives shall be allowed their expenses actually and necessarily incurred in performance of their duties

Section 18 Section two hundred seventy-eight of said act as last amended by act approved the nineteenth day of June one thousand nine hundred thirty-nine (P. L. 441) is hereby further amended to read as follows

Section 278 In Counties of the Fifth Class In counties of the fifth class the district attorney with the approval of the [court of quarter sessions] salary board may appoint one chief county detective and one assistant county detective

The [court of quarter sessions] salary board shall fix the compensation of the county detectives [and shall direct the clerk of said court to certify the same to the county commissioners who shall draw their warrants on the treasurer in favor of said detectives for the amount so certified]

Such county detectives shall hold their positions during the term of the district attorney appointing them and shall be removable at his discretion They shall have possess and exercise all the rights and powers conferred by law upon constables in so far as such law or laws relate to crimes and criminal procedure and shall when requested by the district attorney make an investigation and endeavor to obtain such evidence as may be required in any criminal case They shall also perform such other duties as the district attorney may direct

Such county detectives shall be allowed their expenses actually and necessarily incurred in the performance of their duties

Section 19 Section two hundred seventy-nine of said act as amended by the act approved the ninth day of June one thousand nine hundred thirty-one (P. L. 401) is hereby further amended to read as follows

Section 279 In Counties of the Seventh and Eighth Classes The district attorney of counties of the seventh and eighth classes may with the approval of the [president judge of the courts] salary board employ one detective for the investigation of any crimes committed within such county The compensation of such detective shall be fixed by the [district attorney with the approval of the presiding judge of the court] salary board and shall be paid from the county treasury in the usual manner

Section 20 Section two hundred eighty of said act as last amended by the act approved the nineteenth day of June one thousand nine hundred thirty-nine (P. L. 441) is hereby further amended to read as follows

Section 280 In Counties of Sixth Class In all counties of the sixth class the district attorney shall have power to appoint with the approval of the [president judge of the court of common pleas] salary board of such county one county detective at an annual salary [not to exceed four thousand dollars ($4000)] to be fixed by the salary board [in counties where there is a salary board and in other counties by the district attorney with the approval of the president judge of said court] Such detective shall also receive his actual and necessary expenses incurred in the performance of his duties The salary and expenses of such detective shall be paid out of the county treasury in the usual manner

The county detective herein provided for shall hold his position during the term of the district attorney appointing him and shall be removable at his pleasure He shall have possess and exercise all the rights and powers conferred by existing laws upon constables so far as such laws relate to crimes and criminal procedure and shall when requested by the district attorney make an investigation and endeavor to obtain such evidence as may be required in any criminal case He shall also perform such other duties as the district attorney may direct Provided however That nothing herein contained shall prevent the employment of one or more detectives for special purposes as now provided by law

Section 21 Section two hundred eighty-one of said act is hereby amended to read as follows

Section 281 Appointment of Special Detective with Approval of Court. The district attorney of any county may with the approvel of the salary board whenever the court of quarter sessions [whenever said court] and district attorney may deem it necessary appoint an officer as a special detective whose duty it shall be to assist in obtaining such evidence as shall be directed by the district attorney for the Commonwealth in all criminal cases and perform such other duties as the court may direct The compensation of such special detective shall be fixed by the [president judge of the court of quarter sessions or the salary board as the case may be]

Such special detective officer shall be a general police officer and shall have all the powers that are conferred on constables by the existing laws of this Commonwealth so far as they relate to crimes or criminal procedure

Section 22 Section two hundred ninety-five of said act as amended by the act approved the twenty-third day of May one thousand nine hundred thirty-three (P. L. 953) is hereby further amended to read as follows

Section 295 Clerk Except as hereinafter provided the jury commissioners are hereby authorized to appoint a clerk and fix his compensation with the consent and approval of the salary board [if there be such a board or if not then of the county commissioners for his employment with said jury commissioners in the preparation and in flling the jury wheel or in drawing jurors but in no case shall the compensation of such clerk in counties of the sixth class exceed the amount received by any jury commissioner from such county for the same period of time] Said appointment of a clerk shall be made within thirty days after the jury commisisoners qualify for office and if the jury commissioners shall fail to make such appointment within said time or shall thereafter for a period of thirty days fail to fill any vacancy in said position the county commissioners shall appoint a clerk for them The compensation of said clerk shall be fixed by the salary board [or the commissioners as the case may be] In counties of the third class the clerk of the jury commissioners shall be appointed and his compensation fixed by the [court of common pleas] salary board

Section 23 Subdivision (o) of article three of said act section three hundred one thereof as amended by the act approved the ninth day of june one thousand nine hundred thirty-one (P. L. 401) is hereby amended to read as follows

(o) Compensation Salaries Fees Salary Boards

Section 301 Salaries and Compensation The salaries and compensation of county officers shall be as now or hereafter fixed by law The salaries and compensation of all appointed officers clerks stenographers and employes who are paid from the county treasury shall be [as fixed by this act or as may be] fixed by the salary board created by [law] this act for such purposes

Section 302 Fees All county officers shall continue to charge and collect the fees mileage and emoluments of office for their own use or for the use of the county as is now or may hereafter be provided by law and where required by law such fees mileage and emoluments shall be paid to the county treasurer as and when required

Section 303 Salary Boards Created There is hereby created in each county a salary board which shall consist of the three county commissioners the county controller in counties where there is a controller or the county treasurer in counties where there is no controller The chairman of the board of county commissioners shall be chairman of the salary board The board shall meet and organize on the effective date of this act and on the first Monday of January of each year thereafter

Section 304 Number and Compensation of Officers Deputies Assistants Clerks and Employes At its first meeting on the effective date of this act the board shall subject to limitations imposed by existing law fix the compensation of all appointed county officers and the number and compensation of all deputies assistants clerks and other persons whose compensation is paid out of the county treasury (except employes of county officers who are paid by fees and not by salary] and of all court criers tipstaves and other court employes and of all officers clerks stenographers and employes appointed by the judges of any court and who are paid from the county treasury Thereupon the number and compensation of all such officers deputies assistants clerks and persons whether fixed by statute or by any other method are hereby repealed In the event that any salary board shall fail to fix the number or compensation of any such officers deputies assistants clerks or other employes as required by this section the number and compensation shall continue as fixed by or pursuant to law on the effective date of this act with like effect as though the same had been so fixed by the board

Section 305 Revisions of Salary Schedules At each annual meeting the board shall revise the salary schedule so far as it shall deem such action necessary From time to time between annual meetings whenever required by any judge county officer or executive head of any separate board commission or division the number of compensation of whose deputies assistants clerks and employes is sought to be fixed the board shall meet and consider and shall fix and determine the same All salaries fixed under the provisions of this act shall be paid out of the county treasury in the manner provided by law

Section 306 Procedure and Action of Board (a) Whenever the board shall consider the number of salaries of the deputies assistants clerks or other employes of any county officer or agency such officer or the executive head of such agency shall sit as a member of the board as long as any matter affecting his office or agency is under consideration and no longer

(b) Whenever the board shall consider the number or salaries of the court criers or tipstaves or other court employes the president judge of the court shall sit as a member of the board as long as any matter affecting the court criers tipstaves or employes of his court is under consideration and no longer

(c) Whenever the board shall consider the number or salaries of the officers clerks stenographers or employes appointed by any judge of any court such judge shall sit as a member of the board as long as any matter affecting any of his appointees is under consideration and no longer

(d) The decision of a majority shall govern Each board shall keep a correct minute book of its proceedings in all cases heard and detedmined by it Such minute book shall be a public record

Section 24 The following acts and parts of acts and their amendments are hereby repealed as indicated

(1) Sections thirteen and fourteen of the act approved the thirty-first day of March one thousand eight hundred seventy-six (P. L. 13) entitled "An act to carry into effect section five of article fourteen of the constitution relative to the salaries of county officers and the payment of fees received by them into the state or county treasury in counties containing over one hundred and fifty thousand inhabitants" except in so far as they fix salaries of elected county officers

(2) The act approved the eleventh day of April one thousand nine hundred three (No 126 P. L. 166) entitled "A supplement to an act entitled 'An act for the better and more impartial selection of persons to serve as jurors in each of the counties of this Commonwealth' approved the tenth day of April one thousand eight hundred and sixty-seven providing for a clerk to the jury commissioners and regulating his compensation" absolutely

(3) The act approved the eleventh day of April one thousand nine hundred three (P. L. 167) entitled "An act creating the office of assistant district attorney in the several counties of this Commonwealth having over one hundred and fifty thousand inhabitants providing for the appointment of one or more persons in each of said counties to fill said office prescribing the qualfications duties

and terms of office of said officers and fixing their salaries in accordance with existing legislation" absolutely

(4) Section six of the act approved the first day of May one thousand nine hundred seven (P. L. 135) entitled "An act relating to the appointment of stenographers and assistant stenographers to report procedings in the several courts of common pleas and orphans' courts courts of oyer and terminer and general jail delivery and courts of quarter session of the peace of this Commonwealth as well as before commissioners masters and special masters in chancery referees examiners auditors and other officers prescribing their powers and duties and when such reports shall be evidence of the facts reported prescribing their compensation and allowances for expenses when the same shall be paid by the county wherein such stenographers or assistant stenographers are employed and when by the parties to such proceedings and repealing an act entitled 'An act directing the appointment of official stenographers in the several civil courts of this Commonwealth authorizing the appointment of stenographers by examiners masters referees commissioners and auditors authorizing the appointment of assistant stenographers repealing "An act to authorize the appointment of stenographers in the several courts of this Commonwealth prescribing their duties and fixing their compensation" approved May fifeenth one thousand eight hundred and seventy-four repealing "An act to authorize the appointment of stenographers in the several courts of this Commonwealth prescribing their duties and fixing their compensation" approved May eighth one thousand eight hundred and seventy-six and repealing "An act defining the duty of court stenographers in the several counties in this state" approved June tenth one thousand eight hundred and eighty-one' approved the twenty-fourth day of May one thousand eight hundred and eighty-seven but such repeal not to revive any law repealed by the said act of twenty-fourth of May one thousand eight hundred and eighty-seven" absolutely

(5) The act approved the twenty-seventh day of April one thousand nine hundred eleven (P. L. 85) entitled "An act in relation to the appointment and salaries of the clerks of the court or courts of common pleas in counties containing a population of not less than seven hundred and fifty thousand nor more than one milion two hundred thousand" absolutely

(6) The act approved the twenty-seventh day of April one thousand nine hundred eleven (P. L. 86 No. 83) entitled "An act regulating the compensation of court criers and tipstaves in counties containing more than ninety thousand and less than one hundred and fifty thousand inhabitants providing for the payment of the same by the particular county limiting the number of tipstaves to be appointed and repealing an act of Assembly entitled 'An act to regulate the fees of court criers and tipstaves of the courts in judicial districts containing more than ninety thousand and less than one hundred and fifty thousand inhabitants' approved the twenty-ninth day of April Anno Dimini one thousand nine hundred and nine" absolutely

(7) Section five of the act approved the fifth day of May one thousand nine hundred eleven (P. L. 198) entitled "An act to establish a county court for the county of Allegheny and prescribing its powers and duties regulating the procedure therein and providing for the expenses thereof' in so far as it provides for fixing the number and compensation of clerks

(8) The act approved the ninth day of June one thousand nine hundred eleven (P. L. 753 No. 315) entitled "An act to provide for the appointment of deputy prothonotaries in counties of this Commonwealth having a population of more than two hundred and fifty thousand and less than a million and defining their qualifications powers and salary" absolutely

(9) The act approved the tenth day of June one thousand nine hundred eleven (P. L. 868) entitled "An act providing for the appointment of assistant district attorneys in the several counties of this Commonwealth having over three hundred thousand and less than seven hundred and fifty thousand inhabitants describing the poweres duties and terms of office and fixing the salary of said assistants" absolutely

(10) Section two of the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1042) entitled "An act authorizing county controllers in counties having a population of more than one hundred thousand and less than one hundred and fifty thousand inhabitants to appoint a solicitor prescribing the duties of said solicitor and fixing his salary" in so far as it relates to compensation

(11) The act approved the twentieth day of July one thousand nine hundred seventeen (P. L. 1138 No. 393) entitled "An act to regulate the salaries of tipstaves in the courts of common pleas oyer and terminer and general jail delivery quarter sessions of the peace and orphans' courts in counties having a population of over eight hundred thousand and less than one million four hundred thousand inhabitants" absolutely

(12) The act approved the twentieth day of July one thousand nine hundred seventeen (P. L. 1138 No. 394) entitled "An act to regulate the salaries of criers in the courts of common pleas in counties having a population of over eight hundred thousand and less than one million four hundred thousand inhabitants" absolutely

(13) The act approved the twentieth day of July one thousand nine hundred seventeen (P. L. 1158 No. 400) entitled "An act requiring counties having a population of more than eight hundred thousand and less than one million five hundred thousand inhabitants to give an increase of at least one hundred and fifty dollars per year to all employes now drawing a salary of fifteen hundred dollars per annum or less and providing a method to enforce the provisions of this act" absolutely

(14) The act approved the fourth day of April one thousand nine hundred nineteen (P. L. 41 No. 30) entitled "An act in relation to the appointment and salaries of certain clerks appointed by the several clerks of courts of oyer and terminer and general jail delivery and quarter sessions of the peace in counties of this Commonwealth having a population of over eight hundred thousand and less than one million five hundred thousand inhabitants as computed by the last United States census" absolutely

(15) The act approved the eighteenth day of April one thousand nine hundred nineteen (P. L. 52) entitled "An act fixing the salary of the crier of the courts of common pleas in the several counties of this Commonwealth having more than one million and less than one million five hundred thousand inhabitants" absolutely

(16) The act approved the seventeenth day of March one thousand nine hundred twenty-one (P. L. 32 No. 14) entitled "An act fixing the salaries of court criers and tipstaves in counties of the third class' absolutely

(17) The act approved the thirty-first day of March one thousand nine hundred twenty-one (P. L. 71 No. 39) entitled "An act providing for the salaries of court criers and tipstaves of the several courts in counties of the fourth class" absolutely

(18) The act approved the twentieth day of March one thousand nine hundred twenty-three (P. L. 24) entitled "An act fixing the salary or compensation of the crier of the courts of quarter sessions of the peace and oyer and terminer and general jail delivery in the several counties of the second class" absolutely

(19) The act approved the thirty-first day of May one thousand nine hundred twenty-three (P. L. 474 No. 259) entitled "An act fixing the salary of court criers in counties of the sixth class" absolutely

(20) The act approved the twenty-seventh day of April one thousand nine hundred twenty-five (P. L. 343) entitled "An act providing for the compensation of the county solicitor and the solicitor of the county controller in counties of the third and fourth class" absolutely

(21) Section six of the act approved the eleventh day of May one thousand nine hundred twenty-five (P. L. 559) entitled "An act fixing the salary of sheriffs in counties of the sixth class providing for the payment for the care and maintenance of prisoners where the sheriff is the keeper of the jail requiring all fees and mileage earned

by sheriffs in such counties to be paid into the county treasury for the use of the county providing for the appointment and compensation of deputies and clerks and prescribing penalties" in so far as it provides for fixing the number and compensation of deputies and clerks

(22) The act approved the seventh day of April one thousand nine hundred twenty-seven (P. L. 139) entitled "An act fixing the salary of the jail warden and jail physician in counties of the second class" absolutely

(23) The act approved the third day of April one thousand nine hundred twenty-nine (P. L. 126 No. 125) entitled "An act to regulate the salaries of tipstaves in the courts of common pleas oyer and terminer and general jail delivery quarter sessions of the peace and orphans' courts in counties of the second class" absolutely

(24) The act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1270 No 439) entitled "An act empowering the salary board of counties of the fourth class to fix the salary of the prison warden" absolutely

(25) The act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 1199 No 323) entitled "An act authorizing the boards of prison inspectors in counties of the second class of this Commonwealth to appoint jail chaplains and directing the salary boards of such counties to fix the salaries and compensation of such chaplains" in so far as it provides for fixing the number and compensation of jail chaplains

(26) Section four of the act approved the twenty-sixth day of June one thousand nine hundred thirty-one (P. L. 1379) entitled "An act creating in counties of the third class a board for the assessment and revision of taxes providing for the appointment of the members of such board by the county commissioners providing for their salaries payable by the county abolishing existing boards defining the powers and duties of such board regulating the assessment of persons property and occupations for county borough town township school and poor purposes authorizing the appointment of subordinate assessors a solicitor engineers and clerks providing for their compensation payable by such counties abolishing the office of ward borough and township assessors so far as the making of assessments and valuations for taxation is concerned and providing for the acceptance of this act by cities" in so far as it limits the compensation of subordinate assessors

(27) The act approved the seventh day of April one thousand nine hundred thirty-three (P. L. 29) entitled "An act requiring the board of county commissioners of counties of the second class on approval of the president judge of the court of common pleas of said counties to fix the compensation of fire marshals and to require the board of county commissioners of counties of the second class subject to the approval of the common pleas court to provide for the retirement of such fire marshals on annual pensions after twenty years of service such compensation and pension to be payable by the county" in so far as it provides for fixing the compensation of the fire marshal

(28) The act approved the twentieth day of May one thousand nine hundred thirty-seven (P. L. 755) entitled "An act providing for the fixing of the salaries and compensation of officers clerks stenographers and employes appointed by judges of the courts of this Commonwealth in counties of the second class where salary boards exist by law" absolutely

(29) Section one of the act approved seventeenth day of May one thousand nine hundred thirty-nine (P. L. 157) entitled "An act regulating the selection drawing and summoning of all jurors and talesmen in counties of the third class and defining their qualifications in such counties creating a jury board and defining its powers and procedure providing for the appointment of a clerk to the jury board and fixing his maximum salary providing for the custody of the jury wheel and the filing and custody of jury lists providing for the public drawing of jurors and the methods thereof giving the trial judge the right to excuse jurors prescribing the time of challenging jurors or the array regulating the procedure if array is quashed providing for the drawing of names of jurors from wheels heretofore filled and repealing inconsistent acts" in so far as it relates to compensation

(30) The act approved the nineteenth day of March one thousand nine hundred forty-three (P. L. 18) entitled "An act authorizing during the present war time emergency cities counties and other political subdivisions to pay compensation to their officers (except officers elected by the people) employes and others who are paid out of their treasuries in addition to the compensation fixed by act of Assembly validating ordinances and other legislative acts authorizing such payments and all payments made thereunder and suspending existing laws" in so far as it relates to counties

(31) Sections four hundred one and four hundred two of the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 571) entitled "An act relating to assessment for taxation in counties of the fourth fifth sixth seventh and eighth classes designating the subjects property and persons subject to and exempt from taxation for county borough town township school except in cities and county institution district purposes and providing for and regulating the assessment and valuation thereof for such purposes creating in each such county a board for the assessment and revision of taxes defining the powers and duties of such boards providing for the acceptance of this act by cities regulating the office of ward borough town and township assessors abolishing the office of assistant triennial assessor in townships of the first class providing for the appointment of a chief assessor assistant assessors and other employes providing for their compensation payable by such counties prescribing certain duties of and certain fees to be collected by the recorder of deeds and eliminating the triennial assessment" in so far as they relate to compensation

All other acts and parts of acts inconsistent herewith are hereby repealed

Section 25 The provisions of this act shall become effective on the first day of July one thousand nine hundred forty-seven

And said bill having been read at length the third time,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Will the Senate agree to the bill on third reading?

Mr. STIEFEL. Mr. President, this bill has a relationship to House Bill 317, about which we battled last week. The logic of the situation commends us to oppose this measure, especially when there is lack of uniformity. This bill excludes Philadelphia; it pertains to the entire state but does not touch Philadelphia, and I deplore situations which create bills lacking uniformity. This probably is conducive to a lot of misunderstanding.

At the end of the Civil War President Lincoln, in greeting his generals, produced a map of the United States and he made the observation that all the railroads of that time were running from the west to the east but not from the north to the south and this, in his opinion, was conductive to misunderstanding.

A bill like this, which pertains to the entire state and excludes Philadelphia, creates, so to speak, duplicity in our government. I believe that is a reason why we ought to oppose this bill and I appeal to my colleagues to vote against it.

Mr. JASPAN. Mr. President, this bill has been passed as one of those part of the loaf home-rule bills. I believe in giving the cities and counties of second, third, fourth, fifth, sixth, seventh and eighth class the loaf—give them

home rule in its entirety. The Senate will have opportunity to give home rule to third class cities next Wednesday at the public hearing. Furthermore, in order to be consistent with respect to the position I took on House Bill 317, I shall vote "no".

And the question recurring,

Will the Senate agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45

Barr,	Geltz	Lord,	Taylor,
Becker,	Haluska	Mahany,	Tyler,
Berger,	Hare,	Mallery,	Wade,
Blass,	Heyburn	Margie,	Wagner,
Carr,	Holland	Rahauser,	Walker,
Chapman,	Homsher	Ruth,	Watson,
Crider,	Kephart,	Scarlett,	Wilson,
Crowe,	Klein,	Snowden,	Wolfe,
Dent,	Lane,	Stevenson,	Wood, L. H.,
Doehla,	Leader,	Tallman,	Wood, T. N.,
Farrell,	Letzler,	Tarr,	Woodring,
Frazier,			

NAYS—4

DiSilvestro,	Jaspan	Rosenfeld,	Stiefel,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 507, as follows:

An Act abolishing all existing county salary boards and providing for the transfer of their books records and property

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The salary board of each county having a salary board for any purpose is hereby abolished Each such existing salary board shall on the effective date of this act transfer all of its books records minutes papers property and equipment to the salary board created in the county by amendment to the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) known as "The General County Law"

Section 2 The following acts and parts of acts and their amendments are hereby repealed as indicated

(1) Section seven of the act approved the thirty-first day of March one thousand eight hundred seventy-six (P. L. 13) entitled "An act to carry into effect section five of article fourteenth of the constitution relative to the salaries of county officers and the payment of fees received by them into the state or county treasury in counties containing over one hundred and fifty thousand inhabitants" absolutely

(2) The act approved the fifth day of July one thousand eight hundred eighty-three (P. L. 182) entitled "An act repealing section first of an act entitled 'An act repealing section seventh of an act entitled "An act to carry into effect section five of article fourteenth of the Constitution relative to the salaries of county officers and the payment of fees received by them into the State or county treasury in counties containing over one hundred and fifty thousand inhabitants" approved the thirty-first day of March Anno Domini one thousand eight hundred and seventy-six and also repealing the supplement to said act approved the twenty-third day of March Anno Domini one thousand eight hundred and seventy-seven and conferring upon councils in cities of the first class the power of fixing the number and salaries of certain employes' approved the twenty first day of May Anno Domini one thousand eight hundred and seventy-nine and conferring upon the county commissioners and county controllers where such office exists in all counties containing less than five hundred thousand inhabitants and more than three hundred thousand the power of fixing the number and salaries of certain deputies clerks or employes' absolutely

(3) The act approved the twenty-ninth day of April one thousand nine hundred fifteen (P. L. 200) entitled "An act creating in counties having over eight hundred thousand and less than one milliom five hundred thousand inhabitants according to the last preceding United States census a board to fix and determine the number and compensation of employes in all county offices boards bureaus departments and divisions thereof prescribing the powers and duties of said board and regulating appeals from the decision thereof" absolutely

(4) Section seven of the act approved the twentieth day of May one thousand nine hundred twenty-one (P. L. 1006) entitled "An act relating to certain county officers in counties of the fifth class providing for their salaries and the compensation of deputies and clerks in the respective county offices establishing a salary board and defining its powers and duties placing certain duties on the county commissioners county controllers and county auditors requiring the payment into the respective county treasury of the fees of such county officers and providing penalties for violation of this act" absolutely

(5) Section five of the act approved the twelfth day of April one thousand nine hundred twenty-three (P. L. 62) entitled "An act relating to treasurers in counties of the fifth class providing for their salaries bonds offices and supplies and the compensation of deputies and clerks" absolutely

(6) Section five of the act approved the twenty-ninth day of June one thousand nine hundred twenty-three (P. L. 944 Act No 375) entitled "An act relating to salaries compensation bonds offices and supplies of certain county officers their deputies and clerks in counties of the sixth class" absolutely

(7) Section seven of the act approved the eleventh day of July one thousand nine hundred twenty-three (P. L. 1054) entitled "An act relating to certain county officers in counties of the fifth class providing for their salaries and the compensation of deputies and clerks in the respective county offices establishing a salary board and defining its powers and duties placing certain duties on the county commissioners county controllers and county auditors requiring the payment into the respective county treasury of the fees of such county officers and providing penalties for violation of this act" absolutely

(8) Section five of the act approved the eleventh day of May one thousand nine hundred twenty-five (P. L. 561) entitled "An act to provide for the selection of jurors to serve in the several courts criminal and civil of counties of the second class and defining the qualifications of such jurors providing for the organization of a commission for the selection of jurors in such counties and prescribing its powers and duties and authorizing it to investigate as to the qualifications of prospective jurors imposing the expense of maintaining and operating said commissions upon said counties and requiring the county commissioners to provide suitable quarters equipment and supplies authorizing the employment of the necessary clerks and other employes and providing for a salary board composed of the commission the county commissioners and the controller of said counties to fix the number and compensation of such employes requiring county officers and boards to furnish information to said commission concerning taxables resident in said county as their eligibility for jury service repealing inconsistent legislation and prescribing punishment for the violation hereof" in so far as it provides for the fixing of the number and salaries of employes

All other acts and parts of acts inconsistent herewith are hereby repealed

Section 3 The provisions of this act shall become effective the first day of July one thousand nine hundred forty-seven

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45

Barr,	Geltz,	Lord,	Taylor,
Becker,	Haluska,	Mahany,	Tyler,
Berger,	Hare,	Mallery,	Wade,
Blass,	Heyburn,	Margie,	Wagner,
Carr,	Holland,	Rahauser,	Walker,
Chapman,	Homsher,	Ruth,	Watson,
Crider,	Kephart,	Scarlett,	Wilson,
Crowe,	Klein,	Snowden,	Wolfe,
Dent,	Lane,	Stevenson,	Wood, L. H.,
Doehla,	Leader,	Tallman,	Wood, T. N.,
Farrell,	Letzler,	Tarr,	Woodring,
Frazier,			

NAYS—4

DiSilvestro,	Jaspan,	Rosenfeld,	Stiefel,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence,

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 570, on third reading, entitled:

An Act to further amend sections one four five and six of the act approved the seventh day of May one thousand nine hundred twenty-three (P. L. 151) entitled "An act defining and regulating the business of dry cleaning and dyeing providing for the maintenance construction and inspection of dry cleaning and dying buildings and establishments providing for enforcing the act and penalties for violation thereof" by repealing exemptions from certain provisions of said act and providing for regulation of Class I and Class II dry cleaning and dyeing plants

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 601, as follows:

An Act to further amend section five of article three of the act approved the ninth day of June one thousand nine hundred eleven (P. L. 756) entitled "An act to provide for the health and safety of persons employed in and about the bituminous coal-mines of Pennsylvania and for the protection and preservation of property connected therewith" by further regulating barrier pillars

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section five of article three of the act approved the ninth day of June one thousand nine hundred eleven (P. L. 756) entitled "An act to provide for the health and safety of persons employed in and about the bituminous coal-mines of Pennsylvania and for the protection and preservation of property connected therewith" as amended by the act approved the tenth day of April one thousand nine hundred twenty-nine (P. L. 472) is hereby further amended to read as follows

Section 5 The superintendent shall not permit the mining of coal within fifty feet of any abandoned mine or an abandoned portion of any mine containing a dangerous accumulation of water until said danger has been removed by driving a passageway to tap and drain off said water as provided for in this act The superintendent shall not permit the mining of coal in any seam the entire distance to a property boundary line (not including boundaries around reservations or along crop lines) [when on the adjoining property there are mine workings in said seam within three thousand feet of said boundary line] but shall leave a barrier pillar from the operation to the property boundary line of not less than ten feet plus two feet for every foot or part of a foot of thickness of the bed measured from the roof to the floor plus five feet for each one hundred feet or part of one hundred feet of cover over the bed at the boundary line and where the coal on one side of the property boundary line shall have been mined prior to the passage of this act closer to the property boundary line than hereinbefore permitted then the barrier pillar to be left in the mine approaching the boundary line shall be at least equal (when added to that already left in the adjoining mine) to that hereinbefore required on both sides of said property boundary line Provided That if in the opinion of the district mine inspector or the superintendent of either mining property the barrier pillar as hereinbefore required is deemed insufficient then after due notice to the operator or operators of the mining property adjoining a barrier pillar of unmined coal (one-half of which shall be on each side of the property boundary line except as provided above in this section) shall be left of such thickness as in the judgment of the district mine inspector and the superintendent or owner of either mining property is deemed necessary to afford safety and protection And provided further That if it shall be agreed by the superintendents of such adjoining coal mining properties that such proptrey boundary line is so located that there is no danger to property or lives in mining coal on either or both sides of the property boundary line up to said property boundary line then in such cases mining to the property boundary line shall be lawful if all danger from accumulated water and gas shall have first been removed by driving a passageway to tap and drain off any accumulations of water and gas as provided for in this act Provided That if any of the parties in interest fail to agree on the carrying out of any of the provisions of this act any one of said parties may appeal to the Secretary of Mines who shall appoint three reputable and competent mining engineers who shall constitute a commission whose duty it shall be to investigate the conditions and determine the necessity for leaving barrier pillars or barrier pillar of greater thickness than is provided for in this act or the adequacy of an existing pillar to withstand a water head as the case may be and the decision of said commission or a majority of its members shall be final and conclusive and binding on all parties concerned The members of the said commission shall be compensated for their services by the property owners in an amount to be fixed by the Secretary of Mines Before any such appeal to the Secretary of Mines is taken notice thereof in writing shall be served personally or by registered mail on the opposite party setting forth the date when such appeal will be taken and proof of the service of such notice shall be filed with the appeal

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Geltz,	Lord,	Tarr,
Becker,	Haluska,	Mahany,	Taylor,
Berger,	Hare,	Mallery,	Tyler,
Blass,	Heyburn,	Margie,	Wade.
Carr,	Holland.	Rahauser,	Wagner,
Chapman,	Homsher,	Rosenfeld,	Walker,
Crider,	Jaspan,	Ruth,	Watson,
Crowe,	Kephart,	Scarlett,	Wilson,
Dent,	Klein,	Snowden,	Wolfe,
DiSilvestro,	Lane,	Stevenson,	Wood, L. H.,
Doehla,	Leader,	Stiefel,	Wood, T. N.,
Farrell,	Letzler,	Tallman,	Woodring,
Frazier,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 609, entitled:

An Act to further amend the act approved the ninth day of June one thousand nine hundred eleven (P. L. 756) entitled "An act to provide for the health and safety of persons employed in and about bituminous coal mines of Pennsylvania and for the protection and preservation of property connected therewith" by further providing for the health and safety of persons employed in and about the bituminous coal mines of Pennsylvania

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. LETZLER. Mr. President, I ask unanimous consent to offer amendments.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Delete Section 4 in its entirely, starting with lines 18, page 2, to line 6, page 3, and insert the following section:

Section 4 In case of accident to a ventilating fan or its machinery whereby the ventilation of the mine would be seriously interrupted or where the fan has been stopped for a period of time not exceeding thirty minutes in a gaseous mine and sixty minutes in a non-gaseous mine, the mine foreman shall order the men to withdraw immediately from the mine. If the mine foreman shall deem it necessary he may withdraw the men from a gaseous mine in less than thirty minutes and from a non-gaseous mine in less than sixty minutes. He shall not allow them to return to their work until the ventilation has been restored and the mine has been thoroughly examined by him or by an assistant mine foreman or fire boss and reported safe.

On page 13, line 3, delete the word "main" following the word "on" and preceding the word "haulage;" On page 14, line 9, remove the brackets surrounding the word "four" and delete the word "three" following the word "four."

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

BILL OVER IN ORDER

Mr. LETZLER. Mr. President, I ask unanimous consent that Senate Bill No. 609, on third reading as amended, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 612, as follows:

An Act to further amend sections twenty-seven and forty-five and to add a new section to the act approved the seventh day of June one thousand nine hundred one (P. L. 493) entitled as amended "An act providing for the examination licensure and registration of persons firms or corporations engaged or engaging in the business or work of plumbing or house drainage and prescribing certain rules regulations and requirements for the construction of plumbing house drainage and cesspools in cities of the second class second class A anl third class and imposing fines penalties and forfeiture for violation thereof" prescribing further rules regulations and requirements for the construction of plumbing house drainage and cesspools

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections twenty-seven and forty-five of the act approved the seventh day of June one thousand nine hundred one (P. L. 493) entitled as amended "An act providing for the examination licensure and registration of persons firms or corporations engaged or engaging in the business or work of plumbing or house drainage and prescribing certain rules regulations and requirements for the construction of plumbing house drainage and cesspools in cities of the second class second class A and third class and imposing fines penalties and forfeiture for violation thereof" as amended by the act approved the thirty-first day of March one thousand nine hundred thirty-seven (P. L. 168) are hereby further amended to read as follows

Section 27 Joints in cast-iron pipes and soil and waste-pipes must be so filled with oakum and lead and hand caulked as to make them gastight Connections of lead and cast-iron pipes must be made with brass sleeve or ferrule of the same size as the lead pipe inserted in the hub of the iron pipe and caulked with lead The lead pipe must be attached to the ferrule by wiped joint Joints between lead and wrought-iron pipes must be made with brass nipple of same size as lead pipe The lead pipe must be attached to the nipple by wiped joint All connections of lead waste pipe must be made by means of wiped joints All connections for brass or copper pipe (which shall be full iron pipe size and weight) shall be screw joints properly secured All connections for type K copper pipe shall be sweated or soldered

Section 45 All earthenware traps must have heavy brass floor plates soldered to the lead bends and bolted to the trap flange [and the joint made permanently secure and gas-tight Iron closet bends and flanges are permissible on ground floors only where settlement is not likely to affect them] or must have heavy cast-iron floor plates caulked to cast-iron bends and bolted to the trap flange and the joint made permanently secure and gas-tight

Section 2 Said act is hereby amended by adding after section twenty-seven thereof a new section to read as follows

Section 27.1 Waste-pipe of two inches or under may be of lead cast-iron brass or copper (of full iron pipe size and weight) or type K copper pipe

Section 3 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Geltz,	Lord,	Tarr,
Becker,	Haluska,	Mahany,	Taylor,
Berger,	Hare,	Mallery,	Tyler,
Blass,	Heyburn,	Margie,	Wade,
Carr,	Holland,	Rahauser,	Wagner,
Chapman,	Homsher,	Rosenfeld,	Walker,
Crider,	Jaspan,	Ruth,	Watson,
Crowe,	Kephart,	Scarlett,	Wilson,
Dent,	Klein,	Snowden,	Wolfe,
DiSilvestro,	Lane,	Stevenson,	Wood, L. H.,
Doehla,	Leader,	Stiefel,	Wood, T. N.,
Farrell,	Letzler,	Tallman,	Woodring,
Frazier,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 746, as follows:

An Act to further amend sections two and four of the act approved the thirtieth day of April one thousand nine hundred forty-three (P. L. 145) entitled as amended "An act providing for and regulating the accumulation investment and expenditure by counties cities boroughs incorporated towns townships and school districts of funds for post war projects" permitting contributions to fund after post war period and the purchase or replacement of school buses

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections two and four of the act approved the thirtieth day of April one thousand nine hundred forty-three (P. L. 145) entitled as amended "An act providing for and regulating the accumulation investment and expenditure by counties cities boroughs incorporated towns townships and school districts of funds for post war projects" as amended by the act approved the first day of May one thousand nine hundred forty-five (P. L. 362) are hereby further amended to read as follows

Section 2 Creation of Capital Reserve Fund Any municipality shall have power to create a special fund and to accumulate therein moneys for expenditure in accordance with the provisions of this act during the post war period Such special fund may consist (a) of moneys transferred during any fiscal year from appropriations made for any particular purpose which may not be needed (b) of surplus moneys in the general fund of the treasury of the municipality at the end of any fiscal year [No such moneys shall be paid into the fund after the commencement of the post war period]

The municipality shall annually show in its budget the amount of moneys in the special fund

Section 4 Expenditure of Fund The moneys in any such special fund may be expended by the municipality singly or jointly with the Commonwealth or any department or agency thereof or with one or more other municipalities only during the post war period and only for capital improvements and for replacement of and additions to public works and improvements and for deferred maintenance thereof and for the purchase or the replacement of school buses and for no other purpose

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution and were as follows, viz:

YEAS—49

Barr,	Geltz,	Lord,	Tarr,
Becker,	Haluska,	Mahany,	Taylor,
Berger,	Hare,	Mallery,	Tyler,
Blass,	Heyburn,	Margie,	Wade,
Carr,	Holland,	Rahauser,	Wagner,
Chapman,	Homsher,	Rosenfeld,	Walker,
Crider,	Jaspan,	Ruth,	Watson,
Crowe,	Kephart,	Scarlett,	Wilson,
Dent,	Klein,	Snowden,	Wolfe,
DiSilvestro,	Lane,	Stevenson,	Wood, L. H.,
Doehla,	Leader,	Stiefel,	Wood, T. N.,
Farrell,	Letzler,	Tallman,	Woodring,
Frazier,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 785, on third reading, entitled:

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by creating the Public Service Institute Board in the Department of Public Instruction and defining its powers and duties

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 917, as follows:

An Act to repeal the act approved the nineteenth day of March one thousand nine hundred forty-three (P. L. 19) entitled "An act reducing for a limited period of time the training period of medical internship in hospitals in order to qualify for examination for license to practice medicine and surgery and suspending inconsistent laws"

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the nineteenth day of March one thousand nine hundred forty-three (P. L. 19) entitled "An act reducing for a limited period of time the training period of medical internship in hospitals in order to qualify for examination for license to practice medicine and surgery and suspending inconsistent laws" is hereby repealed

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution and were as follows, viz:

YEAS—49

Barr,	Geltz,	Lord,	Tarr,
Becker,	Haluska,	Mahany,	Taylor,
Berger,	Hare,	Mallery,	Tyler,
Blass,	Heyburn,	Margie,	Wade,
Carr,	Holland	Rahauser,	Wagner,
Chapman,	Homsher,	Rosenfeld,	Walker,
Crider,	Jaspan.	Ruth,	Watson,
Crowe,	Kephart,	Scarlett,	Wilson,
Dent,	Klein,	Snowden,	Wolfe,
DiSilvestro,	Lane,	Stevenson,	Wood, L. H.,
Doehla,	Leader,	Stiefel,	Wood, T. N.,
Farrell,	Letzler,	Tallman,	Woodring,
Frazier,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 921, as follows:

An Act to repeal the act approved the twenty-second day of April one thousand nine hundred forty-three (P. L. 71) entitled "An act authorizing the State Board of Medical Education and Licensure to issue temporary permits to doctors of medicine legally licensed in other states to practice medicine and surgery in this State under certain conditions for a limited period of time"

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the twenty-second day of April one thousand nine hundred forty-three (P. L. 71) entitled "An act authorizing the State Board of Medical Education and Licensure to issue temporary permits to doctors of medicine legally licensed in other states to practise medicine and surgery in this State under certain conditions for a limited period of time" is hereby repealed

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution and were as follows, viz:

YEAS—49

Barr,	Geltz,	Lord,	Tarr,
Becker,	Haluska,	Mahany,	Taylor,
Berger,	Hare,	Mallery,	Tyler,
Blass,	Heyburn,	Margie,	Wade,
Carr,	Holland,	Rahauser,	Wagner,
Chapman,	Homsher,	Rosenfeld,	Walker,
Crider,	Jaspan.	Ruth,	Watson,
Crowe,	Kephart,	Scarlett,	Wilson,
Dent.	Klein,	Snowden,	Wolfe,
DiSilvestro.	Lane,	Stevenson,	Wood, L. H.,
Doehla,	Leader,	Stiefel.	Wood, T. N.,
Farrell,	Letzler,	Tallman,	Woodring,
Frazier,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 936, as follows:

An Act to further amend section one of the act approved the twenty-sixth day of May one thousand nine hundred forty-three (P. L. 607) entitled "An act authorizing administrative boards within the Department of Public Instruction for the duration of the present War to admit examination and grant licenses or registration to certain applicants who are less than twenty-one but not less than twenty years of age" further regulating the professional examination licensure or registration of persons who are less than twenty-one but over twenty years of age

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one of the act approved the twenty-sixth day of May one thousand nine hundred forty-three (P. L. 607) entitled "An act authorizing administrative boards within the Department of Public Instruction for the duration of the present War to admit to examination and grant licenses or registration to certain applicants who are less than twenty-one but not less than twenty years of age" as amended by the act approved the eighteenth day of May one thousand nine hundred forty-five (P. L. 653) is hereby further amended to read as follows

Section 1 Notwithstanding the provisions of any other law [for the duration of the present War in which the United States is engaged and for one year after the cessation of hostilities] until the thirtieth day of June one thousand nine hundred forty-eight any departmental administrative board within the Department of Public Instruction authorized to administer examinations for licensure or registration to practice a profession except the professions of medicine dentistry osteopathy and optometry may admit to examination and authorize the issuance of a license or registration to an applicant who is less than twenty-one years of age but not less than twenty years of age and who is a citizen of the United States

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution and were as follows, viz:

YEAS—49

Barr,	Geltz,	Lord,	Tarr,
Becker,	Haluska,	Mahany,	Taylor,
Berger,	Hare,	Mallery,	Tyler,
Blass,	Heyburn,	Margie,	Wade,
Carr,	Holland,	Rahauser,	Wagner,
Chapman,	Homsher,	Rosenfeld,	Walker,
Crider,	Jaspan,	Ruth,	Watson,
Crowe,	Kephart,	Scarlett,	Wilson,
Dent,	Klein,	Snowden,	Wolfe,
DiSilvestro,	Lane,	Stevenson,	Wood, L. H.,
Doehla,	Leader,	Stiefel,	Wood, T. N.,
Farrell,	Letzler,	Tallman,	Woodring,
Frazier,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1215, as follows:

A Joint Resolution ratifying the proposed amendment to the Constitution of the United States relative to the terms of the President of the United States

The General Assembly of the Commonwealth of Pennsylvania hereby resolves as follows

Section 1 The proposed amendment to the Constitution of the United States providing as follows

"Section 1 No person shall be elected to the office of the President more than twice and no person who has held the office of President or acted as President for more than two years of a term to which some other person was elected President shall be elected to the office of the President more than once But this Article shall not apply to any person holding the office of President when this Article was proposed by the Congress and shall not prevent any person who may be holding the office of President or acting as President during the term within which this Article becomes operative from holding the office of President or acting as President during the remainder of such term

"Sec 2 This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the several States within seven years from the date of its submission to the States by the Congress" is hereby ratified by the General Assembly of the Commonwealth of Pennsylvania

Section 2 A certified copy of the foregoing resolution shall be forwarded to the Secretary of State of the United States in accordance with section two hundred five of the revised statutes of the United States and also to the President of the United States Senate and the Speaker of the United States House of Representatives

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

Mr. HALUSKA. Mr. President, it is unusual to be called upon to cast your vote on a resolution of this kind. I would find no fault with this bill if it were properly amended to read that all Senators, members of the House, and every public official, that his tenure of office be limited to two terms.

Only last week we passed a bill permitting sheriffs to succeed themselves, and now we find that this body is in the mood to vote for a resolution telling the people of these United States that no man can serve as our President for more than two terms. Then we speak of preserving our democracy, when the people do not have the opportunity of going to the polls and deciding for themselves whether or not a man is fitted to be re-elected.

I say again that we are in the mood of setting a tenure on the greatest office in our land. Certainly we ourselves are not entitled to seek a public office for more than two terms, and I am wondering whether the sponsor of this bill would be willing to amend it to say that he himself should not be permitted to be elected to office in this chamber or any other chamber in this land for more than two terms. What may be good for the goose may be good for the gander. I think this is a very bad bill from the Democratic way of doing things and we are very inconsistent, as I said a moment ago, by permitting one office-holder to succeed himself and then telling the people of our nation that the President should not serve more than two terms.

I trust that my colleagues will vote "no" on this measure.

Mr. TARR. Mr. President and members of the Senate, the question before us is not the limiting of any President of the United States to two terms, but indeed there is one other question. The question we must decide today is whether or not we believe our American form of democracy has been a success. Never before and never again will any member of this Senate be given an opportunity to vote on a question which will go down in history as being the stamp of approval to democracy.

Mr. President, just two years ago I walked from a steaming Indian jungle and found that the President of the United States had died. Here in the Senate of Pennsylvania, to use the words of a Congressman in Washington, we have come to celebrate a "pitiful victory over a great man now sleeping on the banks of the Hudson."

In the 160 years since the founding of this Republic there have been some three hundred attempts by the Congress of the United States to change the constitutional provisions for presidential tenure and re-eligibility and now lo and behold, one of these attempts has become successful, at least in Congress, and now the Commonwealth of Pennsylvania, and we in the Senate of Pennsylvania, are asked to give our stamp of approval to something which has failed in our national Congress two hundred ninety-nine times.

There is one principle that is inescapably involved in this question of limited tenure, and that is the principle of Democracy. Turn and twist it as you may, the proposed amendment is a vote of no confidence in our form of Democracy. What those who will support it will say is that the American people can not be trusted to wholly or wisely decide on the question of their Chief Eecutive.

Moreover, they say, the American people, by their decisions in 1940 and 1944 justified their mistrust; they made a mistake then, they say, and they shall not be permitted to make that similar mistake in the future.

But why not are the people of these great United States to be trusted in this, the most important decision they can make in their political lives. They can be trusted, apparently, to vote for me for more than two terms, because this is the third time I have been returned to Harrisburg; they can be trusted to vote for senators in Washington and representatives any number of times; they can be trusted to vote for governors, for judges, any number of times in most of the states; they can be trusted to vote on new constitutions. A new constitution for the United States could be voted upon by the people, or a constitutional amendment.

It is only in this one political choice that we are to be limited.

Are we as Americans, to merit this distrust? In one hundred and sixty years America has never had a bad president, a president of whom we could say he was dangerous to our form of government.

This notion that the people are not to be trusted is no new thing in our policies or history. It was the favorite hue and cry of the Federalists; it was taken up by Calhoun and the Southern Democracy in the generation before the Civil War. It has rarely been heard in this form since then but it pops up every now and then under the theory that the people are likely to be carried away by their passions, that Democracy may be turned into mobocracy, or that men may be misled by pernicious propaganda.

Of recent years the favorite form is the argument ad horrendum from European experiences. It happened that way in Germany, we are told, or in Italy, or in Spain, so it can happen here.

Those insinuations do not even rise to the dignity of argument, but if Democracy is not to be trusted with its most important responsibilities, we might as well give up the whole business and look for something else. Americans have not, in fact, yielded to the blandishments of dictators or been misled by propaganda into countenancing despotism. In theory, to be sure, it is not impossible that they may do so in the future.

Two observations are very important. The first is that in a Democracy people have a right to make mistakes and to learn by mistakes. The second is that if Americans ever do arrive at the point where they wish to retain a dictator in power, no constitutional amendment, no law or amendment we can put on the books of this Commonwealth, can stop them. By that time, Mr. President, democracy will be gone.

There is another principle involved in the limitation of presidential tenure. This is not as obvious as the principle of democracy; in fact, it is barely hinted at in Congressional debate in Washington on this amendment, but it is of vital importance, and that is the principle that the Constitution should contain limitations not on the machinery of government but on the scope of government.

This so far drifting from sound constitutional doctrine takes a little bit of explaining. The framers of our Constitution were determined, above all, to erect barriers against arbitrary government, to insure a government of laws and not of men. That government was good, they knew, which did not have the power to be bad. And on many occasions they threw restrictions around government, but those restrictions were designed to fence off certain areas from government control. There were some things no government could do, some rights no government could invade. Parliment, as James Otis neatly put it, could not make two and two five, nor could parliment, or any government, deprive men of their life or liberty or property without due process of law, and to make sure that government could not invade those sacred domains, governments were limited, and limitations were written into the Constitution and the Bill of Rights. But the limitations were on the realm or scope of government. Where government had, of necessity, authority, it must clearly have sufficient authority to do the job well. To confuse limitations on the realm or scope of government with limitations on the authority of government, when it operates in its proper field, is a fundamental error.

From time to time we have committed this error in our law making, but heretofore, with the possible exception of the prohibition amendment, we have not committed it in our Constitution. The original Constitution effects careful limits to the realm of government but where authority was granted, it was granted fully. And that is the interpretation which most of the learned men of our day have put on the Constitution.

Now for the first time we are adding to our Constitution a limitation on the power of government, or of the people in their relation to their government. We are confusing what belongs in a Constitution with what belongs in administration, or in ordinary every-day politics that we all well know.

The concept of democracy was far more limited in 1787 than it is today, and the framers of the Constitution confessed to more and deeper misgivings about it than any statesman would admit today. Yet with all their misgivings, all their uncertainty about the future, the framers did not make the fundamental mistake we are being asked to make. They did not write into the Constitution a limitation upon the exercise of power in that field where power must be exercised. They left this matter to the judgment of the people, not only because, in the long run, they trusted the people, but because, logically, that was the right place to leave it.

Mr. President and members of the Senate, I made quite a number of inquiries on this subject, to add to my own thoughts on the idea, and have prepared this statement, with the exception of a few thoughts I have interposed at the beginning. The idea is not only mine; it seems to be the idea of some of the best thinking men in the United States. I have also referred to an article appearing in one of the leading newspapers of the United States, except for a few words which I might have interposed at the beginning.

In conclusion I charge, gentlemen, that your vote on this bill is a vote of your confidence in our American form of government. Thank you.

Mr. WOODRING. Mr. President and members of the Senate, we are voting, as the Senator from Fayette said, on a very important measure. I do not like to take the floor again, I was just up a moment ago and I was up two or three times yesterday, but I want to point out to the members of the Senate that each and every time I get up it is to discuss bad legislation introduced by the

majority party. When you have good legislation, and those of you who are fair-minded on this thought will agree with me, I sit in my seat quietly and vote for it, but if you insist on putting on the calendar the kind of legislation that we have had the last two or three weeks, then I am going to insist on my right of getting up and talking against it.

This resolution we are called upon to consider at this moment, and vote upon, and you of the majority to vote for, is of no importance to any one of us here. The question of presidential succession is not going to recur in our lifetimes. What you are doing is putting a hamstring around the democratic rights and privileges of those who are going to follow us in future generations. It is entirely possible, with atomic bombs, and I do not like to bring that into this picture, but with the increasing knowledge of science and of warfare, it is entirely possible that some day again the United States of America may find itself in a great national emergency by reason of war, or by reason of internal strife, for one reason or another, or by reason of great economic difficulties, and by the passage of this resolution, gentlemen, you are going to take away from the people who are living and representing each other in that day and age, you are going to remove from them the democratic right to govern themselves as we today want to govern ourselves. I think it is a shame, it is a travesty on our democratic principles, it is a bad piece of legislation.

The Senator from Fayette covered some of the history concerning this question. It has been before the American people for one hundred and sixty years and the American people have uniformly refused to do anything about it, apparently on the theory that the people of the particular day and age when the question arises have the right to resolve the question by casting their ballots at the polls.

The people in 1940 and 1944 decided this question, and they decided it according to their consciences, according to their dictates. We all were not pleased with that decision, we all are never pleased following an election, but the people of the United States did what they thought was right and they exercised their democratic right to cast their ballot for the man and the party of their choice.

General Washington, the so-called founder of our country, our first President, was called upon time after time in the constitutional conventions, and thereafter, to do something about presidential succession, and General Washington, time after time again, refused to limit presidential succession. In his writings, which have come down to us through history, he is recorded not once, but many times, concluding with his farewell address, as being opposed to this type of legislation. Again, in a letter which he wrote to General Lafayette, he said among other things this: "I see no propriety in precluding ourselves from the services of any man who, in some great emergency, shall be deemed universally most capable of serving the public."

Mr. President, when we go out compaigning, addressing the women's clubs all over the Commonwealth, currying political favor, we like to often to wrap ourselves in the stars and stripes of our nation, we like to be great patriots, but we are not being patriotic to the memory of men like General Washington, and those who have succeeded him, when we insist on passing this kind of legislation, which is not going to hurt us, it does not hurt anybody on this side whether you pass it or you do not pass it, but it is going to tie the hands of democratic-loving people who will follow us in future generations.

The fewer restrictions on the people that we place in the Constitution, the more truly our democratic form of government is going to continue.

Mr. ROSENFELD. Mr. President, last week we had before us a bill, also a political bill, which reduced the position of the Democratic party on the ballot by reason of the fact that hereafter the ballot would be determined on the result of the gubernatorial instead of presidential election.

I think the Senator from Northampton, Senator Woodring, at that time detailed for us the history of that legislation, and at that time he told us that there had been numerous changes from time to time, going back as far as 1893.

What we are doing today is also acting on a principle that is steeped in politics. I am not going to discuss the merits or demerits, as I think they have been adequately covered. I can at this time envision, in the circle of political evolution at a time when the Democratic party is back in power nationally, when there will be at that time another constitutional amendment to do away with this constitutional amendment and that, my friends, is what the passage of this bill will mean today.

Mr. FRAZIER. Mr. President, I am rather of the impression that the gentlemen on the other side who have spoken against this resolution have a misconception of its purposes. I do not think it is steeped in politics. I do not think it is an attempt to take away from the people the right to act; I think this gives them the right to act. They say it is bad legislation. It was never my fortune to know the distinguished President of the United States who seems to be the cause of this criticism. I say fortune —those who wish can add "mis" or "good" to that, as they choose.

But my thought is this, if it should ever happen in the future that we have again the privilege and the opportunity to elect as the President of the United States one who we wish to keep in office until he may die, it is going to be very easy to do it.

They say that the framers of the Constitution made no mistakes, and yet within two years they found that they had made ten mistakes, and I would like to read into the record, if I may, the action of the people of the United States since they adopted the Constitution.

The first mistakes were cured by the Bill of Rights, by ten amendments which were placed in the Constitution within two years from the time that they started.

The eleventh amendment I do not have the record on.

The twelfth amendment, which provided for presidential electors, became a part of the Constitution between the twelfth day of December, 1803, and the twenty-seventh day of September, 1804, a period of ten months.

The thirteenth amendment, having to do with the abolition of slavery, became a part of our Constitution between the first of February, 1865, and the eighteenth of December, 1865, a period of eleven months.

The description of citizenship, the fourteenth amend-

ment, in fourteen months, between the fifteenth of June, 1866 and the twenty-first of July, 1868.

An amendment which provided that freed slaves might vote became the fifteenth amendment, between the twenty-seventh of February, 1869, and the thirtieth of March, 1870.

When we wanted an income tax in America it was passed on the twenty-sixth of February 1913, after a few months.

Then we came to the seventeenth amendment, providing for the election of Senators by popular vote, and that went into effect May 31, 1913, after eleven months.

Then we come to the most controversial amendment we ever had to discuss—prohibition. Prohibition was submitted to the states on the first day of January 1918, and it was passed by the constitutional majority of thirty-six states on the twenty-ninth of February, 1919—that was a little over a year.

When we found that is was not workable and feasible and we repealed it, it was repealed between the tenth of April, 1933, and the fifth of December, 1933, about eight months.

The nineteenth amendment, where we wonderful men decided it was advisable to have women in politics, became part of the Constitution between the tenth of June, 1919, and the twenty-sixth of August, 1920.

When we changed the date of induction of the President of the United States from the fourth of March to the second Monday of January, that was done between March 4th, 1932, and February 6th, 1933.

I am reading these dates into the record for the purpose of saying to my friends on the other side, and saying to the nation at large, that if the time shall ever come when the people of America want to change to a dictator role, they can have it in six or seven months by amending the Constitution, as I said previously, by repealing this amendment, so let us put this amendment in because the people of America want it and the people of America are going to vote for it.

The criticism of a long continuous term of office is the fact that we all know it takes a president about eighteen months to get coordinated. He then acts in his official capacity for a year and then the last eighteen months he is campaigning for re-election for a second term.

Mr. JASPAN. Mr. President, I am very much afraid my friend from Philadelphia feels that sooner or later we may have another Roosevelt because, after all, Roosevelt was responsible for two defeats of him in this body. Fortunately for him, President Roosevelt died, and that is why he is here this year.

Having heard the Bill of Rights for the first time in many years, I think it would be in order to have a reading of the Declaration of Independence, the basis of our government, and we ought to learn something. Following that we ought to read the Constitution of the United States, with al its provisional clauses.

But I say this much, I wish President Roosevelt were alive and I would vote for him again and our people probably would vote for him, and I probably would come back here once more in 1948.

Mr. HEYBURN. Mr. President, I would like, if I may to read into the record some reasons for my voting in favor of this bill.

At the end of his second term, George Washington had this to say about the situation: "Rotation in office accords with the representative spirit of our Constitution, and the ideas of safety and liberty entertained by our people."

President Thomas Jefferson, in like circumstances, said this: "Inludgence and attachments of the people will keep a main in the chair so that re-elections through life shall become habitual, and election for life follows that. George Washington set the example for voluntary retirement after eight years. I shall follow him, and a few more presidents doing so will oppose the obstacle of habit, to anyone after awhile who shall endeavor to extend his term."

Eight of the then functioning state legislatures passed resolutions inviting Jefferson to serve a third term, and many people of the time said that he was indispensable. But the great American, Thomas Jefferson, was steadfast in his refusal. President Andrew Jackson, founder of the Democratic party, in six of his eight messages, advocated constitutional amendments limiting the presidential term.

John Quincy Adams said in an address in 1839, celebrating fifty years of the Constitution "the example of self-shastened ambition, by the decided approbation of public opinion, has become a tacit subsidiary constitutional law."

Democratic President James Buchanan said in 1859: "The example of Washington, Madison and Monroe has forever determined that no president shall be more than once re-elected. This principle has now become as secred as if it were written in the Constitution."

Another Democratic President, Grover Cleveland, said in 1844: "No man ought to seek to disturb the public usage and unwritten law which prescribes that a third term, whether or not consecutive, is dangerous to the Republic."

In 1896, the Democratic platform said: "We declare it to be the unwritten law of the Republic that by custom and usage of one hundred years, and sancitioned by the example of the greatest and wisest of those who founded and maintained our government, no man shall be eligible for a third term of presidential office."

An so it goes, Mr. President, and we might pause here to think a moment of what was the thing that these great Americans were afraid of.

For one thing, Mr. President, if the President of the United States, with his appointive power, stays in office too long, it could be possible that the entire Supreme Court of the United States could be appointed by one man—certainly a great majority of them. Great power goes with the high office of president, with all the vast hordes of federal officeholders. In my opinion, Mr. President, these great Americans were afraid, if any man held power too long, he could build for himself such a strong political organization that he could never be removed from public office as long as he lived.

Mr. President, the suggestion has been raised by someone on the other side that this bill be amended, which of course can not be done; it is a federal constitutional

amendment and can not be amended by the Pennsylvania Legislature—but the suggestion was made that it be amended to include senators and representatives, and so forth.

Mr. President, the danger does not lie there. The danger in this sort of thing lies in an office that has great appointive power and the power, if so desired, of perpetuating a person in office almost without any limit.

Here in the state of Pennsylvania, Mr. President, our forefathers realized that, and that is the reason a governor of the great Commonwealth of Pennsylvania can not succeed himself, because a man could become governor and, through the appointive power that he has, forever maintain himself in that high office as long as he lives. Those are the reasons, Mr. President, I propose voting "aye" on this bill.

Mr. FRAZIER. Mr. President, may I just take a moment to correct an erroneous impression that may in the minds of the Senate as a result of the extemporaneous remarks of the Senator from Philadelphia.

I had the honor and privilege of beating the man who succeeded me by over 45,000 majority in 1930. As a coattail rider he beat me by 1,328 in 1934. That meant a change of 665 votes, and a coattail would not have helped.

The Senator from Philadelphia says he wishes the president were alive, so that he could come back here next year on his coattail. I think, if he is entitled to come back, he ought to come back on his own feet.

What I want to correct, Mr. President, is the misstatement he made, that I was defeated in 1938 and 1942. I never ran again for the office of Senator of the State of Pennsylvania, after 1934, when I was defeated by 1,328 votes, until I sent the coattail rider home in the election last fall.

Mr. DENT. Mr. President, I was very much interested in the reasoning of the majority party for voting for this particular type of legislation. However, all of us here know that behind it all is the oft-repeated criticism of the man who is in absentia the subject of this legislation.

So far as Mr. Frazier's political career is concerned, I compliment him upon being able to win an election entirely upon his own merits, without the benefit of political officeholders and ward-heelers and all the other things. I, of course, Mr. President, am not quite that fortunate. I use every means at my command to win when I go out to fight a political campaign.

Mr. President, I might say there is not much difference between the election of a man and the perpetuation of a party and its policies. For some sixty-odd years the Republican party held sway in the state of Pennsylvania and any student of politics knows that, although they changed the name of the candidate for governor, the same persons ran the political office of governor. No one needs to stand on the floor of the Senate and give credit, as it were, to the men who drafted the Constitution of the great Commonwealth of Pennsylvania, by limiting the term of the governor when, and then, in the same breath, admit that, although the governor does not succeed himself, recent history has proven that he always picks the crown prince to succeed him, and so his policies and all the things he believes in are perpetuated in office.

I am more disturbed, Mr. President, over the fact that this group of men in the Senate of Pennsylvania feel that they are superior to the will of the people of the United States of America. The arguments that were presented here in favor of this legislation were thoroughly exploited, in the year 1940, when the question of a third term was presented to the people very vividly by the nomination, as it were, by the Democratic party of their standard bearer, the late President of these United States, so some persons seem to fear that again we might find ourselves in the position where the people will exercise their God-given right to perform a duty for themselves and their nation and elect the man whom they feel best qualified at the moment to put into the office of President of these United States. I can not say that I am a more profound student than the people of these United States; I can not say that I have a superior knowledge of what is good for this country, when that question has already been resolved by the people themselves upon two separate occasions.

One might say that perhaps in 1940, the people were misled and confused and that, because of that, they failed to exercise their rights, failed to follow the dictates of their consciences, and therefore were stempeded into the position where they elected a man for a third term but, lo and behold they made the same mistake again—they made the same mistake again. They refused to believe that certain interests in these United States had the coveted right to always be in office. They thought that the man who was then President had been a servant of the people. I challenge any man upon the other side of the Senate to get up and enumerate for me, and for the enlightenment of my colleagues, any of the actions of the late Presiednt, Franklin D. Roosevelt, that were contrary to the welfare of the people of this nation.

I can remember, and I was quite a young man at the time, conditions in this country as they were when we, the people, elected Franklin D. Roosevelt President. I can remember the state of near anarchy in the great midwest of our nation, when farmers banded themselves together and armed themselves with shot guns and other weapons of defense and stood upon their neighbor's ground and challenged the law to do that which the law was determined to do, namely, to foreclose upon that property. I can remember when, in the city parks of this great state, and all over this nation, able-bodied men laid down to sleep under the stars with nothing between them and the heavens above but a daily newspaper to cover them. I can remember when thousands upon thousands of children in this great nation and this state were undernourished, underfed, ill-housed, over this great country of ours, because of the policies that had been lived up to and outlined by a man who only served one term as president. Mr. President, there can be such a case where a man can be president for one term and be there too long, and there can be such a case where a man may be president for so many terms that the people in their wisdom want him to be, and still not outlive his usefulness to this nation.

As history, of course wil lrecord, and I challenge again

anybody to successfully contradict this statement, those of us, of course, living in this day and in this age, being contemporaries of this great president, may not be able to value in a true light the services that he rendered, and I say, in the words of the Majority Leader, Mr. Tallman, that it comes in bad grace, after the people have spoken, to say to this state and to this nation that we, the great Senators of Pennsylvania, feel that you do not know what you are doing, you have made a mistake, not only once but twice, and we are going to stop you from making that mistake again; we are going to keep anybody from being president for more than two terms.

I do not think anybody in this room has any illusions about any of us here ever hoping to be president for one term but certainly, if upon the horizon comes a man, if this nation again finds itself in an hour of need, that will step into the picture and save this nation from anarchy, save it from a breakdown of its economy, save it from a breakdown of its industries and agricultural strength, save again for the children and the children's children of this and past generations, the great heritage that has been handed down to us, if that man ever comes upon the scene again and presents himself to the people of this nation, I only hope that my children or my children's children will have the intestinal fortitude to do that which we did, elect that man to office to lead this country again to the point where now they are back thinking, as they dared not think in 1932, again thinking of legislation to put certain segments of our population in a certain corner and keep them there, again thinking of passing legislation to shift the cost of government from the shoulders of those best able to pay the burden onto those least able to pay the burden, again to allow that proud thinking that you claim for yourselves, as being the saviors of what? You are now the new saviors. Are you afraid that your policies, are you afraid that your actions in the Federal Congress and your actions in the Senate of Pennsylvania are again leading the people to flock to the standards of the Democratic party? Are you fearful that Mr. Truman, whom a year ago you spoke of derisively, may be the next president, and if the people so decide, he may be the next and next president of these United States?

We are not fearful. We are not fearful of any person that you may select, because if the people feel that you are the party to lead us to greater prosperity, to greater glory as a nation, the people will so vote, and if you select that type of man that will keep that prosperity, will keep the faith of the people in their constitutional government, I am sure that you too would applaud the people if they decide to keep your man in so long as he was doing what was good for the people of this nation.

I know the die is cast, I know that you are going to pass this legislation, but somehow or other I can not help but reflect that just a few weeks ago you passed a bill that assured you of first place upon the ballot, so that you could get a few votes, and now you are coming along and saying that no Democratic President—we can say that because, incidentally, a Democratic President was the only one that ever broke this so-called tradition—traditions are great, traditions are wonderful things, but how many of you realize that to follow traditions only in a day of ever-changing economic conditions would soon put this nation back in the class of the Balkans and the other nations that long ago had reached and passed their peak.

These are forward-looking people in these United States, and as the conditions come they will meet them, and if traditions have to be broken in order that the future welfare of our people will be assured, I say to you that the people of these United States will break those traditions.

Those of us who are young enough to hope for a greater America than what we have inherited, want to see no hamstringing legislation passed that will tie the hands of future Americans from selecting for themselves their standard-bearer in a time of crisis, if that time should ever come again.

We pray, Mr. President, that we will never need again to have a man to serve us that long, but I am of the honest opinion that if Franklin D. Roosevelt would have been thinking of self, and self only, he would never have accepted the third term nomination to the presidency of the United States. I am convinced in my own heart and in my own soul that he knew that the inevitable end was a grave along the Hudson, that he knew in his own heart that he would give only one thing by accepting that nomination and election, he would give the most cherished thing of all, his very life, and I say again, in the words of the Majority Leader, that it comes in bad grace that we in this Senate this afternoon should condemn the actions of this man who sacrificed his all, the same as any soldier on any battlefield all over the world, when he gave for his country his very life.

Mr. TALLMAN. Mr. President, I have no desire to prolong this debate and shall speak very briefly on this subject. I regret indeed that the subject of this legislation has become pretty much of a political debate in this chamber this afternoon.

I was tremendously interested in the remarks made by the gentleman from Fayette, Mr. Tarr, because I, too, read the article from which he quoted, which is an article by Henry Steele Commager, who is a member of the faculty of Columbia University, and appeared in the New York Times last Sunday. When the gentleman from Fayette, Senator Tarr, quoted from this article he quoted the remarks made by Representative Sabath concerning, as he quoted it, "A pitiful victory over a great man now sleeping on the banks of the Hudson." The gentleman from Fayette forgot to mention that the writer of this article said that the representative who used that had bad manners, and I would like to suggest to the gentleman from Westmoreland that instead of talking about grace, it is bad manners, and I would like to suggest that it adds no credit to the greatness of Franklin Delano Roosevelt to bring that into this debate this afternoon, and the reason I say that, Mr. President, is this: this matter of whether or not there should be a limitation upon the term which the chief executive of this nation is to serve is not a matter that just came up now. That was a matter of great debate, of long tedious debate at the time of the constitutional convention. I would like to direct the gentlemen on the other side to peruse, if they want to take the time, the Federalist, over many, many pages, and note the long discussions and serious debate which then took place about this very matter. I would like to call

attention to the fact that very soon after the constitutional convenion, that the constitutions of many states were formulated, and that again that matter became the subject of serious debate. I should like to suggest that they peruse, if they will, the constitutions of many of the states and find that the thinking that was represented by those people who did not share the views of the then majority in the constitutional convention, turned out to be the majority thinking in many of the states and, as in Pennsylvania, there were restrictions and prohibitions placed upon the term a chief executive might serve.

I should also like to point out, Mr. President, that the newness of that subject has not worn off, nor the oldness of it. The gentlemen on the other side know very well that this subject, throughout the years, from the date of the formation of this nation, has been the earnest subject of great study on the part of historians, on the part of people who are interested in government, and on the part of persons who are teaching government in the public schools, the colleges and the universities of this country, and that that debate, that discussion, has continued over a period of a great many years, even up to the present time.

I was going to take the time to quote from a statement by Thomas Jefferson, but I am going to refrain from quoting from it, in the interest of time; I do not think it is essential.

What I do want to say is this, Mr. President, that this subject comes about out of a serious difference of political philosophy; it comes about out of a serious difference of opinion that has lasted over the entire history of this nation.

I regret that there needed to be brought personalities into it, and I want to say to the gentlemen on the other side of this chamber that we on this side—and I think that I may in this instance speak for the feelings of the men who sit on this side of the chamber, having a different political philosophy than the men on the other side of the chamber—feel just as keenly, just as sincerely and just as earnestly the rightness of this bill.

Mr. TARR. Mr. President, it seems to becoming a habit for me to get up and apologize to the gentleman from Lehigh, Mr. Tallman. Yesterday he said I was rude and today he said my manners were bad, and I hope that opinion has not become too great over there.

However, Mr. President, we are considering very important legislation today.

This reminds me of a time I went deer hunting in West Virginia with a dog. When we started out in the morning, the dog took out after a marvelous stag and continued to follow the tracks of that deer until they crossed the tracks of a fox, and then the dog took off after the fox. Now, Mr. President, a fox is not the most ignoble animal, but not in the class of the deer. But then it was not long before that dog was off on the track of a rabbit and, Mr. President, at the end of the day that marvelous dog, which started out in the morning chasing that most magnificent of all game animals, ended by barking in a hole at a skunk.

Mr. President, it seems that we have gone far off the question since this debate first began. We heard one of the gentlemen on the other side say that he had not ridden in on the coattails of any person, and the members talked on so many subjects, but Mr. President, and I hope this does close the debate, let us keep in mind that we are voting again on our confidence in democracy. Let us also keep in mind that Nazism, Fascism, Communism, all dictators say the same thing, "we must protect the people from themselves." Gentlemen, if you want to protect the people you will allow them vote as their consciences dictate; we can not legislate the dictates of our own consciences.

Mr. TALLMAN. Mr. President, I regret very much that the gentleman from Fayette takes a personal position on what I said, and I want to assure him that I meant no offense to him personally.

In order that the record may be straight for all time to come, I should like to read into the record that which I have referred to, which appears in the New York Times, Magazine Section of April 27, 1947, page 13, an article by Henry Steele Commager and I shall quote: "But the amendment was passed by unanimous Republican vote in both houses of Congress, and Representative Sabath had the bad manners to call it 'a pitiful victory over a great man now sleeping on the banks of the Hudson.'"

Mr. DENT. Mr. President, I am not going to make any reference to the question of bad manners. Of course, I long ago decided that if you have no defense you strike up a powerful offensive, and I am not a bit disturbed over that. I am not a bit fooled either.

Every person knows that this is a direct criticism of the decision made by the Democratic party in June of 1940. However, that is beside the point.

The gentleman from Lehigh said that this Democratic Minority should peruse the history of this type of legislation. Perhaps he too ought to study the history with the succeeding events, and realize that at all times when it has been a question of debate, it was a question of debate in legislative halls but never before in the history of this nation did it become a question of debate after the people had resolved the question. This has been before the people on two separate occasions. The arguments that you are now using before this Legislature were used before the people in the press, on the radio and upon the political platform, all over the state and the nation. Every person eligible to vote knew what the question was, knew they were deciding to break tradition, as it were, knew they were lifting the lid upon the number of sessions or terms that a man could be elected president.

New you come before this Senate and say that historically this has always been a subject of debate. It has, Mr. President, of political debate, by the outs wanting in, but this is the first time, and I repeat, that the question has come up in the legislative halls after a decision has been made. You are a little late. You are a little late—about seven years too late, because the people have already decided, and whether you pass this legislation or not, you can never take away from the tradition that has already been broken the fact that the people decided they would exercise their right, and they told the politicians how many times a man could serve.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—33

Becker,	Frazier,	Mahany,	Wade,
Berger,	Geltz,	Mallery,	Wagner,
Blass,	Hare,	Scarlett,	Walker,
Carr,	Heyburn,	Snowden,	Watson,
Chapman,	Homsher,	Stevenson,	Wilson,
Crider,	Kephart,	Tallman,	Wolfe,
Crowe,	Letzler,	Taylor,	Wood, L. H.,
Doehla,	Lord,	Tyler,	Wood, T. N.,
Farrell,			

NAYS—16

Barr,	Holland,	Leader,	Ruth,
Dent,	Jaspan,	Margie,	Stiefel,
DiSilvestro,	Klein,	Rahauser,	Tarr,
Haluska,	Lane,	Rosenfeld,	Woodring,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

SENATE BILL NO 121 CALLED UP FROM POSTPONED CALENDAR

Mr. TALLMAN. Mr. President, on page 7 of the Calendar, I call from the Postponed Calendar Senate Bill No. 121, Printer's No. 90.

BILL RECOMMITTED

Mr. TALLMAN. Mr. President, I move that Senate Bill No. 121, on third reading, entitled:

An Act to add section three hundred three point one to the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" increasing the fees for hunting licenses and providing for the use of moneys derived therefrom for the stocking of small game.

be recommitted to the Committee on Forests and Waters, Game and Fish.

Mr. WALKER. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. WOODRING. Mr. President and members of the Senate, I knew that this would happen if I would be a bad boy, I knew I was takling too often. I feel, Mr. President and member of the Senate—

The PRESIDENT. The Chair reminds the gentleman from Northampton that the question before the Senate is a motion to re-commit Senate Bill 121, which motion is not debatable.

Mr. WOODRING. Then, Mr. President, I ask leave to make a brief statement.

The PRESIDENT. Hearing no objection, leave is granted.

Mr. WOODRING. Mr. President and members of the Senate, Senate Bill 121, by way of funeral services, was an honest attempt to gain for the sportsmen of Pennsylvania more adequate hunting conditions. The small game population in our state has been dwindling and dwindling, becoming less and less, despite the large sums of money which have been paid into the Game Commission through the medium of $2 per license, $2 for each of more than 600,000 licenses being sold in the state each year. Despite that large fund, despite that adequate sum for stocking purposes, hunters from one end of the state to the other are receiving less and less in the way of adequate state stocking.

Therefore I had drafted and presented to this legislature Senate Bill 121, which would have done two things —it would have increased the hunting fee by the sum of $1, but it would have ear-marked that $1 increase for stocking purposes, and it would have made it mandatory upon the game commission to stock in the county from which the licenses were issued at least one piece of small game.

The only argument that was presented to me by members on the other side against the practicability of the bill was that the $1 increase would not cover that cost. The $1 increase would not have had to cover that cost, because, in adition to that $1 increase, the game commission is already receiving $2. The sportsmen in my section, and sportsmen in other sections to whom I have spoken, independent of the State Federation of Sportsmen, have almost uniformly approved the idea, because they thought this was a means of securing the type of hunting we have had in the past, and to which we and our younger generation are entitled in the future.

I regret that the bill is to be re-committed. I would like to be recorded as voting "no" on the motion, and I hope to see the bill again under a new number.

And the question recurring,

Will the Senate agree to the motion?

(A voice vote having been taken the question was determined in the affirmative.)

SENATE BILL No. 204 CALLED UP FROM POSTPONED CALENDAR

Mr. TALLMAN. Mr. President, I call up from the Postponed Calendar Senate Bill No. 204, Printer's No. 173.

BILL RECOMMITTED

Mr. TALLMAN. Mr. President, I move that Senate Bill No. 204, on third reading, entitled:

An Act establishing a uniform time for appeals to the Superior and Supreme Courts and from the Superior to the Supreme Court in all proceedings; and repealing inconsistent acts.

be recommitted to the Committee on Judiciary General.

Mr. HEYBURN. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. STIEFEL. Mr. President, I ask unanimous consent to make a brief statement.

The PRESIDENT. Hearing no objection, the gentlemen from Philadelphia may proceed.

Mr. STIEFEL. Mr. President, at the present time any appeal from a lower court to the Superior Court of Pennsylvania or the Supreme Court of Pennsylvania may be taken within three months. The consensus of opinion today is that it too long a period, and since it is up to the Superior or Supreme Court to have final say as to a case and, so to say, give justice in the matter too much delay in taking an appeal would be a delay in justice, and, as the late President Woodrow Wilson said, "Justice delayed is justice denied."

The purpose of this bill is to shorten the period to thirty days. I believe that is a step in the proper direction, but as one of my predecessors said, you have the votes, so you will get the motion.

Mr. WALKER. Mr. President, for the purposes of the record I should like to make a very short statement.

The PRESIDENT. The gentleman from Allegheny may proceed.

Mr. WALKER. Mr. President, when this bill came into committee, and this is for the information of the gentleman from Philadelphia, Mr. Stiefel, cutting the period of appeal from ninety days to forty-five days, the committee cut it to thirty days in order to make it conform to the new federal rules. The information which I received was that the sponsor of the bill was not satisfied with the committee amendment and that is why the bill went over in order and then was placed on the postponed calendar. The bill is going back to committee so that it can be further discussed by the sponsor with the committee.

Mr. STIEFEL. I am deeply grateful to the gentleman from Allegheny, Senator Walker, for his explanation. Knowing his good faith in the matter, I know it will come out again to the light of day.

And the question recurring,

Will the Senate agree to the motion?

(A voice vote having been taken the question was determined in the affirmative.)

SENATE BILL No. 333 CALLED UP FROM POSTPONED CALENDAR

Mr. TALLMAN. Mr. President, I call from the Postponed Calendar Senate Bill No. 333, Printer's No. 179.

BILL RECOMMITTED

Mr. TALLMAN. Mr. President, I move that Senate Bill No. 333, on third reading, entitled:

An Act to further amend clause (a) of subsection three of section fourteeen of the act approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043) entitled, "An act establishing a public school employes retirement system and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing employes; defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon boards having the employment of public school employes; exempting annuities, allowances, returns, benefits and rights from taxation and judicial process, and providing penalties by providing for an increased employes annuity.

be recommitted to the Committee on Education.

Mr. HEYBURN. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The motion was agreed to,

Mr. TALLMAN. Mr. President, I want to explain the reason for this motion. There are other bills of a similar nature in that committee and it has been requested that this bill be returned so that that the committee may study it with them.

SENATE BILL No. 351 CALLED UP FROM POSTPONED CALENDAR

Mr. TALLMAN. Mr. President, on page 8 of the Calendar I call up from the Postponed Calendar Senate 351, Printer's No. 99.

BILL RECOMMITTED

Mr. TALLMAN. Mr. President, I move that Senate Bill No. 351, on third reading, entitled:

An Act to amend section four of the act of one thousand seven hundred five (1 SM L 25) entitled "An act to restrain people from labour on the first day of the week", by authorizing the service of execution on Sunday of certain warrants and other instruments in cases of misdemeanors involving gambling.

be recommitted to the Committee on Law and Order.

Mr. WAGNER. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. LANE. Mr. President, I ask uanimous consent to make a brief statement.

The PRESIDENT. Hearing no objection, the gentleman from Washington may proceed.

Mr. LANE. Mr. President, we had an agreement quite a while ago with the sponsors on this side, not to bring this controversial measure up for quite a while, and this matter comes as quite a surprise to us.

All this bill does is to make it legal to make arrests for gambling on Sunday, and if you recommit this bill, you are taking the position that it is illegal to gamble six days out of a week but legal to gamble on the Sabbath day.

Mr. TALLMAN. Mr. President, I request permission of the Senate to make a brief statement.

The PRESIDENT. Hearing no objection, the gentleman from Lehigh may proceed.

Mr. TALLMAN. Mr. President, I regret that the impression has arisen, on the question of recommitment of these bills, that the whole purpose of recommiting them is to kill the bills. I want to suggest to the gentleman who sponsored the bill, on which a motion has just been made to recommit, that there is very serious honest concern about the validity of that bill. I think that they themselves know, because some of the men have discussed it with them. I want to suggest too that this bill does not do what was just stated on the floor. It puts no stamp of approval upon gambling on the Sabbath. The gentleman knows very well that anyone who violates the law in that respect can be punished, can be arrested on sight on the Sabbath.

What is asked to be done in this bill is that you want to serve processes for a misdemeanor and there is a serious question, even if that were advisable to do, as to whether or not it is advisable and constitutional to limit it to one offense out of all misdemeanors.

These are the reasons for this motion, and I think this side is entitled to have its reasons for these things.

Mr. HALUSKA. Mr. President, I ask permission to make a brief statement.

The PRESIDENT. Hearing no objection, the gentleman from Cambria may proceed.

Mr. HALUSKA. Yesterday, Mr. President, we heard the gentleman from Allegheny, Senator Walker, tell this audience that today would be a field day. I did not quite get what he meant by a field day but, judging from the action of the majority party, we now have four bills recommitted, three of them being Democratic bills, and I imagine that was what the gentleman from Allegheny meant when he said there would be a field day today, recommitting all Democratic sponsored bills.

And the question recurring,

Will the Senate agree to the motion?

(A voice vote having been taken the question was determined in the affirmative.)

SENATE BILL No. 505 CALLED UP FROM POSTPONED CALENDAR

Mr. TALLMAN. Mr. President, on page 10 of the Calendar, I call up from the Postponed Calendar Senate Bill No. 505, Printer's No. 161.

BILL RECOMMITTED

Mr. TALLMAN. Mr. President, I move that Senate Bill No. 505, on third reading, entitled:

An Act to further amend the act, approved the fourth day of June, one thousand nine hundred forty-three (P. L. 886), entitled "An act creating a Municipal Employes' System for the payment of retirement allowances to officers and employes of political subdivisions and institutions supported and maintained by them, and providing for the administration of the same by a board composed of certain state officers and others appointed by the Governor; imposing certain duties on the State Employes' Retirement Board and the actuary thereof; providing the procedure whereby political subdivisions may join such system, and imposing certain liabilities and obligations on such political subdivisions in connection therewith, and as to certain existing retirement and pension systems, and upon officers and employes of such political subdivisions and institutions supported and maintained by them; providing certain exemptions from taxation, execution, attachment, levy and sale; and making an appropriation," changing the provisions relating to prior service and defining prior salary; changing the superannuation retirement age; eliminating the requirement for joinder of system by twenty-five municipalities, reducing the amount of contributions by members; and changing provisions relating to retirement allowances.

be recommitted to the Committee on Local Government.

Mr. HEYBURN. Mr. President, I second the motion.

The motion was agreed to.

SENATE BILL No. 544 CALLED UP FROM POSTPONED CALENDAR

Mr. TALLMAN. Mr. President, on page 11 of today's Calendar I call up Senate Bill No. 544, Printer's No. 204.

BILL RECOMMITTED

Mr. TALLMAN. Mr. President, I move that Senate Bill No. 544, on third reading, entitled

An Act to establish an Eastern Pennsylvania Psychiatric Institute conferring powers and imposing duties and obligations on the Department of Property and Supplies and providing for maintenance and operation by the Department of Wilfare through a director and an advisory board appointed by it

be recommitted to the Committee on State Government.

Mr. WADE. Mr. President, I second the motion.

The motion was agreed to.

HOUSE BILL No. 772 CALLED UP FROM POSTPONED CALENDAR

Mr. HOMSHER. Mr. President, I call up from the Postponed Calendar, on page 11, House Bill No. 772, Printer's No. 165, for the purpose of offering amendments.

BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 772, entitled:

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by changing the name of the Thaddeus Stevens Industrial School.

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. HOMSHER. Mr. President, I ask unanimous consent at this time to offer amendments.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend Section 1, Subsection 202, page 4, line 13, by striking out the words "Stevens Trade School" and inserting in lieu thereof the following: "Thaddeus Stevens Trade School;" amend Section 2, Subsection 401, page 7, line 3, by striking out the words "Stevens Trade School" and inserting in lieu thereof the following: "Traddeus Stevens Trade School;" amend Section 2, Subsection 401, page 10, line 20, by striking out the words "Stevens Trade School" and inserting in lieu thereof the following: "Thaddeus Stevens Trade School"; amend Section 3, Subsection 1311, page 12, line 7, by inserting after the word "School)" and before the word "Stevens" the following: "Thaddeus."

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

It was agreed to.

Ordered, That the bill as amended, lie over for printing on final passage.

SENATE BILL No. 611 CALLED UP FROM POSTPONED CALENDAR

Mr. TALLMAN. Mr. President, now that we are on the Second Reading Calendar, I call up from the Second Reading Postponed Calendar, on page 15, Senate Bill No. 611, Printer's No. 209.

BILL RECOMMITTED

Mr. TALLMAN. Mr. President, I move that Senate Bill No. 611, on third reading, entitled:

An Act to amend the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by making it unlawful for any person while hunting or trapping to carry any firearm with the safety off except during the momentary interval of time necessary to permit the discharge of such firearm and providing penalties

be recommitted to the Committee on Forests and Waters, Game and Fish.

Mr. WADE. Mr. President, I second the motion.

The motion was agreed to.

SENATE BILL No. 190 CALLED UP FROM POSTONED CALENDAR

Mr. BARR. Mr. President, at this time I call up, on page 15 of the Second Reading Postponed Calendar, Senate Bill No. 190, Printer's No. 70, for action.

REQUEST THAT BILL GO OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 190, which has just been called up, on second reading entitled:

An Act to repeal certain statutes relating to oleomargarine butterine or similar substances manufactured wholly or partly from fats oils or oleaginous substances

go over in its order.

The PRESIDENT. Is there objection?

Mr. BARR. I object.

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I move that Senate Bill No. 190, on second reading go over in its order.

Mr. KEPHART. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. BARR. Mr. President, I desire to interrogate the Majority Floor Leader.

The PRESIDENT. Will the gentleman from Lehigh permit himself to be interrogated?

Mr. TALLMAN. I will, Mr. President.

Mr. BARR. Mr. President, would the gentleman from Lehigh tell me why this bill needs to go over in order.

Mr. TALLMAN. Mr. President, this bill was on the postponed calendar and the gentleman from Allegheny called it up; this side of the Senate is not yet prepared to act upon it at this time, and for that reason I requested that the bill go over in its order.

Mr. BARR. Senator Tallman, will you tell me, not just a date, but how soon you think your side will be able to consider the oleomargarine bill.

Mr. TALLMAN. Mr. President, there is not much use of the gentleman from Allegheny being coy about his questions, because I do not know when this side is going to be ready to take action on the bill, but I assure him, until it is there will not be any action taken on it.

Mr. BARR. Mr. President, the gentleman gave me a very fine answer.

And the question recurring,

Will the Senate agree to the motion?

(A voice vote having been taken the question was determined in the affirmative.)

BILLS ON SECOND READING CALENDAR

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 7, entitled:

An Act to amend sections one and four of the act approved the twenty-eighth day of May one thousand nine hundred forty-three (P. L. 793) entitled "An act authorizing counties of the second class to regulate the production of smoke from chimneys smokestacks or other source including provisions for the payment of inspection and certificates of compliance fees incident thereto authorizing the expenditure of money for the employment of persons and the acquisition of property for effectuating such regulations and providing penalties for the violation thereof" removing exemption regarding railroad locomotives and changing the effective date

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. LANE. Mr. President, I would like, if I may, the opportunity to read into the record my reasons for a motion which I am about to make.

The PRESIDENT. The gentleman from Washington may proceed.

Mr. LANE. Mr. President, I would like to explain the reason for the motion I am about to make.

Last week my colleague, Senator Tarr, and I offered a resolution seeking an opinion as to the constitutionality or legality of the so-called 1943 Allegheny County Smoke Control Act, I understand that the Committee on Rules, to which this resolution was referred, has not had the opportunity to act on same, and I wish to submit the following information:

On February 27th and 28th and on March 1st, 1947, the Pennsylvania Association of Boroughs held its Thirty-sixth Annual Convention Meeting at the Penn-Harris Hotel here in Harrisburg, I am sure that many members of the House and Senate are acquainted with the sterling work of that association, and the practical and most assuredly legal character of their work, and I am quite sure that quite a number of the membership from the House and Senate attended that convention.

The activities of the convention were divided into many different conferences of interest; that is, the borough councilmen met and discussed borough problems; the burgesses met jointly; the borough secretaries met in a group, and the borough solicitors gathered and discussed their legal problems.

The meeting of the borough solicitors held a special interest, for many were in attendance from Allegheny, Washington and Greene counties, and I am further told that the problem of home rule was actively discussed.

At that solicitors' group meeting, let me again emphasize, attended by many borough solicitors from the counties mentioned, there was unanomously adopted, for presentation to the Resolutions Committee, the following resolution:

"Whereas, the County Commissioners never were, nor were ever intended to be, a legislative body, nor were counties intended to be legislative units, but were and are, administrative arms of the State Government; and

"Whereas, such powers, if extended to counties, could easily create sixty-seven more legislative units in the State, capable of enforcing other edicts upon people to the full detriment of their freedom and contrary to the fundamental principles of home rule;

"Now therefore, Be It Resolved that this Convention of State Boroughs go on record as steadfastly opposed to the granting, by the Legislature, of any power, to County Commissioners of any county of the State, to enact or enforce ordinances having the effect of law, or to enforce penalties in connection therewith; and that the Officers of the Pennsylvania Association of Boroughs be, and they are hereby, directed to oppose any Bills introduced into the Legislature for any such purposes, and to prepare and have introduced therein Bill or Bills repealing any such powers heretofore granted"

Now, let me point out, Mr. President, that this outspoken resolution of the State Association of Boroughs was adopted, after careful consideration by the finest, most competent municipal attorneys in the state of Pennsylvania; it unanimously passed the session attended by the solicitors; it unanimously passed the Convention's Resolution Committee, and it unanimously passed the final general meeting of the convention. It is the platform of the Association of Boroughs.

Surely, Mr. President, it must suggest to all the wishes of this group, and in regard to this Smoke Control Act now under consideration, if the 1943 Act allowed local delegation of power to the county commissioners of the second class, do those learned borough delegates, many thoroughly experienced municipal authorities, leave any doubt in our minds as to what they think of this 1943 Act.

And yet, Mr. President, the law or constitutionality of this Act, along with the other unanswerable parts of same, were all considered by the Senate Mines and Mining Committee in a very short period of time. Imagine a law that affects, directly or indirectly, the lives of all persons in Western Pennsylvania receiving just an hour or so consideration.

Mr. President, in view of the fact that the Committee on Rules has not had an opportunity to consider the resolution which I introduced last Thursday, requesting, as stated before, a formal opinion from the Attorney General in regard to this Act, I make the following motion:

MOTION THAT BILL BE POSTPONED

Mr. LANE, Mr. President, I move that House Bill No. 7, on second reading, be placed on the Postponed Calendar.

Mr. HALUSKA, Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. WALKER. Mr. President, I desire to interrogate the gentleman from Washington.

The PRESIDENT. Will the gentleman from Washington permit himself to be interrogated?

Mr. LANE. I will, Mr. President.

Mr. WALKER. Mr. President, I desire to ask the gentleman from Washington for what purpose he desires having this bill placed on the postponed calendar.

Mr. LANE. As I stated before in my previous remarks, Mr. President, I would like to be assured we are acting in a constitutional manner, and I thought probably we might have an opinion from the Attorney General in the near future.

Mr. WALKER. Mr. President, I read in the newspapers that such an opinion has already been handed down and that the Attorney General has already ruled on the constitutionality of the bill, at the request of the Chief Executive of the Commonwealth, and if that is the only purpose for which the gentleman from Washington is desirous of having this legislative action taken, it is unnecessary at this time. I see no good purpose to be served by postponing action on this bill.

Mr. LANE. Mr. President, probably I am misinformed but I believe the Attorney General ruled on the constitutionality of House Bill 7, but not on the 1943 act. House Bill 7 would amend the act of 1943. Is that correct?

Mr. WALKER. Mr. President, the Attorney General's ruling, as I understand it, dealth not only with what is contained in House Bill 7, now before the Senate, but also on the constitutionality of the act itself, because most of the act of 1943 is contained in a re-statement in House Bill 7.

I would ask my colleague to vote down this motion to suspend action on the bill.

And the question recurring,

Will the Senate agree to the motion?

(A voice vote having been taken the question was determined in the negative).

And the question recurring,

Will the Senate agree to the section?

Messrs. LANE, HALUSKIA and TARR offered the following amendment:

Amend Sec. 1 (Sec. 1) page 3, line 1, (by striking out the word "the" and inserting in lieu thereof "but shall not in any case prohibit or be so construed as to prohibit the use or consumption of any solid fuel produced in this Commonwealth. The"

On the question,

Will the Senate agree to the amendment?

Mr. WALKER. Mr. President, I ask my colleagues to vote "no" on the amendment.

And the question recurring,

Will the Senate agree to the amendment.

(A voice vote having been taken the question was determined in the negative.)

And the question recurring,

Will the Senate agree to the section?

It was agreed to.

The second section was read and agreed to.

The third section was read.

On the question,

Will the Senate agree to the section?

Messrs. LANE, HALUSKIA and TARR offered the following amendment:

Amend Section 3, page 3, lines 17 and 18 by striking

out the words, "immediately upon final enactment" and inserting in lieu thereof "on the first day of July, one thousand nine hundred forty-nine."

On the question,

Will the Senate agree to the amendment?

Mr. WALKER. Mr. President, I request my colleagues to vote "no" on the amendment.

And the question recurring,

Will the Senate agree to the amendment?

(A voice vote having been taken the question was determined in the negative.)

And the question recurring,

Will the Senate agree to the section?

It was agreed to.

The title was read and agreed to.

And said bill having been read at length the second time,

On the question,

Will the Senate agree to the bill on second reading?

Mr. LANE. Mr. President, I seem to be getting nowhere fast, but at least I am trying.

Mr. LANE. Mr. President, I wish to assure the good citizens of western Pennsylvania that I have done my best, but of course, tomorrow is another day.

The PRESIDENT. The Legislative Journal will so note.

And the question recurring,

Will the Senate agree to the bill on second reading?

It was agreed to.

Ordered, To be transcribed for a third reading.

BILLS ON SECOND READING AMENDED

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 390, entitled:

An Act to amend section nine hundred six of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild brids and wild animals and amending revising consolidating and changing the law relating thereto" authorizing the granting of the right to maintain radio stations or radio towers facilities for skiing roadside rests and devices for flood control and recreational uses on lands acquired for the use of the Pennsylvania Game Commission

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. T. NEWELL WOOD offered the following amendment:

Amend sec. 1 (Sec. 906), page 4, line 15, by inserting after the word "towers" the following: "solely for national defense, law enforcement or flood forecasting purposes."

It was agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time, and agreed to, as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill 415, entitled:

An Act to amend sectons 501 and 502 of the Act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 1053) entitled "An act relating to the regulation of public utilities defining as public utilities certain corporations companies associations and persons providing for the regulation of public utilities including to a limited extent municipalities engaging in public utility business by prescribing defining and limiting their duties powers and liabilities and regulating the exercise surrender or abandonment of their powers privileges and franchises defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons associations companies and corporations including to a limited exten municipal corporations subject to this act and administering the provisions of this act authorizing the commission to fix temporary rates placing the burden of proof on public utilities to sustain their rates and certain other matters authorizing a permissive or mandatory sliding scale method of regulating rates providing for the supervision of financial and contractual relations between public utilities and affiliated interests and supervision and regulation of accounts and securities or obligations issued assumed or kept by persons associations companies corporations of municipal corporations subject to this act conferring upon the commission power to vary reform or revise certain contracts conferring upon the commission the exclusive power to regulate or order the construction alteration relocation protection or abolition of crossings of facilities of public utilities and of such facilities by or over public highways to appropriate property for the construction or improvement of such crossings and to award or apportion resultant costs and damages authorizing owners of such property to use the Commonwealth for such damages providing for ejectment proceedings in connection with the appropriation of property for crossings conferring upon the commission power to control and regulate budgets of public utilities imposing upon persons associations companies and corporations (except municipal corporations) subject to regulation the cost of administering this act rescribing and regulationg practice and procedure before the commission and procedure for review by the courts of commission action giving the court of common please of Dauphin County exclusive original jurisdiction over certain proceedings prescribing penalties fiines and imprisonment for violations of the provisions of this act and regulations and orders of the commission and the procedure for enforcing such fines and penalties and repealing legislation supplied and superseded by or inconsistent with this act" limiting original cost accounting to those public utilities whose accounting systems are subject also to the jurisdiction of a Federal regulatory body

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. KEPHART offered the following amendments.

Amend sec. 1 (Sec. 501), page 6, line 19, by inserting after the word "utility" the following "as defined in paragraph (b) of clause (17) of section two of this act"; amend sec. 1 (Sec. 501), page 6. line 19, by inserting after the word "commission" the following: "or its predecessor"; amend sec. 1 (Sec. 501), page 7, lines 5, 6 and 7, by striking out the words "except where necessary to conform to the" in line 5, and all of lines 6 and 7; amend sec. 1 (Sec. 502), page 7, lines 14 to 17, by striking out the words "solely for the purpose of conforming as far" in

line 14, all of lines 15 and 16, and the words "PUBLIC UTILITY IS ALSO SUBJECT" in line 17; amend sec. 1 (Sec. 502), page 7, line 18, by striking out the word "such"; amend sec. 1 (Sec. 502), page 7, line 18, by inserting after the word "utility" the following "except one as defined in paragraph (b) of clause (17) of section two of this act"; amend bill, page 8, by inserting after line 2, the following: "Section 2. The provisions of this act shall become effective immediately upon final enactment."

They were agreed to.

The section was agreed to as amended.

The title was read.

On the question,

Will the Senate agree to the title?

Mr. KEPHART offered the following amendment:

Amend title, page 3, last 3 lines on page, by striking out the words "limiting original" in 3rd from last line, and the remaining two lines, and inserting in lieu thereof "by excluding water supply companies from the requirements of original cost accounting."

It was agree to.

The title was agreed to as amended,

And said bill having been read at length the second time, and agreed to, as amended,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 503, on second reading, entitled:

An Act to amend the act, approved the seventh day of June, one thousand nine hundred eleven, (P. L. 668), entitled "An act to restrain and regulate the use of billiard-tables, pool-tables and bagatelle-boards or table, kept and maintained for the use of the general public, for hire or reward, in cities of the first class in this Commonwealth; providing for the granting of licenses, and providing for punishments for the violations of the provisions of this act," providing that character signatures on petition shall not be required after applicant has been licensed for three years.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 542, entitled:

An Act to amend Section six hundred seven of the act approved the third day of June one thousand nine hnudred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and chaning the law relatig thereto" by making it unlawful to disturb or tamper with traps set by agents of the Commission

The first section was read.

On the question,

Wil the Senate agree to the section?

Mr. T. NEWELL WOOD offered the following amendments:

Amend Sec. 1, (Sec. 607), page 2, line 10, by inserting after the word "law," the following: "and unless traps are set on private property without the permission of the owners or occupiers of the property,"

It was agreed to.

The section was agreed to as amended.

The second section and title were read and agreed to.

And said bill having been read at length the second time and agreed to, as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 863, entitled:

An Act to further amend section three of the act approved the thirteenth day of May one thousand nine hundred twenty-seven (P. L. 988) entitled "An act providing for and regulating the State registration of nurses and licensed atendants the annual recording of registration certificates and regulating the profession of nursing and repealing certain existing laws" further providing for emergency registration of nurses

The first section was read.

On the question,

Wil the Senate agree to the section?

Mr. KEPHART offered the following amendment:

Amend Sec. 1 (Sec. 3) page 4, line 6, by striking out the word "eight" and inserting in lieu thereof "nine."

It was agreed to.

The section was agreed to as amended.

The second section and title were read and agreed to.

And said bill having been read at length the second time and agreed to, as amended,

Ordered, To be thanscribed for a third reading.

HOUSE BILL No. 1046 CALLED UP FROM POSTPONED CALENDAR

Mr. KEPHART. Mr. President, I call from the Second Reading Postponed Calendar, on page 16, House Bill No. 1046.

BILL ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill 1046, entitled:

An Act to amend section two of the act approved the twenty-sixth day of May one thousand nine hundred twenty-one (P L. 1172) entitled A Supplement to the act approved the seventeenth day of May one thousand nine hundred seventen (P. L. 208) ntitld "An act to rgulate he practice of pharmacy and sale of poisons and drugs and providing penalties for the violation thereof defining the words "drug" and "poison" and providing for the appointment of a board which shall have in charge the enforcement of said law and the power to make rules and regulations for the enforcement of said law and providing for the purchase of samples of drugs for determining their quality strength and purity requiring permits to conduct pharmacies providing for the revocation thereof and prescribing penalties "regulating the use of a corporate ttle in applying for a pharmacy permit and its use on labels and signs and advertisements

The first section was read and agreed to.

The second section was read.

On the question,

Will the Senate agree to the section?

Mr. KEPHART offered the following amendments:

Amend page 3, section 2, line 4, by striking out after the word "the," the word: "[Pennsyl-];" amend page 3, section 2, line 5, by striking out at the beginning of the line, before the word "Board" the word: "[vania];" and inserting in lieu thereof the word: "State;" amend page 3, section 2, line 9, by striking out after the word "labels" and before the word "and," the word: "[signs]."

They were agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time, and agreed to, as amended,

Ordered, To be transcribed for a third reading.

BILLS INTRODUCED AND REFERRED

Mr. GELTZ. Mr. President, I ask unanimous consent to introduce bills at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. GELTZ read in place and presented to the Chair Senate Bill No 676, entitled:

An Act to further amend section six hundred twenty-four of the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 789), entitled, as amended, "An act relating to insurance; establishing an insurance department; and amending revising, and consolidating the law relating to the licensing, qauilfication, regulation, examination, suspension and dissolution of insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and certain societies and orders, the examination and regulation of fire insurance rating bureaus, and the licensing and regulation of insurance agents and brokers; the service of legal process upon foreign insurance companies, associations or exchanges; providing penalties, and repealing existing laws," providing for licensing of excess insurance brokers in all kinds of insurance other than life.

Which was committed to the Committee on Insurance.

He also read in his place and presented to the Chair Senate Bill No. 677, entitled:

An Act to further amend subsection (b) of section four hundred fifteen of the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 682), entitled "An act relating to insurance; amending, revising, and consolidating the law providfor the incorporation of insurance companies and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," limiting the sources from which payments of premiums by labor unions and certain other organizations may be made.

Which was committed to the Committee on Insurance.

He also read in his place and presented to the Chair Senate Bill No. 678, entitled:

An Act to further amend subsection (b) of section four hundred fifteen, and subsection (a) of section six hundred twenty-one point one of the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 682), entitled "An act relating to insurance, amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," further defining group life insurance and group accident and health insurance to include trust funds established by employers

Which was committed to the Committee on Insurance.

BILLS ON FIRST READING

Mr. TALLMAN. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session

Mr. WOLFE. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No 50, entitled:

An Act to further amend the act, approved the twenty-fifth day of May, one thousand nine hundred thirty-seven (P. L. 849), entitled "An act to provide for the permanent personal registration of electors in cities of the third class as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedures for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration, and other appointees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; imposing penalties; and repealing existing legislation," by changing the provisions of said act relating to removal notices, transfer of registration, check-up of registers and street lists.

And said bill having been read at length the first time,

Ordered, to be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 60, entitled:

An Act to further amend section thirty-nine of the Act, approved the twenty-fifth day of May, one thousand nine hundred thirty-seven (P. L. 849), entitled "An act to provide for the permanent personal registration of electors in cities of the third class as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, county election boards, election officers, municipal officers, depart-

ments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controller, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; imposing penalties; and repealing existing legislation," by further regulating and changing the provisions of the act relating to cancellation of registration upon the failure to vote within two years by giving removal notice same effect as request for reinstatement.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 275, entitled:

An Act to amend section twenty-seven and subsection (a) of section twenty-eight of the act, approved the first day of June, one thousand nine hundred thirty-seven (P. L. 1132), entitled "An act to provide for the permanent personal registration of electors in cities of the second class A as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; and imposing penalties," increasing the period of time in which removal notices and registration transfers must be made.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 372, entitled:

An Act to further amend section one thousand twelve and subsection C of section one thousand two hundred ten of the act, approved the fifteenth day of May, one thousand nine hundred and thirty-three (P. L. 624), entitled "An act relating to the business of banking, and to the exercise of fiduciary powers by corporations; providing for the organization of corporations with fudiciary powers, and of banking corporations, with or without fiduciary powers, including the conversion of National banks into State banks, and for the licensing of private bankers; defining the rights, powers, duties, liabilities, and immunities of such corporations, of existent corporations authorized to engage in banking business, with or without fiduciary powers, of private bankers, and of the officers, directors, trustees, shareholders, attorneys, and other employes of all such corporations or private bankers, or of affiliated corporations, associations, or persons; restricting the exercise of banking powers by any other corporation, association, or person, and of fiduciary powers by any other corporation; conferring powers and imposing duties upon the courts, prothonotaries, recorders of deeds, and certain State departments, commissions, and officers; imposing penalties; and repealing certain acts and parts of acts," by further providing for the powers and duties and limitations upon powers of corporations and persons authorized to engage in a banking or fiduciary business or both.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 383, entitled:

An Act to amend the title and the act, approved the eighth day of April, one thousand nine hundred thirty-seven (P. L. 262), entitled "An act relating to consumer credit in amounts of one thousand dollars ($1,000) or less; requiring licenses from the Secretary of Banking; restricting licenses to domestic business corporations; fixing minimum capital requirements; conferring certain powers on the Secretary of Banking; limiting interest and other charges; providing certain exemptions; and imposing penalties," by further prescribing the powers of said licensees and the Secretary of Banking; and further regulating the granting of said licenses, and the loans, charges, interest and refunds to be made or collected by such licensees.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 387, entitled:

An Act to further amend section one of the act, approved the eighth day of April, one thousand eight hundred sixty-eight (P. L. 73), entitled "An act to authorize the recorder of deeds in the several counties of this Commonwealth to record the discharges of all honorably discharged officers and soldiers," providing for the recording of certificates of service issued commissioned officers.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 422, entitled:

An Act to amend the title and sections one, two, and three of the act approved the thirty-first day of July, one thousand nine hundred forty-one (P. L. 606), entitled "An act relating to the sale, transfer, assignment and pledge of accounts receivable", by further defining the term "accounts receivable" and further providing for notation of assignments upon the books of the assignors and for giving notice of assignments to account debtors and the effects thereof respectively.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 459, entitled:

An Act to add subsection E to section one thousand two of the act, approved the fifth day of May one thousand nine hundred thirty-three (P. L. 457), entitled "An act relating to the business of building and loan associations; providing for the organization and voluntary dissolution of such associations; defining the rights, powers, duties, liabilities, and immunities of such associations, and their officers, directors, shareholders, solicitors, and other employes; prohibiting the transaction of business in this Commonwealth by foreign building and loan associations; conferring powers and imposing duties upon the courts, recorders of deeds, and certain State departments, commissions, and officers; establishing limitations of actions; imposing penalties; and repealing certain acts and parts of acts," further limiting the merger, consolidation or conversion of building and loan associations in certain cases.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 491, entitled:

An Act to further amend Subsection C. of Section two hundred four of the act approved the fifteenth day of May, one thousand nine hundred thirty-three (P. L. 624), entitled "An Act relating to the business of banking, and to the exercise of fiduciary powers by corporations; providing for the organization of corporations with fiduciary powers, and of banking corporations, with or without fiduciary powers, including the conversion of National banks into State banks, and for the licensing of private bankers; defining the rights, powers, duties, liabilities, and immunities of such corporations, of existent corporations authorized to engage in a banking business, with or without, fiduciary powers, of private bankers, and of the officers, directors, trustees, shareholders, attorneys, and other employes of all such corporations or private bankers, or of affiliated corporations, associations, or persons; restricting the exercise of banking powers by any other corporation, association, or person, and of fiduciary powers by any other corporation; conferring powers and imposing duties upon the courts, prothonotaries, recorders of deeds, and certain State departments, commissions, and officers; imposing penalties; and repealing certain acts and parts of acts," by further providing for the establishment of branch officers and sub-agencies; and for the approval thereof by the Department of Banking and the Banking Board.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 496, entitled:

An Act making an appropriation to the Pennsylvania Museum and School of Industrial Art, Philadelphia, for the support of research and investigation of basic problems affecting the textile industry and providing for the making of a report thereon to the Department of Commerce.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 523, entitled:

An Act to further amend paragraph four of Subsection A. of Section one thousand one of the act approved the fifteenth day of May, one thousand nine hundred thirty-three (P. L. 624), entitled "An act relating to the business of banking, and to the exercise of fiduciary powers by corporations; providing for the organization of corporations with fiduciary powers, and of banking corporations, with or without fiduciary powers, including the conversion of National banks into State banks, and for the licensing of private bankers; defining the rights, powers, duties, liabilities, and immunities of such corporations, of existent corporations authorized to engage in a banking business, with or without fiduciary powers, of private bankers, and of the officers, directors, trustees, shareholders, attorneys, and other employes of all such corporations or private bankers, or of affiliated corporations, associations, or persons; restricting the exercise of banking powers by any other corporation, association, or person, and of fiduciary powers by any other corporation; conferring powers and imposing duties upon the courts, prothonotaries, recorders of deeds, and certain State departments, commissions, and officers; imposing penalties; and repealing certain acts and parts of acts," by further regulating the making of installment loans.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 526, entitled:

An Act to reenact section four hundred one of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333), entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of election, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," providing for the election and term of judges and inspectors of elections.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 537, entitled:

An Act requiring owners of hotels restaurants and places of amusement and entertainment to give notice to patrons thereof that concessions for certain services have been granted to other persons and that gratuities received by the employes of such concessions are the property of the owner thereof.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 538, entitled:

An Act to further amend the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" creating a County Transit and Traffic Commission in counties of the second class providing for its membership and defining its powers and duties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 554, entitled:

An Act providing that in cities of the first class in all cases where taxes are due and unpaid upon a single tract of land and it is desired to divide such tract into separate parcels the Board of Revision of Taxes may apportion such taxes ratably between or among the parcels so divided and providing that upon payment of the taxes and proper costs on any such parcel it shall be released from the lien.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 556, entitled:

An Act to further amend the act, approved the fifteenth day of May, one thousand nine hundred thirty-three (P. L. 624), entitled "An act relating to the business of banking, and to the exercise of fiduciary powers by corporations; providing for the organization of corporations with fiduciary powers, and of banking corporations, with or without fiduciary powers, including the conversion of National banks into State banks, and for the licensing of private bankers; defining the rights, powers, duties, liabilities, and immunities of such corporations, of existent corporations authorized to engage in a banking business, with or without fiduciary powers, of private bankers, and of the officers, directors, trustees, shareholders, attorneys, and other employes of all such corporations or private bankers, or of affiliated corporations, associations, or persons; restricting the exercise of banking powers by any other corporation, association, or person, and of fiduciary powers by any other corporation; conferring powers and imposing duties upon the courts, prothonotaries, recorders of deeds, and certain State departments, commissions, and officers; imposing penalties; and repealing certain acts and parts of acts," further providing for authorized investments and limitations upon loans and discounts of savings banks.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The enate proceeded to the first reading and consideration of Senate Bill No. 561, entitled:

An Act to amend sections eight hundred sixty-eight and eight hundred sixty-nine of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," further regulating the use and possession of certain containers.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 577, entitled:

An Act to amend section one thousand one hundred five of the act, approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 457), entitled "An act relating to the business of building and loan assocations; providing for the organization and voluntary dissolution of such associations; defining the rights, powers, duties, liabilities, and immunities of such associations, and of their officers, directors, shareholders, solicitors, and other employes; prohibiting the transaction of business in this Commonwealth by foreign building and loan associations; conferring powers and imposing duties upon the courts, recorders of deeds, and certain State departments, commissions, an dofficers; establishing limitations of actions; imposing penalties; and repealing certain acts and parts of acts," providing for the transaction of business by a majority of the liquidating trustees.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 587, entitled:

An Act to further amend subsection (b) of section thirty of the act, approved the thirtieth day of March, one thousand nine hundred thirty-seven (P. L. 115), entitled "An act to provide for the permanent personal registration of electors in cities of the first class as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens, parties, bodies of electors, registration commissions, commissioners, registrars, inspectors of regisration and other appointees of registration commission, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, real estate brokers, rental agents, certain public service companies, persons, firms, and corporations operating vehicles for moving furniture and household goods and boards of school directors; and imposing penalties," clarifying the provisions relating to the time for giving change of party enrollment notice.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 593, entitled:

An act to amend sections three hundred two and seven hundred one of the act, approved the twenty-first day of May, one thousand nine hundred forty-three (P. L. 571), entitled "An act relating to assessment for taxation in counties of the fourth, fifth, sixth, seventh and eighth classes; designating the subject, property and persons subject to and exempt from taxation for county, borough, town, township, school, except in cities and county institution district purposes; and providing for and regulating the assessment and valuation thereof for such purposes; creating in each such county a board for the assessment and revision of taxes; defining the powers and duties of such boards; providing for the acceptance of this act by cities; regulating the office of ward, borough, town and township assessors; abolishing the office of assistant triennial assessor in townships of the first class; providing for the appointment of a chief assessor, assistant assessors and other employes; providing for their compensation payable by such counties; prescribing certain duties of and certain fees to be collected by the recorder of deeds; and eliminating the triennial assessment," enlarging the powers of boards of assessment and revision of taxes as to the revision of assessments and valuations.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 613, entitled:

An Act to authorize counties, cities, boroughs, incorporated towns, townships, school districts, poor districts, and county institution districts to file tax and municipal claims not filed within the time specified by law, and to amend such claims where the property affected is not sufficiently described, and to file suggestions of nonpayment and averments of default, or to sue out writs of scire facias on certain tax or municipal claims, and to revive judgments where the lien of such claims or the judgment thereon have been lost; and providing for the reinstatement of the liens of such claims and judgments.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 617, entitled:

An Act to reenact and amend sections four hundred ninety-six, four hundred ninety-six point one, four hundred ninety-six point two, four hundred ninety-six point

three, and four hundred ninety-six point four, of the act, approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes and revising, amending and consolidating the laws relating thereto," authorizing eighth class counties to acquire, operate and lease aviation landing fields and airdromes; conferring power of eminent domain for such purposes; authorizing the appropriation of certain lands purchased at tax sales for such purposes and joint action with other political subdivisions in the operation and maintenance of such airfields and providing for the expenditure of funds for such purposes in cooperation with State, Federal or other public agencies.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 651, entitled:

An Act making an additional deficiency appropriation to the Department of Public Assistance and providing for certain allocations therefrom for the purpose of carrying out the Public Assistance Law for the two fiscal years beginning June first one thousand nine hundred forty-five and for the payment of assistance and expeses accrued or incurred prior to and remaining unpaid on May thirty-first one thousand nine hundred forty-five.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreably to order,

The Senate proceded to the first reading and consideration of House Bill No. 803, entitled:

An Act to further amend the act, approved the twenty-ninth day of April, one thousand nine hundred thirty-seven (P. L. 487), entitled "An act to provide for the permanent personal registration of electors in boroughs, towns, and townships as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; requiring the county commissioners of the various counties to act as a registration commission therefor; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; and imposing penalties," changing the provisions of said act relating to removal notices, transfer of registration, check-up of registers and street lists.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 875, entitled:

An Act to further amend section one of the act approved the seventh day of June one thousand nine hundred eleven (P. L. 680) entitled "An act providing for the examination licensure and registration of persons firms or corporations engaged or engaging in the business or work of plumbing or house drainage and prescribing certain rules regulations and requirements for the construction of plumbing house drainage and cesspools in cities of the first class and imposing fines penalties and forfeitures for violation thereof" by exempting therefrom the construction of sewers and water lines

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 882, entitled:

An Act to further amend section thirty-eight of the act, approved the twenty-ninth day of April, one thousand nine hundred thirty-seven (P. L. 487), entitled "An act to provide for the permanent personal registration of electors in boroughs, towns, and townships as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; requiring the county commissioners of the various counties to act as a registration commission therefor; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; and imposing penalties," further regulating and changing the provisions of the act relating to cancellation of registration upon failure to vote within two years, by giving removal notice same effect as request for reinstatement.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1148, entitled:

An Act to further amend section one thousand four of the act approved the fifteenth day of May one thousand nine hundred thirty-three (P. L. 624) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employes of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" further regulating the pledge of assets for deposits.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

BILLS SIGNED

The PRESIDENT (Lieutenant-Governor Daniel B.

Strickler) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 35, entitled:

An Act to further amend the act approved the twenty-fifth day of July, one thousand nine hundred thirteen (P. L. 1024), entitled "Female Labor Law," providing for payment of time and one-half for overtime; changing hours of labor and restrictions relative to age in certain employments; and extending provisions to include additional persons.

Senate Bill No. 66, entitled:

An Act making a deficiency appropriation to the Pennsylvania Institution for the Deaf at Mount Airy, Philadelphia, Pennsylvania.

House Bill No. 327, entitled:

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177), entitled "Administrative Code of 1929," transferring from the Department of Public Instruction to the Department of Mines, the Anthracite Mine Inspectors' Examining Board and the Mine Inspectors' Examining Board for the Bituminous Coal Mines of Pennsylvania, and providing reimbursement for certain expenses to members of such boards.

Senate Bill No. 385, entitled:

An Act to amend subsection (b) of section four of the act, approved the twenty-fifth day of May, one thousand nine hundred forty-five (P. L. 1050), entitled "An act relating to the collection of taxes levied by counties, county institution districts, cities of the third class, boroughs, towns, townships, certain school districts and vocational school districts; conferring powers and imposing duties on tax collectors, courts and various officers of said political subdivisions; and prescribing penalties," by providing that where borough taxes are collected by an appointee of council, the council may prescribe the bond that may be required for the borough taxes.

Senate Bill No. 447, entitled:

An Act to amend the act, approved the fourth day of June, one thousand nine hundred forty-five (Appropriation Acts, page 106), entitled "An act making an appropriation for the preparation of the Eightieth Division History, and creating a commission for such purposes," continuing the commission and re-appropriating the unexpended balance.

House Bill No. 780, entitled:

An Act requiring public assistance milk orders to be presented for payment within a certain period, otherwise to be canceled and the monies appropriated for their payment to be escheated to the Commonwealth and credited to the current appropriation for public assistance purposes.

House Bill No. 838, entitled:

An Act to further amend the definition of "Extension Education" in section one of the act approved the second day of May, one thousand nine hundred twenty-five, (P. L. 492), entitled "An act to provide for the equalization of educational opportunity and the encouragement of the study of citizenship by recognition of extension education, for boys and girls who are employed and for adults, as a function of the public schools of this Commonwealth; and to facilitate the proper organization and administration of such extension education," including recreational or social service for youth and children within the meaning of the term "extension education."

House Bill No. 905, entitled:

An Act to amend and reenact section one of the act, approved the twenty-first day of May, one thousand nine hundred forty-three (P. L. 491), entitled "An act reducing for a limited period of time, the training period of internship, in osteopathic hospitals, in order to qualify for examination for license by the Osteopathic Surgeons' Examining Board to practice major surgery, and suspending inconsistent laws," further regulating the training period of internship in osteopathic hospitals.

Whereupon,

The PRESIDENT (Lieutenant-Governor Daniel B. Strickler) in the presence of the Senate signed the same.

ADJOURNMENT

Mr. TALLMAN. Mr. President, I move that the Senate do now adjourn until Wednesday, April 30, 1947, at 1:30 o'clock, p. m., Eastern Standard Time.

Mr. WOLFE. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 4:01 o'clock, p. m., Eastern Standard Time until Wednesday, April 30, 1947, at 1:30 o'clock p. m., Eastern Standard Time.

HOUSE OF REPRESENTATIVES

TUESDAY, April 29, 1947

The House met at 12:00 o'clock noon, Eastern Standard Time.

The SPEAKER (Franklin H. Lichtenwalter) in the Chair.

PRAYER

The Chaplain, Rev. Lester C. Updegrove offered the following prayer:

Lord of life and light and the God of time and eternity, the world is Thine and yet Thou art near. We would wait to hear Thy voice and to feel Thy presence. We thank Thee that we are not the victims of chance and fate, but we live in Thy life and move in Thy strength. Give us strength and courage to see clearly that right is right and wrong is wrong. Make us duly conscious that "the eyes of the Lord are in every place, beholding the good and the evil." Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of Monday, April 28, 1947.

The Clerk proceeded to read the Journal of Monday, April 28, 1947, when, on motion of Mr. BONAWITZ unanimously agreed to, the further reading was dispensed with and the Journal approved.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence, bills numbered and entitled as follows:

SENATE BILL No. 391.

An Act to further amend section seven hundred one of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating the law relating thereto" permitting licenses for temporary possession of game or game flesh to be issued by supervisors or district game protectors and extending such license to game birds.

Referred to the Committee on Game and Forestry.

SENATE Bill No. 515.

An Act to amend section three of the act approved the eleventh day of May one thousand nine hundred one (P. L. 166) entitled "An act providing for the communtation of sentences for good behavior of convicts in prisons penitentiaries workhouses and county jails of this State and regulations governing the same" changing the day on which monthly reports shall be forwarded to the Governor.

Referred to the Committee on Judiciary.

SENATE BILL No. 516.

An Act to amend section one of the act approved the fourth day of June one thousand nine hundred forty-five (Appropriation Acts No. 85-A page 61) entitled "An act making an appropriation to the Department of Commerce to be used by the Pennsylvania Aeronautics Commission for the encouragement and develoment of aeronautics" by adding municipal authorities to the agencies receiving assistance.

Referred to the Committee on Aeronautics.

SENATE BILL No. 553.

An Act to amend section one thousand seven hundred ten of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment and collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" by further imposing penalties in certain cases.

Referred to the Committee on State Government.

SENATE BILL No. 554.

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of a certain tract or parcel of land in York County Pennsylvania for use in connection with the New Cumberland General Depot and ceding jurisdiction to the United States.

Referred to the Committee on State Government.

REPORTS FROM COMMITTEES

Mr. GRIFFITHS from the Committee on Judiciary, reported as committed, House Bill No. 326, entitled:

An Act relating to marriage and amending, revising, consolidating and changing the law relating thereto.

Mr. TOMPKINS from the Committee on Banking and Building and Loan Associations, reported as committed, House Bill No. 429, entitled:

An Act to further amend section eleven of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 748), entitled as amended "An act relating to and regulating the purchase and sale of securities; providing for the registration and regulation of certain individuals and entities selling, contracting to sell or dispose of, attempting or offering to dispose of, soliciting offers to buy, or including holders thereof to exchange, securities defined herein, including securities issued by them, or engaging in the business of inducing holders of securities to effect the sale thereof in order to produce funds to pay for other investments sold by them, or in the business of buying securities directly from individuals who are not registered hereunder, or in the business of advising others as to the value or investment qualifications of securities and the management of investment accounts, and the solicitors of such investment advisers; providing for the revocation and suspension of registrations; conferring powers and imposing duties on the Pennsylvania Securities Commission and otherwise providing for the administration of this act; providing for appeals to the Court of Common Pleas of Dauphin County, and to the Supreme Court of Pennsylvania; conferring jurisdiction upon the several courts of common pleas to issue injunctions against violations of this act and to appoint receivers and prescribing fees and penalties," changing provisions relating to display or advertisement of fact of registration.

Mr. FROST from the Committee on Banking and Building and Loan Associations, reported as amended, House Bill No. 535, entitled:

An Act to amend section one thousand nine of Article Ten of the act, approved the fifteenth day of May, one thousand nine hundred and thirty-three (P. L. 124), entitled "An act relating to the business of banking, and to the exercise of fiduciary powers by corporations; providing for the organization of corporations with fiduciary powers, and of banking corporations, with or without fidcuiary powers, including the conversion of National banks into State banks, and for the licensing of private bankers; defining the rights, powers, duties, liabilities, and immunities of such corporations; of existent corporations authorized to engage in a banking business, with or without fiduciary powers of private bankers, and of the officers, directors, trustees, shareholders, attorneys, and other employes of all such corporations or private bankers, or of affiliated corporations, associations, or persons, restricting the exercise of banking powers by any other corporation, association, or person, and of fiduciary powers by any other corporation; conferring powers and imposing duties upon the courts, prothonotaries, recorders of deeds, and certain State departments, commissions, and officers; imposing penalties; and repealing certain acts and parts of acts," as amended, to permit certain Banks and Trust Companies to acquire and hold additional shares of stock of certain Title Insurance Companies.

Mr. DeLONG from the Committee on Cities—Third Class, reported as committed, House Bill No. 651, entitled:

An Act to further amend section four thousand three hundred four of the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto," by providing that the right to participate in the police pension fund, after having been established shall not be forfeited.

Mr. MIKULA from the Committee on Cities—Third Class, reported as amended, House Bill No. 735, entitled:

An Act to amend sections four thousand three hundred twenty, four thousand three hundred twenty-one, four thousand three hundred twenty-two, four thousand three hundred twenty-three, four thousand three hundred twenty-four and four thousand three hundred twenty-five of the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto," by requiring cities to establish a Firemen's Pension Fund and to make contributions to such fund, and providing for and regulating the management and operation of such fund.

Mr. KRISE from the Committee on Banking and Building and Loan Associations, reported as amended, House Bill No. 817, entitled:

An Act defining and regulating certain installment sales of motor vehicles; prescribing the conditions under which such sales may be made and regulating the financing thereof; regulating and licensing persons engaged in the business of making or financing such sales; prescribing the form, contents and effect of instruments used in connection with such sales and the financing thereof; prescribing certain rights and obligations of buyers, sellers, persons financing such sales and others; limiting incidental charges in connection with such instruments; and fixing maximum interest rates for delinquencies, extensions and loans; regulating insurance in connection with such sales; regulating repossessions, redemptions, resales and deficiency judgments, and the rights of parties with respect thereto; authorizing extensions, loans and forbearances related to such sales; authorizing investigations and examinations of persons engaged in the business of making or financing such sales; prescribing penalties; and repealing certain acts.

Mr. KRISE from the Committee on Banking and Building and Loan Associations reported as amended, House Bill No. 818, entitled:

An Act to further amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by creating the Pennsylvania Consumer Credit Commission as a departmental administrative commission within the Department of Banking; fixing the compensation of the members thereof; defining its powers and duties; and eliminating provisions relating to the non-existant Board to License Private Bankers.

Mr. KRISE from the Committee on Banking and Building and Loan Associations reported as amended, House Bill No. 819, entitled:

An Act to further amend section one of the act, approved the seventeenth day of June, one thousand nine hundred fifteen (P. L. 1012), entitled "An act regulating the business of loaning money in sums of three hundred ($300) dollars or less, either with or without security, to individuals pressed by lack of funds to meet immediate necessities fixing the rates of interest and charges therefor; requiring the licensing of lenders; and prescribing penalties for the violation of this act," by transferring the powers and duties heretofore imposed upon the Secretary of Banking and the Department of Banking to the Pennsylvania Consumer Credit Commission; providing for the receipt of certain license fees by, and their deposit in, a fund for the use of the commission; and relieving licensees from payment of cost of examinations of their businesses.

Mr. KRISE from the Committee on Banking and Building and Loan Associations, reported as committed House Bill No. 820, entitled:

An Act to amend the title of, and the act, approved the eighth day of April, one thousand nine hundred thirty-seven (P. L. 262), entitled "An act relating to consumer credit in amounts of one thousand dollars ($1,000) or less; requiring licenses from the Secretary of Banking; restricting licenses to domestic business corporations; fixing minimum capital requirements; conferring powers on the Secretary of Banking; limiting interest and other charges; providing certain exemptions; and imposing penalties," by defining the term "commission;" transferring the powers and duties heretofore imposed upon the Secretary of Banking to the Pennsylvania Consumer Credit Commission; providing for the use by the said commission of certain funds; and relieving licensees from payment of cost of examinations of their businesses.

Mr. KRISE from the Committee on Banking and Building and Loan Associations, reported as committed House Bill No. 821, entitled:

An Act to amend the title of, and the act, approved the sixth day of April, one thousand nine hundred thirty-seven (P. L. 200), entitled "An act licensing and regulating the business of pawnbrokers; providing for the issuance of licenses by the Secretary of Banking; authorizing the Secretary of Banking to make examinations and issue regulations; limiting the interest and charges on loans; and prescribing penalties for the violation of this act," by defining the term "commission"; transferring the powers and duties heretofore imposed upon the Secretary of Banking to the Pennsylvania Consumer Credit Commission; providing for the use by the said commission of certain funds; and relieving licensees from payment of cost of examinations of their businesses.

Mr. KRISE from the Committee on Banking and Building and Loan Associations, reported as committed House Bill No. 822, entitled:

An Act to add section four point one to the act, approved the first day of June, one thousand nine hundred forty-five (P. L. 1359), entitled "An act relating to chattel mortgages on any chattel or chattels of any kind or description, including, but not limited to, livestock, poultry, farm machinery, farm equipment and crops, grown, growing or to be grown; designating the operation and effect

of the lien of such mortgages; providing for the filing, indexing and docketing of such mortgages and related instruments in prothonotaries' offices; and prescribing porthonotaries' fees; providing for the filing in Pennsylvania of similar lien instruments originally filed or recorded in other states; regulating the assignment, release, satisfaction and extension of the lien of such mortgages; prescribing methods of foreclosure; defining defaults and violations; and fixing penalties," limiting and regulating the liability of chattels for subsequent purchase.

Mr. KRISE from the Committee on Banking and Building and Loan Associations, reported as committed House Bill No. 823, entitled:

An Act to add section eleven point one to the act, approved the twelfth day of May, one thousand nine hundred twenty-five (P. L. 603), entitled "An act concerning conditional sales and to make uniform the law relating thereto," limiting and regulating liability of goods for subsequent purchases.

Mr. KRISE from the Committee on Banking and Building and Loan Associations, reported as committed House Bill No. 824, entitled:

An Act limiting and regulating liability of goods, wares and merchandise, purchased under bailment lease contracts ,for subsequent purchases; and making certain contracts void and unenforceable.

Mr. MOORE from the Committee on Highways, reported as committed, House Bill No. 852, entitled:

An Act to further amend the act, approved the twenty-second day of June, one thousand nine hundred thirty-one (P. L. 594), entitled "An act establishing certain township roads as State Highways; authorizing their construction, maintenance, and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures located on such highways; conferring powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act," by changing or deleting certain routes and adding certain new routes.

Mr. MYERS from the Committee on Welfare, reported as committed, House Bill No. 869, entitled:

An Act to further amend section twenty-five of the act, approved the twenty-fifth day of July, one thousand nine hundred thirteen (P. L. 1311), entitled "An act providing for the establishment of a State Industrial Home for Women; authorizing the purchase of a site and the erection thereon and equipment of necessary buildings; providing for the commitment to said State Industrial Home for Women of females between the ages of sixteen and thirty-five years, convicted of, or pleading guilty to, the commission of any criminal offenses; and providing for the government and management of said institution; and making an appropriation to carry out the purposes of this act," providing for payment of certain salaries by the State, without including the same in computing cost of maintaining inmates.

Mr. GORMAN from the Committee Judiciary, reported as committed, House Bill No. 1175, entitled:

An Act authorizing husbands and wives holding property as tenants by the entireties to pledge or give such property as security for the bond or obligation of a third person or for each other and providing that judgments entered upon default in any such bond or undertakng shall bind such property.

Mr. BAUMUNK from the Committee on Highways, reported as committed, House Bill No. 1232, entitled:

An Act authorizing the Secretary of Highways with the approval of the Governor to take over as State Highway public roads which connect existing State Highway routes with free interstate bridges and providing for construction reconstruction and maintenance at the expense of the Commonwealth.

Mr. CAPANO from the Committee on Judiciary, reported as committed, Senate Bill No. 47, entitled:

An Act to amend Section 8 of the act approved the first day of June, one thousand nine hundred and forty-five (P. L. 1358), entitled "An act relating to chattel mortgages on any chattel or chattels of any kind or description, including, but not limited to livestock, poultry, farm machinery, farm equipment and crops, grown, growing or to be grown; designing the operation and effect of he lien of such mortgages; providing for the filing, indexing and docketing of such mortgages and related instruments in prothonotaries' offices; and prescribing prothonotaries' fees; providing for the filing in Pennsylvania of similar lien instruments originally filed or recorded in other states; regulating the assignment, release, satisfaction and extension of the lien of such mortgages; prescribing methods of foreclosure; defining defaults and violations; and fixing penalties," by making further provision respecting the filing of chattel mortgages in prothonotaries' offices.

Mr. MINTESS from the Committee on Judiciary, reported as committed, Senate Bill No. 109, entitled:

An Act to amend section one of the act, approved the tenth day of April one thousand nine hundred forty-five (P. L. 187), entitled "An act to provide for the receiving, as evidence in any court, office, or other place in this State, official findings, records, reports, or certified copies thereof, of death, presumed death, missing or other status issued by the Secretaries of War and Navy, and other Federal officers and employees," providing that official statements of missing in action shall be prima facie evidence of death of the person therein named.

Mr. GREER from the Committee on Judiciary, reported as amended, Senate Bill No. 231, entitled:

An Act to amend the title and Section 1 of the act approved the sixteenth day of May, one thousand nine hundred and forty-five, (P. L. 594, Number 249), entitled "An act authorizing and empowering any corporation for profit, heretofore or hereafter organized under any general or special law of this Commonwealth, by action of its board of directors to make contributions out of its income in any taxable year for public and charitable purposes to the extent authorized, approved or ratified by the by-laws of such corporation or by resolution of its shareholders; and ratifying certain contributions," by removing certain limitations upon the power of corporations to make contributions for charitable purposes.

Mr. READINGER from the Committee on Judiciary, reported as committed, Senate Bill No. 232, entitled:

An Act to amend Subsection 16 of Section 302 of the act approved the fifth day of May, one thousand nine hundred and thirty-three (P. L. 364), entitled "An act relating to business corporations; defining and providing for the organization, merger, consolidation, reorganization, winding up and dissolution of such corporations; conferring certain rights, powers, duties and immunities upon them and their officers and shareholders; prescribing the conditions on which such corporations may exercise their powers; providing for the inclusion of certain existing corporations of the second class within the provisions of this act prescribing the terms and conditions upon which

foreign business corporations may be admitted, or may continue, to do business within the Commonwealth; conferring powers and imposing duties on the courts of common pleas, and certain State departments, commissions, and officers; authorizing certain State departments, boards, commissions, or officers to collect fees for services required to be rendered by this act; imposing penalties; and repealing certain acts and parts of acts relating to corporations," by removing certain limitations upon the power of corporations to make contributions for public and charitable purposes.

Mr. PATTEN from the Committee on Judiciary, reported as committed, Senate Bill No. 241, entitled:

An Act to amend Section 3 of the act approved the thirty-first day of May, one thousand nine hundred and twenty-three (P. L. 468) entitled "An act concerning liability for participation in breaches of fiduciary obligations, and to make uniform the law with reference thereto," by making provisions concerning the registration or transfer of securities to or by nominees of fiduciaries.

Mr. GRIFFITHS from the Committee on Banking and Buliding and Loan Associations, reported as committed, Senate Bill No. 335, entitled:

An Act to amend section seventeen of the act, approved the eighth day of April, one thousand nine hundred thirty-seven, (P. L. 262), entitled "An act relating to consumer credit in amounts of one thousand dollars ($1,000) or less; requiring licenses from the Secretary of Banking; restricting licenses to domestic business corporations; fixing minimum capital requirements; conferring certain powers on the Secretary of Banking; limiting interest and other charges; providing certain exemptions; and imposing penalties", excluding domestic non-profit corporations operated exclusively by and for members of the medical and dental professions from the provisions thereof.

SENATE MESSAGES

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 35.

An Act to further amend the act approved the twenty-fifth day of July, one thousand nine hundred thirteen (P. L. 1024) entitled "An act to protect the public health and welfare by regulating the employment of females in certain establishments with respect to their hours of labor and the conditions of their employment by establishing certain sanitary regulations in the establishments in which they work by requiring certain abstracts and notices to be posted by providing for the enforcement of this act by the Commissioner of Labor and Industry and others by prescribing penalties for violations thereof by defining the procedure in prosecutions and by repealing all acts and parts of acts inconsistent with the provisions thereof" providing for payment of time and one-half for overtime changing hours of labor and restrictions relative to age in certain employments and extending provisions to include additional persons.

HOUSE BILL No. 327.

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments board and commissions defining the power and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" transferring from the Department of Public Instruction to the Department of Mines the Anthracite Mine Inspectors' Examining Board and the Mine Inspectors' examining Board for the Bituminous Coal Mines of Pennsylvania and providing reimbursement for certain expenses to members of such boards

HOUSE BILL No. 780.

An Act requiring public assistance milk orders to be presented for payment within a certain period otherwise to be canceled and the monies appropriated for their payments to be escheated to the Commonwealth and credited to the current appropriation for publis assistance purposes.

HOUSE BILL No. 838.

An Act to further amend the definition of "Extension Education" in section one of the act approved the second day of May one thousand nine hundred twenty-five (P. L. 492) entitled "An act to provide for the equalization of educational opportunity and the encouragement of the study of citizenship by recognition of extension education for boys and girls who are employed and for adults as a function of the public schools of this Commonwealth and to facilitate the proper organization and administration of such extension education" including recreational or social service for youth and children within the meaning of the term "extension education".

HOUSE BILL No. 905.

An Act to amend and reenact section one of the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 491), entitled "An act reducing for a limited period of time the training period of internship in osteopathic hospitals in order to quafily for examination for license by the Osteopathic Surgeons' Examining Board to practice major surgery and suspending inconsistent laws" further regulating the training period of internship in osteopathic hospitals

With the information that the Senate has passed the same without amendment.

AMENDED SENATE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced informed that the Senate has concurred in the amendments made by the House of Representatives to Senate Bills numbered and entitled as follows:

SENATE BILL No. 38.

An Act to further amend sections one and two of the act approved the thirty-first day of May one thousand eight hundred and ninety-three (P. L. 188) entitled "An act designating the days and half days to be observed as legal holidays and for the payment acceptance and protesting of bills notes drafts checks and other negotiable paper on such days" by making Saturdays bank holidays under certain conditions and repealing inconsistent laws

SENATE BILL No. 293.

An Act to further amend sections one thousand three one thousand one hundred three one thousand one hundred seven and one thousand eight hundred two of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206), entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto," further regulating the powers and duties of township auditors and controllers and the letting of contracts.

The Clerk of the Senate being introduced, presented extracts from the Journal of the Senate:

Senate Bills for concurrence 72, 195, 218, 366, and 532.

CLASS OF DOWNINGTOWN HIGH SCHOOL WELCOMED

The SPEAKER. The Chair is very happy to welcome to the Hall of the House a Class of the Downingtown High School under the direction of Miss Phillips and Mr. Evans, guests of the Members from Chester County, Mr. Gyger, Mr. Leisey and Mr. Hoopes.

The SPEAKER. The Chair requests the gentleman from Indiana, Mr. Hewitt, to preside during the first reading calendar.

The Chair might also remind some of the sport fans in the House that the gentleman who has been requested to preside was a member of that famous Penn State football team in 1903. The Chair believes the only time State ever defeated the Army.

MR. HEWITT IN THE CHAIR

BILL ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 221, entitled:

An Act to add section sixteen point one to the act, approved the seventeenth day of June, one thousand nine hundred thirteen (P. L. 507), entitled "An act to provide revenue for State and county purposes, and, in cities coextensive with counties, for city and county purposes; imposing taxes upon certain classes of personal property; providing for the assessment and collection of the same, providing for the duties and compensation of prothonotaries and recorders in connection therewith; and modifying existing legislation which provided for raising revenue for State purposes," by extending the time for payment of the tax without interest in certain cases; staying distraint or execution on such taxes; and requiring counties to make certain refunds.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

THE SPEAKER (Franklin H. Lichtenwalter) IN THE CHAIR

PARLIAMENTARY INQUIRY

Mr. TURNER. Mr. Speaker, I rise to a question of parliamentary inquiry.

The SPEAKER. The gentleman from Delaware will state it.

Mr. TURNER. Mr. Speaker, did I understand, or do I understand that when you introduced the gentleman from Indiana, Mr. Hewitt, that on the occasion of the only time that State defeated the Army the gentleman was on the team?

The SPEAKER. That is correct.

PERMISSION TO ADDRESS HOUSE

Mr. TURNER asked and obtained unanimous consent to address the House.

Mr. Speaker, with the publicity you gave the gentleman from Indiana, I am reminded of the story of the farmer who had a bull dragging a cart. He got to a bridge and to the middle of the bridge. The bull wouldn't move forward and he couldn't get him to back up. Along came another farmer with an automobile. He drove up behind him and said

"Can I give you any help?"

The farmer said "Yes, you might toot your horn and he may move."

The fellow behind tooted his horn and let out a terrific blast on the horn. The bull immediately went over the side of the bridge, into the creek, dragging the cart with him. The man got out of the car, came up to the farmer and said

"I am terribly sorry,"

The farmer said "Thats all right, it's not your fault, but that was an awful big toot for a little bull."

The SPEAKER. The Chair thanks the gentleman from Indiana, Mr. Hewitt, for presiding, and recommends that if you ever need a good line plunger to call on the gentleman from Indiana.

BILLS ON SECOND READING

BILL PASSED OVER

There being no objection

House Bill No. 542, Printer's No. 445,

was passed over temporarily at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 900, entitled:

An Act to add a new section to be known as section three hundred five point one of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" to provide for leaves of absence of non-professional employes because of illness and other causes in school districts of the first class

On the question,

Will the House agree to the section?

Messrs. CHARLES C. SMITH and COSTA offered the following amendment:

Amend Sec. 1, (Sec. 305.1), page 3, line 4, by inserting after the word "physician" the following: "or other recognized practitioner."

It was agreed to.

The section was agreed to as amended.

The second section and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 958, entitled:

An Act to amend the act approved the twenty-sixth day of April one thousand nine hundred twenty-nine (P. L. 823) entitled "An act permitting boroughs to provide a method of assessment for borough taxes" by changing the method of compensation and designating the borough council as the board of revision and providing that any tax levied for any borough purpose shall be based on the assessments hereunder and prohibiting the use of borough assessments under this act for county purposes

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1163, entitled:

An Act to further amend section seven and amend section ten of the act approved the thirteenth day of May one thousand nine hundred twenty-five (P. L. 644) entitled "An act relating to and regulating the solicitation of moneys and property for charitable religious benevolent humane and patriotic purposes" further regulating the solicitation of money and property conferring powers on courts of equity to issue injunctions in certain cases and prescribing penalties

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

BILLS PASSED OVER

There being no objection

Senate Bill No. 1, Printer's No. 18,
Senate Bill No. 2, Printer's No. 62,
Senate Bill No. 114. Printer's No. 21,
Senate Bill No. 255, Printer's No. 174,

were passed over at the request of the SPEAKER.

Agreeably to order,

The bill having been called up from the postponed calendar, by Mr. SCANLON.

The House resumed the consideration on second reading of House Bill No. 849, entitled:

An Act providing referendums to ascertain the will of electors on the question of baseball and football on Sundays and for the enactment of licensing ordinances and resolutions in accordance therewith

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. SCANLON. Mr. Speaker, I move that this bill be recommitted to the Committee on Law and Order for the purpose of further study and possible amendment.

The motion was agreed to.

BILL ON FINAL PASSAGE

Agreeably to order.

The House proceeded to the consideration on final passage of House Bill No. 758, as follows:

An Act to further amend the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employes defining the uses and purposes theerof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by further defining "State employee" and "original member" to include Members of the General Assembly at their option and permitting such Members to retire under certain circumstances

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clauses six seven and nine of section one of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" clause six as last amended by the act approved the twenty-fifth day of June one thousand nine hundred forty-one (P. L. 202) and clause nine as last amended by the act approved the eighteenth day of May one thousand nine hundred thirty-seven (P. L. 683) are hereby further amended to read as follows

Section 1 Be it enacted &c That the following words and phrases as used in this act unless a different meaning is plainly required by the context shall have the following meanings

* * * *

6 "State employe" shall mean any person holding a State office or position under the Commonwealth of Pennsylvania employed and paid on a yearly or monthly basis by the State Government of the Commonwealth of Pennsylvania in any capacity whatsoever and shall include also any attorney solicitor investigator appraiser and clerk employed by the year or by the month in the office of any register of wills hodsoever appointed whose compensation is actually paid from Commonwealth moneys and shall also include all judges of the several courts of this Commonwealth whose salaries are paid by the Commonwealth and also all clerks and secretaries employed by judges and paid on a yearly or monthly basis by such judges from moneys appropriated by the Commonwealth for such purposes and also all present or former members of the General Assembly who receive or have received their salaries for regular and special sessions of the legislature as fixed by law and also all officers and employes of the Pennsylvania State College paid on a yearly or monthly basis other than those paid wholly from Federal funds and also all officers and employes of the Delaware River Joint Commission and of the Delaware River Joint Toll Bridge Commission paid on a yearly or monthly basis if the Delaware River Joint Commission and the Delaware River Joint Toll Bridge Commission shall agree to contribute and contributes to the State Employes' Retirement Fund from time to time the moneys required to build up the reserves necessary for the payment of the State annuities of such officers and employes without any

liability on the part of the Commonwealth to make appropriations for such purposes and also but only for the purposes of this act all officers and employes of any separate independent public corporation created by act of Assembly (not including however any municipal or quasi-municipal corporation) who immediately prior to their employment by such public corporation were employes of the Commonwealth so long as they remain officers or employes of such public corporation if such public corporation shall agree to contribute and contributes to the State Employes' Retirement Fund from time to time the moneys required to build up the reserve necessary for the payment of the State annuities of such officers and employes without any liability on the part of the Commonwealth to make appropriations for such purposes But the term "State employe" shall not include those persons defined as employes in section one paragraph seven of the act approved the eighteenth day of July one thousand nine hundred and seventeen (P. L. 1043) entitled "An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes theerof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" as amended by section one paragraph seven of the act approved the twenty-first day of April one thousand nine hundred and twenty-one (P. L. 245) excepting such officers and employes of the Department of Public Instruction as are not members of or who may withdraw from the public school employes' retirement association provided by said act and no member shall be deprived of credit for prior service as a State employe because of the fact that such service was rendered while he or she was a member of the public school employes' retirement association

The term "State employe" shall also include all State officers and employes regularly employed by the year or by the month at a fixed annual or monthly compensation when the General Assembly is not in session but who during a legislative session instead of a fixed annual or monthly salary or compensation are paid upon a per diem basis or by a fixed salary or compensation from the legislative session

In all cases of doubt the retirement board shall determine whether any person is a State employe as defined in this paragraph and its decision shall be final

* * * *

7 "Head of the Department" as applied to State employes shall mean the head of the department or branch of service not a department of the Commonwealth of Pennsylvania of which the State employe is a member and shall include all judges of the several courts of this Commonwealth whose salaries are paid by the Commonwealth in the case of all members of the General Assembly "Head of the Department" shall mean wherever practicable the Chief Clerk of the Senate and the Chief Clerk of the House of Representatives

9 "Original member" of the retirement association shall mean a State employe who was at any time a State employe who was at any time a State employe prior to January first one thousand nine hundred twenty-five whether or not such employment has been continuous and who shall have become a member of the retirement association on or before December thirty-first one thousand nine hundred thirty-five

Any such State employe who shall become an original member of the association after the approval of this amendment including those who having heretofore become a new member thereof shall become an original member under the provisions hereof shall pay to the retirement association a sum equal to all the back payments which such person would have made had he or she become a member of the retirement association when the retirement system was established Such back payments may be spread over a period of years by having such regular payroll deduction of such person increased by not less than one-third of the amount thereof which deduction increase shall be credited to such back payments owing and shall be continued until the amount thereof shall be paid in full unless such member is retired under the provisions of this act before such back payments have been completed Any such deduction increase may be anticipated in full by the member at any time and shall be anticipated in full at the time of retirement before a retirement allowance is granted and if not so anticipated then the member's annuity shall be calculated on the total accumulated deductions standing to his credit and his State annuity shall be reduced by an amount equivalent to the reduction which occurs in the member's annuity due to the amount of the back payments not so anticipated

Original member of the retirement association shall also mean any judge in service on the second Monday of January one thousand nine hundred thirty who shall elect to become a member of the retirement association at any time during the term for which he was then elected or appointed and any person hereafter elected or appointed a judge who at the time of his election or appointment is an original member of the retirement association or who was retired voluntarily or involuntarily as an original member and is at the time of his election or appointment as a judge receiving a retirement allowance as an original member

Original member of the retirement association shall also mean any person who is a Member of the General Assembly on the effective date of this amendment and who shall elect on or before December thirty-first one thousand nine hundred and forty-seven to become a member of the retirement association as of January first one thousand nine hundred and forty-seven

Original members of the retirement association shall also mean any person who was formally a member of the General Assembly and who on the effective date of this amendment is a contributor

Section 2 Sections three and ten and subsection three of section eleven of said act as last amended by the act approved the eighteenth day of May one thousand nine hundred thirty-seven (P. L. 683) are hereby further amended to read as follows

Section 3 A State employes' retirement association is hereby organized the membership of which shall consist of all State employes as defined in paragraph six of section one of this act who by written application to fhe Retirement Board shall either as an original member or a new member elect to be covered by the retiremnt system Any State employe who becomes a State employe subsequent to the thirty-first day of December nineteen hundred twenty-four except as provided in paragraphs nine and ten of section one of this act as to judges shall during the first six months of employment as a State employe have the option of membership but after the first six months of such employment as a State employe membership as a new member shall be compulsory Provided however that neither the Governor nor the Lieutenant-Governor nor the Members of the General Assembly nor the head or deputy heads of any administrative department nor the members of any independent administrative board or commission or of any departmental administrative board or commission or of any advisory board or commsision nor the secertary to the Governor nor the budget secretary nor any person over the age of fifty years shall be compelled to become members of said State employes' retirement association

The head of each department board commission or other agency of the State government shall see to it that an application for membership is executed by each new State employe within said six months period and that payroll deductions are not delayed beyond said period

Service Allowance

Section 10 In computing the length of service of a contributor for retirement purposes under the provisions of this act full credit shall be given to each original member by the retirement board for each year of prior service as a State employe as defined in section one paragraphs

six and thirteen of this act as soon as practicable after each original member shall have joined the retirement association the Retirement Board shall issue to him or her a certificate certifying to the aggregate length of his or her prior service such certificate shall be final and conclusive as to his or her prior service unless thereafter modified by the Retirement Board either upon application by the member or upon its own initiative the time during which a State employe is absent without pay shall not be counted in computing the service or the average salary of a contributor

In the case of any contributor who at any time prior to becoming such contributor has been a member of the General Assembly the period for such service as such member of the General Assembly shall be included in computing the period of service of such contributor as if he or she had been an original member

Withdrawal

Section 11

* * * *

(3) Should a member be discontinued from service not voluntarily or a Member of the General Assembly complete his term of office and discontinue service after having completed ten years of total service or voluntarily after having completed twenty-five years of total service but before reaching superannuation retirement age he or she shall be paid as he or she may elect as follows

(A) The full amount of the accumulated deductions standing to the credit of his or her individual account in the annuity savings account or

(b) An annuity of equivalent actuarial value to his or her accumulated deductions and in addition a State annuity having a value equal to the present value of a State annuity beginning at superannuation retirement age calculated in accordance with the provisions and with the privileges of the same options provided for in sections thirteen and fourteen of this act with respect to State annuities for superannuation retirement

Section 3 The provisions of this act shall become effective immediately upon final enactment

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Aaronson,	Frost,	McCosker,	Sax,
Andrews,	Gallagher,	McCullough,	Scanlon,
Bane,	Getchey,	McDonald,	Schuster,
Barrett,	Gibson,	McKinney,	Scott,
Baumunk,	Goff,	McMillen,	Serrill,
Beech,	Goodling,	Mihm,	Shoemaker,
Bender,	Gorman,	Mikula,	Simons,
Bentzel,	Graybill,	Miller,	Smith, C. C.,
Bloom,	Greenwood,	Mills,	Smith, C. M.,
Boles,	Greer,	Mintess,	Snider,
Bonawitz,	Griffiths,	Mohr,	Sollenberger,
Boorse,	Guthrie,	Mooney,	Sorg,
Bower,	Gyger,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenshield,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Bucchin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,
Clevenger,	Jennings,	O'Dare,	Tompkins,
Cochran,	Johnson,	O'Donnell,	Toomey,
Cole,	Johnston,	O'Neill,	Turner,
Cook,	Jones,	Orban,	Upshur,
Cooper,	Jump,	Patten,	Vaughan,
Cordier,	Kean,	Petrosky,	Verona,
Costa,	Kelley,	Pichney,	Wachhaus,
Crowley,	Kemp,	Pickens,	Wagner,
Dague,	Kent,	Polaski,	Waldron,
Dalrymple,	Kirley,	Powers,	Wallin,
Davison,	Kline,	Price,	Walton,
De Long,	Kohl,	Propert,	Waterhouse,
Demech,	Kratz,	Ragot,	Watkins,
Dennison,	Krise,	Readinger,	Watson,
Depuy,	Kurtz,	Reagan,	Weidner,
Dix,	Laughner,	Reese, D. P.,	Weiss,
Dye,	Layer,	Reese, R. E.,	Wescott,
Efenberg,	Lee,	Reilly, J. M.,	West,
Elder,	Leisey,	Reilly, W. J.,	Wheeler,
Erb,	Livingston,	Richter,	Wolf,
Evans,	Livingstone,	Riley,	Wood,
Ewing,	Loftus,	Robertson,	Worley,
Feola,	Lovett,	Root,	Yeakel,
Fish,	Lyons,	Rose,	Yester,
Fiss,	Madden,	Rowen,	Yetzer,
Flack,	Madigan,	Royer,	Young,
Fleming,	Mazza,	Sarraf,	Lichtenwalter, Speaker.
Foor,	McCormack,		

NAYS—1

Robbins,

NOT VOTING—2

Hall, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 95, as follows:

An Act to repeal the act approved the sixteenth day of May one thousand nine hundred forty-five (P. L. 594) entitled "An act providing for the disposition of fines penalties and forfeitures collected in summary proceedings and imposing penalties"

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the sixteenth day of May one thousand nine hundred forty-five (P. L 594) entitled "An act providing for the disposition of fines penalties and forfeitures collected in summary proceedings and imposing penalties" is hereby repealed

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Frost,	McCosker,	Sax,
Andrews,	Gallagher,	McCullough,	Scanlon,
Bane,	Getchey,	McDonald,	Schuster,
Barrett,	Gibson,	McKinney,	Scott,
Baumunk,	Goff,	McMillen,	Serrill,
Beech,	Goodling,	Mihm,	Shoemaker,
Bender,	Gorman,	Mikula,	Simons,
Bentzel,	Graybill,	Miller,	Smith, C. C.,
Bloom,	Greenwood,	Mills,	Smith, C. M.,
Boles,	Greer,	Mintess,	Snider,
Bonawitz,	Griffiths,	Mohr,	Sollenberger,
Boorse,	Guthrie,	Mooney,	Sorg,
Bower,	Gyger,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenshield,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Bucchin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,

Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,
Clevenger,	Jennings,	O'Dare,	Tompkins,
Cochran,	Johnson,	O'Donnell,	Toomey,
Cole,	Johnston,	O'Neill,	Turner,
Cook,	Jones,	Orban,	Upshur,
Cooper,	Jump,	Patten,	Vaughan,
Cordier,	Kean,	Petrosky,	Verona,
Costa,	Kelley,	Pichney,	Wachhaus,
Crowley,	Kemp,	Pickens,	Wagner,
Dague,	Kent,	Polaski,	Waldron,
Dalrymple,	Kirley,	Powers,	Wallin,
Davison,	Kline,	Price,	Walton,
De Long,	Kohl,	Propert,	Waterhouse,
Demech,	Kratz,	Ragot,	Watkins,
Dennison,	Krise,	Readinger,	Watson,
Depuy,	Kurtz,	Reagan,	Weidner,
Dix,	Laughner,	Reese, D. P.,	Weiss,
Dye,	Layer,	Reese, R. E.,	Wescott,
Efenberg,	Lee,	Reilly, J. M.,	West,
Elder,	Leisey,	Reilly, W. J.,	Wheeler,
Erb,	Livingston,	Richter,	Wolf,
Evans,	Livingstone,	Riley,	Wood,
Ewing,	Loftus,	Robbins,	Worley,
Feola,	Lovett,	Robertson,	Yeakel,
Fish,	Lyons,	Root,	Yester,
Fiss,	Madden,	Rose,	Yetzer,
Flack,	Madigan,	Rowen,	Young,
Fleming,	Mazza,	Royer,	Lichtenwalter,
Foor,	McCormack,	Sarraf,	Speaker.

NAYS—0

NOT VOTING—2

Hall, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 445, as follows:

An Act to further amend section one thousand four hundred twelve of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" requiring the Commonwealth to pay the tuition of certain non-resident inmates of institutions attending public schools

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one thousand four hundred twelve of the act approved the eighteenth day of May one thousand nine hundred and eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as last amended by the act approved the first day of May one thousand nine hundred twenty-five (P. L. 438) is hereby further amended to read as follows

Section 1412 The board of school directors of any school district in this Commonwealth in which there is located any orphan asylum home for the friendless children's home or other institutions for the care or training of orphans or other children shall permit any children who who are inmates of such homes but not legal residents in such district to attend the public schools in said district either with or without charge for tuition textbooks or school supplies as the directors of the district in which such institution is located may determine If a charge is made by any school district for tuition for the inmates of any such institution the officers of the institution shall submit to the board of school directors a sworn statement setting forth the names ages and school districts liable for tuition of all children who are inmates theerof and desire to attend public school in the district together with a blank acknowledging or disclaiming residence signed by the secretary of the school district in which the institution declares the legal residence of the child to be If said district shall fail to file said blank with said institution within fifteen days from the date it is sent to the district by the institution by registered mail the institution shall again notify said district of its failure to comply with the provsions of this act and if the district shall fail to comply within fifteen days following this second notice said failures to return the blank shall be construed as an acknowledgement of said child's residence If any of said inmates have been received from outside of Pennsylvania [or if the institution cannot certify as to their residence] their tuition shall be paid by the institution having the care or custody of said children If the Superintendent of Public Instruction decides that the legal residence of any of said inmates is in Pennsylvania but cannot be fixed in a particular district the Commonwealth shall pay the tuition of such inmate out of moneys appropriated to the Department of Public Instruction by the General Assembly for the maintenance and support of the public schools of the Commonwealth The tuition of such other inmates as are included in the sworn statement to the board of school directors shall be withheld by the Superintendent of Public Instruction from any moneys due to the district liable for said tuition upon receipt of a sworn statement setting fort the names ages tuition charges and school disrtict liable for tuition of said inmates and all moneys thus withheld shall be paid by him to the district entitled to receive the same The district so charged with tuition may file an appeal with the Superintendent of Public Instruction in which it shall be the complainant and the institution the respondent The decision of the Superintendent of Public Instruction as to which of said parties is responsible for tuition shall be final

The cost of tuition in such cases shall be fixed as is now provided by law for tuition costs in other cases except where for the accommodation of such children it shall be necessary to provide a separte school or to erect additional school buildings in which cases the charge for tuition for such children may include a proportionate cost of the operating expense rental and interest on any investment required to be made in erecting such new school buildings The tuition herein provided for shall be paid annually by the Superintendent of Public Instruction or the institution as the case may be

Section 2 The provisions of this act shall become effective the first day of July one thousand nine hundred forty-seven

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Frost,	McCosker,	Sax,
Andrews,	Gallagher,	McCullough,	Scanlon,
Bane,	Getchey,	McDonald,	Schuster,
Barrett,	Gibson,	McKinney,	Scott,
Baumunk,	Goff,	McMillen,	Serrill,
Beech,	Goodling,	Mihm,	Shoemaker,
Bender,	Gorman,	Mikula,	Simons,
Bentzel,	Graybill,	Miller,	Smith, C. C.,
Bloom,	Greenwood,	Mills,	Smith, C. M.,
Boies,	Greer,	Mintess,	Snider,
Bonawitz,	Griffiths,	Mohr,	Sollenberger,

Boorse,	Guthrie,	Mooney,	Sorg,
Bower,	Gyger,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenshield,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Bucchin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,
Clevenger,	Jennings,	O'Dare,	Tompkins,
Cochran,	Johnson,	O'Donnell,	Toomey,
Cole,	Johnston,	O'Neill,	Turner,
Cook,	Jones,	Orban,	Upshur,
Cooper,	Jump,	Patten,	Vaughan,
Cordier,	Kean,	Petrosky,	Verona,
Costa,	Kelley,	Pichney,	Wachhaus,
Crowley,	Kemp,	Pickens,	Wagner,
Dague,	Kent,	Polaski,	Waldron,
Dalrymple,	Kirley,	Powers,	Wallin,
Davison,	Kline,	Price,	Walton,
De Long,	Kohl,	Propert,	Waterhouse,
Demech,	Kratz,	Ragot,	Watkins,
Dennison,	Krise,	Readinger,	Watson,
Depuy,	Kurtz,	Reagan,	Weidner,
Dix,	Laughner,	Reese, D. P.,	Weiss,
Dye,	Layer,	Reese, R. E.,	Wescott,
Efenberg,	Lee,	Reilly, J. M.,	West,
Elder,	Leisey,	Reilly, W. J.,	Wheeler,
Erb,	Livingston,	Richter,	Wolf,
Evans,	Livingstone,	Riley,	Wood,
Ewing,	Loftus,	Robbins,	Worley,
Feola,	Lovett,	Robertson,	Yeakel,
Fish,	Lyons,	Root,	Yester,
Fiss,	Madden,	Rose,	Yetzer,
Flack,	Madigan,	Rowen,	Young,
Fleming,	Mazza,	Royer,	Lichtenwalter,
Foor,	McCormack,	Sarraf,	Speaker.

NAYS—0

NOT VOTING—2

Hall, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 749, as follows:

An Act to further amend section one thousand five hundred eight of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" entitling school nurses employed by first class school districts to same status and compensation as school teachers

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one thousand five hundred eight of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as last amended by the act approved the first day of June one thousand nine hundred forty-five (P. L. 1226) is hereby further amended to read as follows

Section 1508 Each board of school directors or boards of school directors jointly may employ one or more school nurses who shall be graduates of accredited training schools for nurses certificated by the Department of Public Instruction as school nurses and who shall be registered in this Commonwealth with the State Board of Examiners for the Registration of Nurses and shall define their duties and any two or more school districts may jointly employ school nurses Any first class school district employing any such qualified school nurse shall place such employe on the regular teacher schedule Such school nurses shall be entitled to the same tenure salary increments terms and conditions of employment as shall apply to school teachers Any school district may in any health work in which it is authorized to engage cooperate with any county city borough town or township engaged in health work

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Aaronson,	Frost,	McCosker,	Sax,
Andrews,	Gallagher,	McCullough,	Scanlon,
Bane,	Getchey,	McDonald,	Schuster,
Barrett,	Gibson,	McKinney,	Scott,
Baumunk,	Goff,	McMillen,	Serrill,
Beech,	Goodling,	Mihm,	Shoemaker,
Bender,	Gorman,	Mikula,	Simons,
Bentzel,	Graybill,	Miller,	Smith, C. C.,
Bloom,	Greenwood,	Mills,	Smith, C. M.,
Boles,	Greer,	Mintess,	Snider,
Bonawitz,	Griffiths,	Mohr,	Sollenberger,
Boorse,	Guthrie,	Mooney,	Sorg,
Bower,	Gyger,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenshield,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Bucchin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,
Clevenger,	Jennings,	O'Dare,	Tompkins,
Cochran,	Johnson,	O'Donnell,	Toomey,
Cole,	Johnston,	O'Neill,	Turner,
Cook,	Jones,	Orban,	Upshur,
Cooper,	Jump,	Patten,	Vaughan,
Cordier,	Kean,	Petrosky,	Verona,
Costa,	Kelley,	Pichney,	Wachhaus,
Crowley,	Kemp,	Pickens,	Wagner,
Dague,	Kent,	Polaski,	Waldron,
Dalrymple,	Kirley,	Powers,	Wallin,
Davison,	Kline,	Price,	Walton,
De Long,	Kohl,	Propert,	Waterhouse,
Demech,	Kratz,	Readinger,	Watkins,
Dennison,	Krise,	Reagan,	Watson,
Depuy,	Kurtz,	Reese, D. P.,	Weidner,
Dix,	Laughner,	Reese, R. E.,	Weiss,
Dye,	Layer,	Reilly, J. M.,	Wescott,
Efenberg,	Lee,	Reilly, W. J.,	West,
Elder,	Leisey,	Richter,	Wheeler,
Erb,	Livingston,	Riley,	Wolf,
Evans,	Livingstone,	Robbins,	Wood,
Ewing,	Loftus,	Robertson,	Worley,
Feola,	Lovett,	Root,	Yeakel,
Fish,	Lyons,	Rose,	Yester,
Fiss,	Madden,	Rowen,	Yetzer,
Flack,	Madigan,	Royer,	Young,
Fleming,	Mazza,	Sarraf,	Lichtenwalter,
Foor,	McCormack,		Speaker.

NAYS—1

Ragot,

NOT VOTING—2

Hall, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

STUDENTS OF HARRISBURG CATHOLIC SCHOOL WELCOMED

The SPEAKER. The Chair is pleased to have as guests this afternoon one hundred and fifty students from the Harrisburg Catholic School under the direction of Sister Consilia, who are the guests of Mr. Tittle and Mr. David P. Reese, Members from Dauphin County.

SENIOR CLASS OF MIDDLEBURG HIGH SCHOOL WELCOMED

The SPEAKER. The Chair is also pleased to announce the presence of the Senior Class of the Middleburg High School under the direction of Professor Kuntzelman, Principal and Mrs. Schindler, teacher, who are the guests of the Mr. Fiss of Snyder County.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 874, as follows:

An Act to further amend the first three paragraphs of section one thousand two hundred one of the act approved the eighteenth day of May one hundred nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" further defining substitutes and regulating their employment and further providing for reimbursement of school districts employing substitutes

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The first three paragraphs of section one thousand two hundred one of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as amended and last amended by the acts approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 273) and the second day of May one thousand nine hundred forty-five (P. L. 371) are hereby further amended to read as follows

Section 1201 The board of school directors in every school district in this Commonwealth shall employ the necessary qualified professional employes substitutes and temporary professional employes to keep the public schools open in their respective districts in compliance with the provisions of this act Whenever the secretary of any board of school directors with the approval of the proper district or county superintendent presents to the Superintendent of Public Instruction satisfactory evidence that it is impossible for the board [during the present wartime emergency] to obtain a suitable qualified teacher for a regular vacancy the board may [for a period not longer than one year beyond the cessation of wartime hostilities] until the thirtieth day of June one thousand nine hundred forty-eight employ a substitute to fill a bona fide vacancy until an acceptable qualified teacher can be obtained

The term "professional employe" as used in this act shall include teachers supervisors supervising principals principals directors of vocational education dental hygienists visiting teachers school secretaries the selection of whom is on the basis of merit as determined by eligibility lists school nurses who are certified as teachers and any regular full-time employe of a school district who is duly certified as a teacher

The term "substitute" shall mean any individual who has been employed to perform the duties of a regular professional employe during such period of time as the said regular professional employe is absent on sabbatical leave or for the legal cause authorized and approved by the board of school directors or to perform the duties of a temporary professional employe who is absent or who has been employed with the approval of the district or county superintendent and ofthe Superintendent of Public Instruction [during the present wartime emergency and for a period not longer than one year beyond the cessation of hostilities] until the thirtieth day of June one thousand nine hundred forty-eight to fill a vacancy until an acceptable qualified teacher can be obtained [During the present wartime emergency] Until the thirtieth day of June one thousand nine hundred forty-eight reimbursement shall be made by the Commonwealth to the school districts for substitutes employed in positions where vacancies exist

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Frost,	McCosker,	Sax,
Andrews,	Gallagher,	McCullough,	Scanlon,
Bane,	Getchey,	McDonald,	Schuster,
Barrett,	Gibson,	McKinney,	Scott,
Baumunk,	Goff,	McMillen,	Serrill,
Beech,	Goodling,	Mihm,	Shoemaker,
Bender,	Gorman,	Mikula,	Simons,
Bentzel,	Graybill,	Miller,	Smith, C. C.,
Bloom,	Greenwood,	Mills,	Smith, C. M.,
Boies,	Greer,	Mintess,	Snider,
Bonawitz,	Griffiths,	Mohr,	Sollenberger,
Boorse,	Guthrie,	Mooney,	Sorg,
Bower,	Gyger,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenshield,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Bucchin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,
Clevenger,	Jennings,	O'Dare,	Tompkins,
Cochran,	Johnson,	O'Donnell,	Toomey,
Cole,	Johnston,	O'Neill,	Turner,
Cook,	Jones,	Orban,	Upshur,
Cooper,	Jump,	Patten,	Vaughan,
Cordier,	Kean,	Petrosky,	Verona,
Costa,	Kelley,	Pichney,	Wachhaus,
Crowley,	Kemp,	Pickens,	Wagner,
Dague,	Kent,	Polaski,	Waldron,
Dalrymple,	Kirley,	Powers,	Wallin,

Davison,	Kline,	Price,	Walton,
De Long,	Kohl,	Propert,	Waterhouse,
Demech,	Kratz,	Ragot,	Watkins,
Dennison,	Krise,	Readinger,	Watson,
Depuy,	Kurtz,	Reagan,	Weidner,
Dix,	Laughner,	Reese, D. P.,	Weiss,
Dye,	Layer,	Reese, R. E.,	Wescott,
Efenberg,	Lee,	Reilly, J. M.,	West,
Elder,	Leisey,	Reilly, W. J.,	Wheeler,
Erb,	Livingston,	Richter,	Wolf,
Evans,	Livingstone,	Riley,	Wood,
Ewing,	Loftus,	Robbins,	Worley,
Feola,	Lovett,	Robertson,	Yeakel,
Fish,	Lyons,	Root,	Yester,
Fiss,	Madden,	Rose,	Yetzer,
Flack,	Madigan,	Rowen,	Young,
Fleming,	Mazza,	Royer,	Lichtenwalter,
Foor,	McCormack,	Sarraf,	Speaker.

NAYS—0

NOT VOTING—2

Hall, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 974, as follows:

An Act to further amend section two thousand one hundred four of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" increasing the pay of teachers attending meetings called by the county superintendent

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two thousand one hundred four of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as last amended by the act approved the twenty-fourth day of February One thousand nine hundred thirty-seven (P. L. 28) is hereby further amended to read as follows

Section 2104 In each school district under the jurisdiction of a county superintendent the board of school directors shall pay from the funds of the school district to each teacher employed in such school district who has been in attendance at a meeting of the teachers called by the county superintendent as herein provided [two dollars] four dollars ($4.00) for each half of a day during which such teacher was in attendance at such meeting Such compensation however shall not in any one year exceed [eight dollars] sixteen dollars ($16.00) per teacher This payment shall be in addition to the compensation provided in the teacher's contract with the school district

Such payments shall be based upon the official attendance record made by the county superintendent to the board of school directors

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Frost,	McCosker,	Sax,
Andrews,	Gallagher,	McCullough,	Scanlon,
Bane,	Getchey,	McDonald,	Schuster,
Barrett,	Gibson,	McKinney,	Scott,
Baumunk,	Goff,	McMillen,	Serrill,
Beech,	Goodling,	Mihm,	Shoemaker,
Bender,	Gorman,	Mikula,	Simons,
Bentzel,	Graybill,	Miller,	Smith, C. C.,
Bloom,	Greenwood,	Mills,	Smith, C. M.,
Boles,	Greer,	Mintess,	Snider,
Bonawitz,	Griffiths,	Mohr,	Sollenberger,
Boorse,	Guthrie,	Mooney,	Sorg,
Bower,	Gyger,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenshield,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Bucchin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,
Clevenger,	Jennings,	O'Dare,	Tompkins,
Cochran,	Johnson,	O'Donnell,	Toomey,
Cole,	Johnston,	O'Neill,	Turner,
Cook,	Jones,	Orban,	Upshur,
Cooper,	Jump,	Patten,	Vaughan,
Cordier,	Kean,	Petrosky,	Verona,
Costa,	Kelley,	Pichney,	Wachhaus,
Crowley,	Kemp,	Pickens,	Wagner,
Dague,	Kent,	Polaski,	Waldron,
Dalrymple,	Kirley,	Powers,	Wallin,
Davison,	Kline,	Price,	Walton,
De Long,	Kohl,	Propert,	Waterhouse,
Demech,	Kratz,	Ragot,	Watkins,
Dennison,	Krise,	Readinger,	Watson,
Depuy,	Kurtz,	Reagan,	Weidner,
Dix,	Laughner,	Reese, D. P.,	Weiss,
Dye,	Layer,	Reese, R. E.,	Wescott,
Efenberg,	Lee,	Reilly, J. M.,	West,
Elder,	Leisey,	Reilly, W. J.,	Wheeler,
Erb,	Livingston,	Richter,	Wolf,
Evans,	Livingstone,	Riley,	Wood,
Ewing,	Loftus,	Robbins,	Worley,
Feola,	Lovett,	Robertson,	Yeakel,
Fish,	Lyons,	Root,	Yester,
Fiss,	Madden,	Rose,	Yetzer,
Flack,	Madigan,	Rowen,	Young,
Fleming,	Mazza,	Royer,	Lichtenwalter,
Foor,	McCormack,	Sarraf,	Speaker.

NAYS—0

NOT VOTING—2

Hall, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence,

BILL PASSED OVER

There being no objection

House Bill No. 1043, Printer's No. 433,

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1066, as follows:

An Act to amend section twenty of the act approved the twenty-fifth day of May one thousand nine hundred forty-five (P. L. 1050) entitled "An act relating to the collection of taes levied by counties county institution districts cities of the third class boroughs towns townships certain school districts and vocational school districts conferring powers and imposing duties on tax collectors courts and various officers of said political subdivisions and prescribing penalties" making a husband liable for his wife's per capita poll and occupation taxes and providing for the collection thereof

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section twenty of the act approved the twenty-fifth day of May one thousand nine hundred forty-five (P. L. 1050) entitled "An act relating to the collection of taxes levied by counties county institution districts cities of the third class boroughs towns townships certain school districts and vocational school districts conferring powers and imposing duties on tax collectors courts and various officers of said political subdivisions and prescribing penalties" is hereby amended to read as follows

Section 20 Collection of Per Capita Poll and Occupation Taxes from Employers etc. The tax collector shall demand receive and collect from all corporations political subdivisions associations companies firms or individuals employing persons owing per capita poll or occupation taxes or whose wife owes per capita poll or occupation taxes or having in possession unpaid commissions or earnings belonging to any person or persons owing per capita poll or occupation taxes or whose wife owes per capita poll or occupation taxes upon the presentation of a written notice and demand containing the name of the taxable or the husband thereof and the amount of tax due Upon the presentation of such written notice and demand it shall be the duty of any such corporation political subdivision association company firm or individual to deduct from the wages commissions or earnings of such individual employes then owing or that shall within sixty days thereafter become due or from any unpaid commissions or earnings of any such taxable in its or his possession or that shall within sixty days thereafter come into its or his possession a sum sufficient to pay the respective amount of the per capita poll or occupation taxes and costs shown upon the written notice or demand and to pay the same to the tax collector of the taxing district in which such delinquent tax was levied within sixty days after such notice shall have been given such corporation political subdivision association firm or individual shall be entitled to deduct from the moneys collected from each employe the costs incurred from the extra bookkeeping necessary to record such transactions not exceeding two per centum of the amount of money so collected and paid over to the tax collector Upon the failure of any such corporation political subdivision association company firm or individual to deduct the amount of such taxes or to pay the same over to the tax collector less the cost of bookkeeping involved in such transaction as herein provided within the time hereby required such corporation political subdivision association company firm or individual shall forfeit and pay the amount of such tax for each such taxable whose taxes are not withheld and paid over or that are withheld and not paid over together with a penalty of ten per centum added thereto to be recovered by an action of assumpsit in a suit to be instituted by the tax collector or by the proper authorities of the taxing district as debts of like amount are now by law recoverable except that such persons shall not have the benefit of any stay of execution or exemption law

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—192

Aaronson,	Gibson,	McCullough,	Sax,
Andrews,	Goff,	McDonald,	Scanlon,
Bane,	Goodling,	McKinney,	Scott,
Baumunk,	Gorman,	McMillen,	Serrill,
Beech,	Graybill,	Mihm.	Shoemaker,
Bender,	Greenwood,	Mikula,	Simons,
Bentzel,	Greer,	Miller,	Smith, C. C.,
Bloom,	Griffiths,	Mills,	Smith, C. M.,
Bonawitz,	Guthrie,	Minteas,	Snider,
Boorse,	Gyger,	Mohr,	Sollenberger,
Bower,	Haller,	Mooney,	Sorg,
Breisch,	Haudenshield,	Moore, C. E.,	Sproul,
Brice,	Helm,	Moore, H. A.,	Stank,
Brown,	Henry,	Morrison,	Stimmel,
Brunner,	Hewitt,	Murray,	Stockham,
Bucchin,	Hocker,	Myers,	Stonier,
Cadwalader,	Hoffman,	Najdka,	Stuart,
Capano,	Hoopes,	Naumann,	Swope,
Cassidy,	Horan,	Needham,	Tahl,
Clevenger,	Imbt,	Neff,	Thomassy,
Cochran,	Jennings,	Nelson,	Thompson,
Cole,	Johnson,	O'Dare,	Tittle,
Cook,	Johnston,	O'Donnell,	Tompkins,
Cooper,	Jones,	O'Neill,	Toomey,
Cordier,	Jump,	Orban,	Turner,
Costa,	Kean,	Patten,	Upshur,
Crowley,	Kelley,	Petrosky,	Vaughan,
Dague,	Kemp,	Pichney,	Verona,
Dalrymple,	Kent,	Pickens,	Wachhaus,
Davison,	Kline,	Polaski,	Wagner,
De Long,	Kohl,	Price,	Waldron,
Demech,	Kratz,	Propert,	Wallin,
Dennison,	Krise,	Ragot,	Walton,
Dix,	Kurtz,	Readinger,	Waterhouse,
Dye,	Laughner,	Reagan,	Watkins,
Efenberg,	Layer,	Reese D. P.,	Watson,
Elder,	Lee,	Reese, R. E.,	Weidner,
Erb,	Leisey,	Reilly, J. M.,	Weiss,
Evans,	Livingston,	Reilly, W. J.,	Wescott,
Ewing,	Livingstone,	Richter,	West,
Feola,	Loftus,	Riley,	Wheeler,
Fish,	Lovett,	Robbins,	Wolf,
Fiss,	Lyons,	Robertson,	Wood,
Flack,	Madden,	Root,	Worley,
Fleming	Madigan,	Rose,	Yeakel,
Foor,	Mazza,	Rowen,	Young,
Frost,	McCormack,	Royer,	Lichtenwalter,
Gallagher,	McCosker,	Sarraf,	Speaker.
Getchey,			

NAYS—11

Barrett,	Chudoff,	O'Connor,	Yester,
Boles,	Depuy,	Powers,	Yetzer,
Chervenak,	Kirley,	Schuster,	

NOT VOTING—2

Hall,	Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection

House Bill No. 1090, Printer's No. 407,

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1112, as follows:

An Act to further amend subsection (b) of section two of the act approved the twenty-ninth day of September

one thousand nine hundred thirty-eight (P. L. 53) entitled as amended "An act relating to institutions of counties cities wards boroughs townships institution districts and other political subdivisions for the care maintenance and treatment of mental patients providing for the transfer to the Commonwealth for the care maintenance and treatment of mental patients of such institutions and all grounds lands buildings and personal property of such political subdivisions used for the care and maintenance of indigent persons connected with such mental institutions providing for the management and opeartion or closing and abandonment thereof and the maintenance of mental patients therein icluding the collection of maintenance in certain cases providing for the retransfer of certain property to counties cities wards boroughs townships institution districts and other political subdivisions under certain circumstances conferring and imposing upon the Governor the Department of Welfare the courts of common pleas and counties cities wards boroughs townships institution districts and other political subdivisions certain powers and duties prohibiting cities counties wards boroughs townships institution districts and other political subdivisions from maintaining and operating institutions in whole or in part for the care and treatment of mental patients and repealing inconsistent laws" authorizing the Department of Welfare with the approval of the Governor to transfer to institution districts for the care and maintenance of indigent persons property no longer required by the Commonwealth for mental hospitals

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (b) of section two of the act approved the twenty-ninth day of September one thousand nine hundred thirty-eight (P. L. 53) entitled as amended "An act relating to institutions of counties cities wards boroughs townships institution districts and other political subdivisions for the care maintenance and treatment of mental patients providing for the transfer to the Commonwealth for the care maintenance and treatment of mental patients of such institutions and all grounds lands buildings and personal property of such political subdivisions used for the care and maintenance of indigent persons connected with such mental institutions providing for the management and operation or closing and abandonment thereof and the maintenance of mental patients therein including the collection of maintenance in certain cases providing for the retransfer of certain property to counties cities wards boroughs townships institution districts and other political subdivisions under certain circumstances conferring and imposing upon the Governor the Department of Welfare the courts of common pleas and counties cities wards boroughs townships institution districts and other political subdivisions certain powers and duties prohibiting cities counties wards boroughs townships institution districts and other political subdivisions from maintaining and operating institutions in whole or in part for the care and treatment of mental patients and repealing inconsistent laws" as last reenacted and amended by the act approved the twenty-fifth day of May one thousand nine hundred ofrty-five (P. L. 1074) is hereby further amended to read as follows

Section 2

* * * *

(b) Any county city ward borough township institution district or other political subdivision presently operating or maintaining in whole or in part any existing institutions for the care and maintenance of indigent persons shall cease to operate and shall vacate such institutions and forthwith surrender all such institutions to the Commonwealth but not later than the thirtieth day of November one thousand nine hundred forty-seven Provided however That the transfer of title and the vacating of any of such institutions shall not be made until the first notice shall have been given by the Commonwealth to the political subdivision that owns such institution that the Commonwealth elects to purchase such institution and second that the Commonwealth and such political subdivision have agreed on the purchase price and that the purchase price therefor has been paid in full so as to enable the political subdivision to enter into contracts for the building or purchase of land and suitable building or buildings for the care of its indigents and third that possession of such institution shall not be given to the Commonwealth until such time as it may be mutually agreed to by the Commonwealth and such political subdivision The purchase price agreed upon as aforesaid may in addition to the payment of money by the Commonwealth also include the transfer by the Commonwealth to the institution district of the county in which the same is located for the care and maintenance of indigent persons of lands buildings furnishings equipment and other chattels heretofore used by the Commonwealth for the care of mental patients upon certification by the Department of Welfare approved by the Governor that the same are no longer required by the Commonwealth for the purposes of a mental hospital An authenticated copy of such certification and approval with reference to the provisions of this act when duly recorded in the office of recorder of deeds of the proper county shall operate as a good and sufficient deed of conveyance and assignment of such property from the Commonwealth to the institution district of said county

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Frost,	McCosker,	Sax,
Andrews,	Gallagher,	McCullough,	Scanlon,
Bane,	Getchey,	McDonald,	Schuster,
Barrett,	Gibson,	McKinney,	Scott,
Baumunk,	Goff,	McMillen,	Serrill,
Beech,	Goodling,	Mihm,	Shoemaker,
Bender,	Gorman,	Mikula,	Simons,
Bentzel,	Graybill,	Miller,	Smith, C. O.,
Bloom,	Greenwood,	Mills,	Smith, C. M.,
Boies,	Greer,	Mintess,	Snider,
Bonawitz,	Griffiths,	Mohr,	Sollenberger,
Boorse,	Guthrie,	Mooney,	Sorg,
Bower,	Gyger,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenshield,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Bucchin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,
Clevenger,	Jennings,	O'Dare,	Tompkins,
Cochran,	Johnson,	O'Donnell,	Toomey,
Cole,	Johnston,	O'Neill,	Turner,
Cook,	Jones,	Orban,	Upshur,
Cooper,	Jump,	Patten,	Vaughan,
Cordier,	Kean,	Petrosky,	Verona,
Costa,	Kelley,	Pichney,	Wachhaus,
Crowley,	Kemp,	Pickens,	Wagner,
Dague,	Kent,	Polaski,	Waldron,
Dalrymple,	Kirley,	Powers,	Wallin,
Davison,	Kline,	Price,	Walton,
De Long,	Kohl,	Propert,	Waterhouse,
Demech,	Kratz,	Ragot,	Watkins,
Dennison,	Krise,	Readinger,	Watson,
Depuy,	Kurtz,	Reagan,	Weidner,
Dix,	Laughner,	Reese, D. P.,	Weiss,
Dye,	Layer,	Reese, R. E.,	Wescott,
Efenberg,	Lee,	Reilly, J. M.,	West,
Elder,	Leisey,	Reilly, W. J.,	Wheeler,
Erb,	Livingston,	Richter,	Wolf,
Evans,	Livingstone,	Riley,	Wood,
Ewing,	Loftus,	Robbins,	Worley,
Feola,	Lovett,	Robertson,	Yeakel,
Fish,	Lyons,	Root,	Yester,
Fiss,	Madden,	Rose,	Yetzer,
Flack,	Madigan,	Rowen,	Young,
Fleming,	Mazza,	Royer,	Lichtenwalter,
Foor,	McCormack,	Sarraf,	Speaker.

NAYS—0

NOT VOTING—2

Hall, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1178, as follows:

An Act to further amend section six hundred seventeen point one of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" authorizing school districts under certain conditions to appropriate money to nonprofit corporations for the construction of school athletic stadia including adequate equipment of the athletic field with fence enclosures and lighting system

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section six hundred seventeen point one of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as added by the act approved the twenty-ninth day of May one thousand nine hundred forty-one (P. L. 79) is hereby further amended to read as follows

Section 617.1 Whenever any school building or buildings or outdoor athletic stadium or staria have been rendered totally unfit for use by reason of fire acts of God obsolescence overcrowding inadequacy or lack of facilities or other unforseen cause the board of school directors of any school district shall have power to appropriate money out of the general fund of the school district to any nonprofit corporation established for the purpose of constructing school buildings or athletic stadia including adequate equipment of the athletic field with fense enclosures and lighting system for the use of the schol district Provided That before any such money is paid over the corporation shall have entered into a lease with the school district for the buildings or athletic staria proposed to be erected whereby the school district shall have the right to renew such lease at stated periods at a stipulated rental and at any time during the continuance of the lease to purchase the buildings or athletic stadia from the corporation at a stipulated price Provided however That none of the powers granted by this act shall be used by the board of school directors of said school district without the specific and written approval of the State Department of Public Instruction

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Frost,	McCosker,	Sax,
Andrews,	Gallagher,	McCullough,	Scanlon,
Bane,	Getchey,	McDonald,	Schuster,
Barrett,	Gibson,	McKinney,	Scott,
Baumunk,	Goff,	McMillen,	Serrill,
Beech,	Goodling,	Mihm,	Shoemaker,
Bender,	Gorman,	Mikula,	Simons,
Bentzel,	Graybill,	Miller,	Smith, C. C.,
Bloom,	Greenwood,	Mills,	Smith, C. M.,
Boies,	Greer,	Mintess,	Snider,
Bonawitz,	Griffiths,	Mohr,	Sollenberger,
Boorse,	Guthrie,	Mooney,	Sorg,
Bower,	Gyger,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenshield,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Bucchin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,
Clevenger,	Jennings,	O'Dare,	Tompkins,
Cochran,	Johnson,	O'Donnell,	Toomey,
Cole,	Johnston,	O'Neill,	Turner,
Cook,	Jones,	Orban,	Upshur,
Cooper,	Jump,	Patten,	Vaughan,
Cordier,	Kean,	Petrosky,	Verona,
Costa,	Kelley,	Pichney,	Wachhaus,
Crowley,	Kemp,	Pickens,	Wagner,
Dague,	Kent,	Polaski,	Waldron,
Dalrymple,	Kirley,	Powers,	Wallin,
Davison,	Kline,	Price,	Walton,
De Long,	Kohl,	Propert,	Waterhouse,
Demech,	Kratz,	Ragot,	Watkins,
Dennison,	Krise,	Readinger,	Watson,
Depuy,	Kurtz,	Reagan,	Weidner,
Dix,	Laughner,	Reese, D. P.,	Weiss,
Dye,	Layer,	Reese, R. E.,	Wescott,
Efenberg,	Lee,	Reilly, J. M.,	West,
Elder,	Leisey,	Reilly, W. J.,	Wheeler,
Erb,	Livingston,	Richter,	Wolf,
Evans,	Livingstone,	Riley,	Wood,
Ewing,	Loftus,	Robbins,	Worley,
Feola,	Lovett,	Robertson,	Yeakel,
Fish,	Lyons,	Root,	Yester,
Fiss,	Madden,	Rose	Yetzer,
Flack,	Madigan,	Rowen,	Young,
Fleming,	Mazza,	Royer,	Lichtenwalter,
Foor,	McCormack,	Sarraf,	Speaker.

NAYS—0

NOT VOTING—2

Hall, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS PASSED OVER

There being no objection,

House Bill No. 1279, Printer's No. 435,
House Bill No. 1280, Printer's No. 448,
House Bill No. 1281, Printer's No. 436,
House Bill No. 1282, Printer's No. 437 and
House Bill No. 1298, Printer's No. 438

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 254, as follows:

An Act to amend the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 289) en-

titled "An act relating to nonprofit corporations defining and providing for the organization merger consolidation and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and members prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the first class within the provisions of this act prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas prothonotaries of such courts recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" regulating the establishment and maintenance of common trust funds by nonprofit corporations

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 289) entitled "An act relating to nonprofit corporations defining and providing for the organization merger consolidation and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and members prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the first class within the provisions of this act prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas prothonotaries of such courts recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" is hereby amended by adding after section three hundred seventeen thereof a new section to read as follows

Section 318 Common Trust Funds A Every nonprofit corporation may establish and maintain one or more common trust funds The term "common trust fund" shall mean a fund maintained by the corporation for the collective investment and reinvestment of moneys of trusts and any other funds contributed thereto by such corporation as fiduciary or otherwise

B If the instrument by which any real and personal property money or other funds are given granted conveyed bequeathed devised to or otherwise vested in the corporation shall limit or restrict the investment of such property moneys or funds to assets of the class authorized by law as legal investments the corporation may invest and reinvest moneys of the trust or fund in any such common trust fund maintained by the corporation provided the assets composing such fund consist solely of assets of the class authorized as legal investments for funds held by fiduciaries

C If the instrument by which any real and personal property money or other funds are given granted conveyed bequeathed devised to or otherwise vested in the corporation shall not limit or restrict the investment of such property moneys or funds to assets of the class authorized by law as legal investments the corporation may invest and reinvest moneys of the trust or fund in any such common trust fund maintained by the corporation composed of such investments as in the honest exercise of the judgment of the directors of the corporation they may after investigation determine to be safe and proper investments

D The corporation shall invest the moneys of a trust or fund in such common trust fund by adding the same thereto and by apportioning a participation therein to such trust or fund in the proportion that the moneys of the trust or fund added thereto bears to the aggregate value of all the assets of such common trust fund at the time of such investment including in such assets the moneys of the trust or fund so added The withdrawal of a participation from such common trust fund shall be on a basis of its proportionate interest in the aggregate value of all the assets of such common trust fund at the time of such withdrawal The participatng interest of any trust or fund in such common trust funds may from time to time be withdrawn in whole or in part by the corporation Upon such withdrawals the corporation may make distribution in cash or ratably in kind or partly in cash and partly in kind Participations in such common trust funds shall not be sold to any other corporation or person

E If a bond or other obligation for the payment of money is acqured as an nvestment for any such common trust fund at a cost in excess of the par or maturity value thereof the corporation may during but not beyond the period that such obligation is held as an investment in such fund amortize such excess cost out of the income on such obligation by deducting from each payment of income and adding to prncpal an amount equal to the usm obtaned by dividing such excess cost by the number of periodic payments of income to accrue on such obligation from the date of such acquisition until its maturity date

F The corporation shall designate clearly upon its records the names of the trusts or funds on behalf of which such corporatons as fiduciary or otherwise owns a participation in any such common trust fund and the extent of the interest of the trust or fund therein No such trust or fund shall be deemed to have individual ownership of any asset in such common trust fund but shall be deemed to have the proportionate undivided interest in the common trust fund The ownership of the individual assets comprising any such common trust fund shall be solely in the corporation as fiduciary or otherwise

G Nothing contained in this section shall be construed to authorize the corporaton to invest moneys of a trust or fund in any such common trust fund contrary to any specific limitation or restriction contained in the will deed or other instrument by which any real and personal property money or other funds are given granted conveyed bequeathed devised to or otherwise vested in the corporation nor to limit or restrict the authority conferred upon the corporations with respect to investments by any such instrument

H No mistakes made in good faith and in the exercise of due care and prudence in connection with the administration of any such common trust fund shall be held to exceed any power granted to or violate any duty imposed upon the corporation if promptly after the discovery of the mistake the corporation takes whatever action that may be practicable under the circumstances to remedy the mistake

I Until the first day of January following its effectve date this section shall not apply to or affect any common trust fund pool or fund of investments established by any nonprofit corporation formed for religious educational scientific or other charitable purposes which common trust fund pool or fund of investments was established prior to the enactment of this section as authorzed by the provsions of section three hundred and six of this act as last amended by the act approved the second day of July one thousand nine hundred thirty-seven (P. L. 2838)

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Frost,	McCosker,	Sax,
Andrews,	Gallagher,	McCullough,	Scanlon,

Bane,	Getchey,	McDonald,	Schuster,
Barrett,	Gibson,	McKinney,	Scott,
Baumunk,	Goff,	McMillen,	Serrill,
Beech,	Goodling,	Mihm,	Shoemaker,
Bender,	Gorman,	Mikula,	Simons,
Bentzel,	Graybill,	Miller,	Smith, C. C.,
Bloom,	Greenwood,	Mills,	Smith, C. M.,
Boies,	Greer,	Mintess,	Snider,
Bonawitz,	Griffiths,	Mohr,	Sollenberger,
Boorse,	Guthrie,	Mooney,	Sorg,
Bower,	Gyger,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenshield,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham
Brunner,	Henry,	Myers,	Stonier,
Bucchin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,
Clevenger,	Jennings,	O'Dare,	Tompkins,
Cochran,	Johnson,	O'Donnell	Toomey,
Cole,	Johnston,	O'Neill,	Turner,
Cook,	Jones,	Orban,	Upshur,
Cooper,	Jump,	Patten,	Vaughan,
Cordier,	Kean,	Petrosky	Verona
Costa,	Kelley,	Pichney,	Wachhaus,
Crowley,	Kemp,	Pickens,	Wagner,
Dague,	Kent,	Polaski,	Waldron,
Dalrymple,	Kirley,	Powers,	Wallin,
Davison,	Kline,	Price,	Walton,
De Long,	Kohl,	Propert,	Waterhouse,
Demech,	Kratz,	Ragot,	Watkins,
Dennison,	Krise,	Readinger,	Watson,
Depuy,	Kurtz,	Reagan,	Weidner,
Dix,	Laughner	Reese, D. P.,	Weiss,
Dye,	Layer,	Reese, R. E.,	Wescott,
Efenberg,	Lee,	Reilly, J. M.,	West,
Elder,	Leisey,	Reilly, W. J.,	Wheeler
Erb,	Livingston,	Richter,	Wolf,
Evans,	Livingstone,	Riley,	Wood
Ewing,	Loftus,	Robbins,	Worley,
Feola,	Lovett,	Robertson,	Yeakel,
Fish,	Lyons,	Root,	Yester,
Fiss,	Madden,	Rose,	Yetzer,
Flack,	Madigan,	Rowen,	Young,
Fleming,	Mazza,	Royer,	Lichtenwalter,
Foor,	McCormack,	Sarraf,	Speaker.

NAYS—0

NOT VOTING—2

Hall,	Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 362, as follows:

An Act to amend section two of the act approved the eleventh day of April one thousand nine hundred forty-five (P. L. 203) entitled "An act to provide assistance for typhoid fever carriers and persons having typhoid fever carriers in their households and imposing certain responsibilities upon the Secretary of Health the Secretary of Public Assistance and the Secretary of Welfare in connection therewith" by fixing the date on which financial assistance shall begin

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two of the act approved the eleventh day of April one thousand nine hundred forty-five (P. L. 203) entitled "An act to provide assistance for typhoid fever carriers and persons having typhoid fever carriers in their households and imposing certain responsibilities upon the Secretary of Health the Secretary of Public Assistance and the Secretary of Welfare in connection therewith" is hereby amended to read as follows

Section 2 Application for assistance shall be made upon form to be furnished by the department and such application must be notarized It shall include the name and address of the carrier date of official notice to him of his carrier condition specify the character of occupation relinquished and such other information as the Department of Health shall deem necessary to an estimate of the financial and economic distress resulting from the restrictions imposed upon the carrier The Secretary of Health and the Secretary of Public Assistance and the Secretary of Welfare or such of their assistants as any or all of them may designate shall jointly give due and careful consideration to applications for assistance as provided for in this act and may if considerable desirable or necessary to a fair and just conclusion with respect to the needs of the applicant seek additional information having a bearing on the facts contained in the application from individuals other than the applicant himself and shall determine whether compensation shall be granted or not and the amount of compensation Compensation shall vary with the circumstances of each individual applicant and in no case shall exceed six hundred dollars ($600) per annum Compensation shall be granted for a period of one year from the date application for assistance is made and the receipient may make annually a new application for its continuance The Secretary of Health at his discretion shall suspend one or more payments or terminate payments of compensation whenever the recipient fails to observe any of the provisions of the State Department of Health governing typhoid fever carriers

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Frost,	McCosker,	Sax,
Andrews,	Gallagher,	McCullough,	Scanlon,
Bane,	Getchey,	McDonald,	Schuster,
Barrett,	Gibson,	McKinney,	Scott,
Baumunk,	Goff,	McMillen,	Serrill,
Beech,	Goodling,	Mihm,	Shoemaker,
Bender,	Gorman,	Mikula,	Simons,
Bentzel,	Graybill,	Miller,	Smith, C. C.,
Bloom,	Greenwood,	Mills,	Smith, C. M.,
Boies,	Greer,	Mintess,	Snider,
Bonawitz,	Griffiths,	Mohr,	Sollenberger,
Boorse,	Guthrie,	Mooney,	Sorg,
Bower,	Gyger,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudensh	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Bucchin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,
Clevenger,	Jennings,	O'Dare,	Tompkins,
Cochran,	Johnson,	O'Donnell,	Toomey,
Cole,	Johnston,	O'Neill,	Turner,
Cook,	Jones,	Orban,	Upshur,
Cooper,	Jump,	Patten,	Vaughan,
Cordier,	Kean,	Petrosky,	Verona,
Costa,	Kelley,	Pichney,	Wachhaus,
Crowley,	Kemp,	Pickens,	Wagner,
Dague,	Kent,	Polaski,	Waldron,
Dalrymple,	Kirley,	Powers,	Wallin,
Davison,	Kline,	Price,	Walton,
De Long,	Kohl,	Propert,	Waterhouse,
Demech,	Krise,	Ragot,	Watkins,
Dennison,	Kurtz,	Readinger,	Watson,
Depuy,	Laughner,	Reagan,	Weidner,

Dix,	Layer,	Reese, D. P.,	Weiss,
Dye,	Lee,	Reese, R. E.,	Wescott,
Efenberg,	Leisey,	Reilly, J. M.,	West,
Elder,	Livingston,	Reilly, W. J.,	Wheeler,
Erb,	Livingstone,	Richter,	Wolf,
Evans,	Loftus,	Riley,	Wood,
Ewing,	Lovett,	Robbins,	Worley,
Feola,	Lyons,	Robertson,	Yeakel,
Fish,	Kratz,	Root,	Yester,
Fiss,	Madden,	Rose,	Yetzer,
Flack,	Madigan,	Rowen,	Young,
Fleming,	Mazza,	Royer,	Lichtenwalter,
Foor,	McCormack,	Sarraf,	Speaker.

NAYS—0

NOT VOTING—2

Hall, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 369, as follows:

An Act to authorize railroad corporations incorporated in this Commonwealth to hold directors' meetings at such place within this Commonwealth or elsewhere as appointed by a majority of the direectors

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The meetings of the board of directors of railroad corporations incorporated in this Commonwealth may be held at such place within this Commonwealth or elsewhere as the majority of directors may from time to time appoint

Section 2 All acts and parts of acts inconsistent with this act are hereby repealed to the extent of such inconsistency

Section 3 This act shall take effect immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Frost,	McCosker,	Sax,
Andrews,	Gallagher,	McCullough,	Scanlon,
Bane,	Getchey,	McDonald,	Schuster,
Barrett,	Gibson,	McKinney,	Scott,
Baumunk,	Goff,	McMillen,	Serrill,
Beech,	Goodling,	Mihm,	Shoemaker,
Bender,	Gorman,	Mikula,	Simons,
Bentzel,	Graybill,	Miller,	Smith, C. C.,
Bloom,	Greenwood,	Mills,	Smith, C. M.,
Boies,	Greer,	Mintess,	Snider,
Bonawitz,	Griffiths,	Mohr,	Sollenberger,
Boorse,	Guthrie,	Mooney,	Sorg,
Bower,	Gyger,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenshield,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Bucchin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,
Clevenger,	Jennings,	O'Dare,	Tompkins,
Cochran,	Johnson,	O'Donnell,	Toomey,
Cole,	Johnston,	O'Neill,	Turner,
Cook,	Jones,	Orban,	Upshur,
Cooper,	Jump,	Patten,	Vaughan,
Cordier,	Kean,	Petrosky,	Verona,
Costa,	Kelley,	Pichney,	Wachhaus,
Crowley,	Kemp,	Pickens,	Wagner,
Dague,	Kent,	Polaski,	Waldron,
Dalrymple,	Kirley,	Powers,	Wallin,
Davison,	Kline,	Price,	Walton,
De Long,	Kohl,	Propert,	Waterhouse,
Demech,	Krise,	Ragot,	Watkins,
Dennison,	Kurtz,	Readinger,	Watson,
Depuy,	Laughner,	Reagan,	Weidner,
Dix,	Layer,	Reese, D. P.,	Weiss,
Dye,	Lee,	Reese, R. E.,	Wescott,
Efenberg,	Leisey,	Reilly, J. M.,	West,
Elder,	Livingston,	Reilly, W. J.,	Wheeler,
Erb,	Livingstone,	Richter,	Wolf,
Evans,	Loftus,	Riley,	Wood,
Ewing,	Lovett,	Robbins,	Worley,
Feola,	Lyons,	Robertson,	Yeakel,
Fish,	Kratz,	Root,	Yester,
Fiss,	Madden,	Rose,	Yetzer,
Flack,	Madigan,	Rowen,	Young,
Fleming,	Mazza,	Royer,	Lichtenwalter,
Foor,	McCormack,	Sarraf,	Speaker.

NAYS—0

NOT VOTING—2

Hall, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 475, as follows:

An Act to further amend section two of the act approved the tenth day of July one thousand nine hundred thirty-five (P. L. 645) entitled "An act imposing certain requirements on certain hospitals receiving State aid authorizing the withholding of appropriations and imposing duties on the Department of Welfare" extending temporary wartime provisions

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two of the act approved the tenth day of July one thousand nine hundred thirty-five (P. L. 645) entitled "An act imposing certain requirements on certain hospitals receiving State aid authorizing the withholding of appropriations and imposing duties on the Department of Welfare" as amended by the act approved the thirteenth day of April one thousand nine hundred forty-two (P. L. 32) is hereby further amended to read as follows

Section 2 The Department of Welfare shall enforce the provisions of this act and shall withhold the payment of all money or the unpaid balance thereof appropriated or allotted to any hospital failing to comply with the provisions of this act Provided however That [during the continuation of the state of war between the United States of America and any foreign country and for six months thereafter] for a period of two years following the effective date of this amendment no funds appropriated or allotted to any hospital shall be withheld under this act if the Secretary of Welfare determines that the constant attendance of a licensed physician or resident interne cannot be secured by such hospital because of the [war] emergency or unusual conditions created by the recent war

Section 2 The provisions of this act shall become effective the first day of June one thousand nine hundred forty-seven

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Frost,	McCosker,	Sax,
Andrews,	Gallagher,	McCullough,	Scanlon,
Bane,	Getchey,	McDonald,	Schuster,
Barrett,	Gibson,	McKinney,	Scott,
Baumunk,	Goff,	McMillen,	Serrill,
Beech,	Goodling,	Mihm,	Shoemaker,
Bender,	Gorman,	Mikula,	Simons,
Bentzel,	Graybill,	Miller,	Smith, C. C.,
Bloom,	Greenwood,	Mills,	Smith, C. M.,
Boles,	Greer,	Mintess,	Snider,
Bonawitz,	Griffiths,	Mohr,	Sollenberger,
Boorse,	Guthrie,	Mooney,	Sorg,
Bower,	Gyger,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenshield,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Bucchin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,
Clevenger,	Jennings,	O'Dare,	Tompkins,
Cochran,	Johnson,	O'Donnell,	Toomey,
Cole,	Johnston,	O'Neill,	Turner,
Cook,	Jones,	Orban,	Upshur,
Cooper,	Jump,	Patten,	Vaughan,
Cordier,	Kelley,	Petrosky,	Verona,
Costa,	Kean,	Pichney,	Wachhaus,
Crowley,	Kemp,	Pickens,	Wagner,
Dague,	Kent,	Polaski,	Waldron,
Dalrymple,	Kirley,	Powers,	Wallin,
Davison,	Kline,	Price,	Walton,
De Long,	Kohl,	Propert,	Waterhouse,
Demech,	Kratz,	Ragot,	Watkins,
Dennison,	Krise,	Readinger,	Watson,
Depuy,	Kurtz,	Reagan,	Weidner,
Dix,	Laughner,	Reese, R. E.,	Weiss,
Dye,	Layer,	Reese, D P.,	Wescott,
Efenberg,	Lee,	Reilly, J. M.,	West,
Elder,	Leisey,	Reilly, W. J.,	Wheeler,
Erb,	Livingston,	Richter,	Wolf,
Evans,	Livingstone,	Riley,	Wood,
Ewing,	Loftus,	Robbins,	Worley,
Feola,	Lovett,	Robertson,	Yeakel,
Fish,	Lyons,	Root,	Yester,
Fiss,	Madden,	Rose,	Yetzer,
Flack,	Madigan,	Rowen,	Young,
Fleming,	Mazza,	Royer,	Lichtenwalter,
Foor,	McCormack,	Sarraf,	Speaker.

NAYS—0

NOT VOTING—2

Hall, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

PERMISSION TO ADDRESS HOUSE

Mr. ANDREWS asked and obtained unanimous consent to address the House.

Mr. Speaker, there have been a number of things that I wanted to talk about. I wanted to talk about the electric roll call situation which seems to have bogged down in unfortunate complications, but I will talk about that at some other time.

I also want to talk about the fact that this House for four months has been concerned with legislative trivia, busy work, calculated to keep the little boys busy on inconsequential matters, legislative truck. There has been an entire absence of coherence or integrated program.

If you have a veteran program, where is it? Who has got it? If you have a housing program, where is it? Who has got it? If you have an educational program, where is it? Who has got it?

We released bills dealing with education by installment, a little bill here and a little bill there. There is no way of telling whether the bills that appeared are part of an integrated program, whether it is something that is desired by the Commonwealth speaking through the Department of Education, or simply a measure that some pressure group somewhere in the state desires. I will probably have more to say about that at some other time, but if the Legislature is going to frame programs let us have programs emerging from the committees.

We supposedly have a Pittsburgh program. I have been reminded if anybody knows where the Pittsburgh program is or what it is now, that the legislative leaders don't seem to know. Is there a Philadelphia program? We have a multiplicity of Philadelphia bills. Do they represent special interests, private interests, or are they part of a program in which the citizenship of Philadelphia is properly interested. I am appealing to you to bring out of committees and the legislative jungles where they have been, not isolated bills that fall into no program, but an integrated program that can be brought out and considered at one time as a whole.

As I say, Mr. Speaker, I had not intended to speak about that in the hall of the House today. What I wanted to talk about was this, I noted in the public press a headline which reads: "State mercantile tax to net one hundred million dollars sought by Democrats."

Now, that is a natural enough headline but it is misleading. There is a great deal of difference between a program submitted for and on behalf of a militant, and a very much alive party and a program submitted by one individual Democrat. If there is any Democratic caucus held at anytime, anywhere, or any place that has placed its imprimitur upon a one hundred million dollar mercantile tax program I have not heard of it, and if any Member of the Democratic Party wants to commit the party to such a schedule, I suggest that he take measures to convene a Democratic Legislative Caucus.

I understand that there has been introduced in the other chamber of this Assembly a detailed financial program proposing tax schedules. I say the same thing about that entire program. Any Member of the House on this side speaking for himself has a right to rise and propose any program he likes, just as any Member on the other side If the House has a right to propose any program he likes, but no individual Member has the right to presume without consulting with the leadership of his party and without consultation with a legislative caucus which he presumably represents, to presume that his individual conviction alone concerning a Legislative program represents the stand of the Democratic party.

Mr. SORG. Mr. Speaker, I feel that I ought to make one remark concerning a matter to which the gentleman refers. Answering his question, where are those programs and who has them, they are in Committees where they belong until they have been worked out satisfactorily. They are in Committees that are working diligently, and the gentleman may have a pleasant surprise if he is waiting for those programs to make their appearance very soon.

PERMISSION TO ADDRESS HOUSE

Mr. SPROUL asked and obtained unanimous consent to address the House.

Mr. Speaker, there is reason for the introduction of House Bill No. 1302, proposed by Mr. Haudenshield, as an amendment to Article III, Section 18 of the Constitution of this Commonwealth, requiring the Superior Court to reapportion the Senatorial and Representative Districts upon failure of the General Assembly to do so. When you and I and previous members of this House were elected, we subscribed to the oath of office pledging to uphold the Constitution of Pennsylvania.

This very document in Article II, Section 18 provides and I quote

> "The General Assembly at its first Session after adoption of this Constitution, and immediately after each United States decennial census, shall apportion the State into Senatorial and Representative Districts agreeably to the provisions of the two next preceding Sections"

These previous sections 16 and 17 referred to respectively, designate the manner of reapportionment of the Senatorial and Representative Districts. Should we and can we of the Republican Party, the majority party, and the Democrats again neglect the provisions we have sworn to uphold? The means to carry out this mandate of the Constitution now lie in the Elections and Apportionment Committee of this House in the form of a bill introduced by the Honorables Smith and O'Donnell, House Bill No. 458. The members of this House in consultation with whatever leaders they choose, may hand amendments to Representative Dalrymple, the Chairman of the Elections and Apportionment Committee and ask that the bill be reported out for action.

Now we may be a bit selfish if our district loses a representative to which they are really not entitled under Constitutional provisions owing to a shift in population. I do not undertake a spanking of the members of this House, but I do maintain that we accept and undertake this responsibility. We in Delaware County are not represented fully. We are entitled to two more votes in this assembly on account of our large increase in population. Gentlemen, that is discrimination against those who are entitled to be represented. Even, and only a selfish stand would justify a few votes against this measure; added to the opposition perhaps might be those who may not be quite satisfied with the apportionment in their district. The remedy of the latter lies in agreement or amendments and with the former, I must disagree. This State and Nation was built upon the Constitutional form of Government. I urge, therefore, this House accept this responsibility and have this House Bill No. 458 reported out for proper consideration and action.

For the last fifteen years Republicans have complained that Constitutional Government is breaking down, a government of men and not law is edging its way along. Not since 1921 has this State been apportioned and we have contributed to this by ignoring the terms of our constitution and today we violate our oath by not assuming our responsibility. If now we are sincere in upholding our own Constitutional Government, lets abide by its provisions, action is the evidence, report out House Bill No. 458. Again, we in Delaware County want full representation.

ANNOUNCEMENT

The SPEAKER. There will be a Republican Caucus immediately after the session today.

BILL ON SECOND READING

Mr. FLEMING. Mr. Speaker, I desire to call up at this time House Bill No. 542, Printer's No. 445, on page 2 of today's calendar, bills on second reading, which was passed over temporarily earlier in the session today.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 542, entitled:

An Act creating as bodies corporate and politic "Parking Authorities" in cities of the second class prescribing the rights powers and duties of such authorities authorizing such authorities to acquire construct improve maintain and operate parking projects to conduct research of the parking problem and to establish a permanent coordinated system of parking facilities and to borrow money and issue bonds therefor providing for the payment of such bonds and prescribing the rights of the holders thereof conferring the right of eminent domain on such authorities empowering such authorities to enter into contracts with and to accept grants from the Federal Government State political subdivisions of the State or any agency thereof exempting the property and securities of such parking authorities from taxation and conferring exclusive jurisdiction on certain courts over rates.

The first section was read and agreed to.

The second section was read.

On the question,

Will the House agree to the section?

Mr. RICHTER offered the following amendment.

Amend Sec 2, page 4, lines 1 to 5 inclusive, by striking out all of said lines.

Amend Sec. 2, page 4, line 6, by striking out the letter "(k)" and inserting in lieu thereof "(i)".

On the question,

Will the House agree to the amendments?

QUESTION OF PARLIMENTARY INQUIRY

Mr. BROWN. Mr. Speaker, I rise to a parlimentary inquiry.

The SPEAKER. The gentleman from Allegheny will state it.

Mr. BROWN. Mr. Speaker, the amendments that were sent to my desk to House Bill 542, Printer's No. 445, amend about five sections of House Bill 542. Is it permissible to discuss all of the amendments or shall I discuss each

amendment when the Speaker asks "shall the amendment be agreed upon?"

The SPEAKER. The gentleman may ask for unanimous consent of the House to discuss all of the amendments at one time to House Bill 542. If the House grants unanimous consent it will be permissible for the gentleman to discuss all of them at the same time. The Chair might say that it will save considerable time for the Members of the House if that is done.

Mr. BROWN. Mr Speaker, under that procedure the Clerk would have to read all of the amendments so that the Members of the House will know what we are talking about. Will that procedure be followed?

The SPEAKER. The Chair will direct the Clerk to read the amendments to all of the sections. They will not be acted upon until after the gentleman from Allegheny or other Members of the House have had an opportunity to discuss the amendments.

The Clerk will read the amendments.

Amend Sec. 3, page 5, line 10, by inserting after the word "desirable the following "Provided, That all such new construction shall be done only by private contractors and with competitive bidding."

Amend Sec. 5, page 10, line 2, by striking out the word "regularly".

Amend Sec. 5, page 10, line 4, by inserting after the word "service" the following "and shall not engage in the sale of any commodity of trade or commerce."

Amend Sec. 5, page 13, line 7, by striking out the words "or convenient".

Amend Sec. 9, page 23, line 11, by inserting after the word "domain" where it appears for the first time in said line, the following "Provided further That no presently existing above or below surface parking facilities shall be taken under the right of eminent domain."

Amend Sec. 9, page 23, line 13, by inserting after the word "class" the following "Provided, That in the exercise of the right of eminent domain the authority shall take into consideration and make allowances for and compensate for consequential damages."

On the question recurring,

Will the House agree to the amendments to Section 1?

Mr. BROWN. Mr. Speaker, I would like to interrogate the co-sponsor of this bill, the gentleman from Allegheny, Mr. Richter.

The SPEAKER. Will the gentleman from Allegheny permit himself to be interrogated?

Mr. RICHTER. I shall, Mr. President.

Mr. BROWN. Mr. Speaker, the gentleman from Allegheny has asked in his amendments that lines one to five on page 4, which read as follows: "That adequate provision of properly located terminal space for automobiles is a public responsibility. That the parking problem is beyond remedy or control by regular processes and cannot be effectively dealt with by private enterprise" be deleted.

If these lines are deleted from this bill, is not the gentleman seriously interfering with the necessary expression of legislative intent which must go with any legislation giving to anybody the right of eminent domain, and does not the gentleman feel that he is seriously crippling this bill in that when you delete these words you do not have proper safeguards to express the legislative intent?

Mr. RICHTER. No. I do not, Mr. Speaker. I believe that on page 2, line 11, where it reads: "That the parking of vehicles is part of the public street service" constitute adequate grounds for this bill.

My reason for deleting these words referred to before as they appear on page 4, lines 1 to four, is simply because I do not believe that parking should become strictly a public operation. There are people in private enterprise there now and I believe that they should be permitted to remain there and the government should not take over their facilities and drive them out of business.

The purpose of this bill as I see it is to relieve the parking situation. I do not believe that an Authority by merely changing the existing facilities will help to solve the problem at all. The main thing here is to relieve the parking situation and not merely to change the management of those that already exist.

Mr. BROWN. Mr. Speaker, does not the gentleman believe that the expression of legislative intent in any bill giving the right of eminent domain should be broadly and clearly stated so that the intent can be clearly gotten from the text of the bill? Does the gentleman agree with that fundamental legal proposition?

Mr. RICHTER. Mr. Speaker, I am not an attorney but I will agree with the gentleman. However, I think it is absolutely taken care of in this bill in another way.

Mr. BROWN. Mr. Speaker, as I understand the objection of the gentleman, he is deleting these lines one to five on page four because he feels that they will take somebody out of business, is that it?

Mr. RICHTER. I do, Mr. Speaker, and I feel that the lines are rather socialistic in their intent. I believe if they are incorporated into the law of this Commonwealth, they can lead to broader encroachment by government on private enterprise.

Mr. BROWN. Mr. Speaker, does the gentleman know as a legal proposition that the preamble or statement of legislative intent does not take anybody out of business and does not put anybody in business?

Mr. RICHTER. Mr. Speaker, I don't know, but I want to make very sure that it does not.

Mr. BROWN. Mr. Speaker, does the gentleman have anyone that he can refer to and enlighten him: if he does not know?

Mr. RICHTER. How about my co-sponsor, Mr. Speaker?

Mr. BROWN. Mr. Speaker, if the gentleman will yield to me to enlighten him, I will say that somebody has certainly misinformed him, unless this is put in for the one purpose of improperly expressing legislative intent, so that the whole bill can be declared unconstitutional.

I am at a loss, Mr. Speaker, because this is the first time in my Legislative career that I have witnessed where the cosponsors of a bill are at odds, and where amendments are sent to one sponsor forty-five minutes before the bill is called up, that are intricate and that will absolutely destroy the bill. It will take some time to go through all these amendments, and I hope that the House will bear with us because I believe this is one of the most important bills for the city of Pittsburgh, and one that I think is absolutely wrong. There is no question about that.

For that reason I am asking the House to bear with us so that I may complete my interrogation and get the intent of these amendments.

Mr. Speaker, I should like further to interrogate the gentleman from Allegheny, Mr. Richter.

The SPEAKER. The gentleman may proceed.

Mr. BROWN. Mr. Speaker, the second amendment on page 5, line 10, reads as follows: "Provided that all new construction shall be done only by private contractors and with competitive bidding." As I understand the bill, the idea of competitive bidding is already in the bill, is that not right?

Mr. RICHTER. It is there, Mr. Speaker, but is there any harm in having it reiterated?

Mr. BROWN. Mr. Speaker, I asked the question, is it not true that competitive bidding is already in the bill.

Mr. RICHTER. Mr. Speaker, competitive bidding is stated in the bill in the latter part, but I felt it should be included in the definition of current construction. There has been some controversy on the use of the word "construction". In other words, the Allegheny Conference on Community Development who are presenting this bill agree to the amendments for the simple reason that the way it has been written the Authority could at times increase their maintenance crews, their regular payroll and could construct their own buildings, which to my mind is wrong. I still do not want to see government entering too much into private enterprise, and I believe that private contractors have every right to bid on these contracts.

Mr. BROWN. Mr. Speaker, then I understand from the gentleman that the parties responsible for this bill, the Allegheny Conference on Commuity Development, is in favor of this amendment, the amendment on page 5, line 10, is that correct?

Mr. RICHTER. They agreed to it, yes, Mr. Speaker.

Mr. BROWN. Mr. Speaker, are they agreeable to the amendment just stated prior to this on page 4, lines 1 to 5?

Mr. RICHTER. Yes, Mr. Speaker, they are.

Mr. BROWN. Mr. Speaker, are they agreed to all the amendments?

Mr. RICHTER. Yes, Mr. Speaker.

Mr. BROWN. Mr. Speaker, does the gentleman from Allegheny mean to say that the Allegheny Conference on Community Development is agreeable to all his amendments?

Mr. RICHTER. Mr. Speaker, I think I can honestly say that they are.

Mr. BROWN. Mr. Speaker, as co-sponsor of this bill I was interested in the bill largely because of the people who are responsible for the bill. The gentleman from Allegheny, Mr. Richter, tells me that these parties are agreeable to all these amendments. No such information has come to my desk. However, I want this clearly understood, I will take the word of the gentleman from Allegheny. I would only ask this, that I be allowed to discuss with them, either over the telephone or maybe by bringing somebody here to Harrisburg, to discuss some parts of these amendments, for I don't have such information. Would the gentlemen from Allegheny accord me that courtesy?

Mr. RICHTER. I shall, Mr. Speaker.

Mr. BROWN. Mr. Speaker, I ask that the bill go over in order and that the Chair's decision be recalled.

AMENDMENTS WITHDRAWN

The SPEAKER. Does the gentleman from Allegheny, Mr. Richter, withdraw his amendments at this time?

Mr. RICHTER. I do, Mr. Speaker.

The SPEAKER. The gentleman from Allegheny, Mr. Richter, withdraws the amendments he has submitted to House Bill 542, Printer's No. 445.

The SPEAKER. If there is no objection, the Chair will withdraw its decision as to the House agreeing to the first section.

BILL PASSED OVER

There being no obpection

House Bill No. 542, Printer's No. 445,

was passed over at the request of Mr. RICHTER.

Mr. RICHTER. Mr. Speaker, as a matter of record, inasmuch as there seems to be some controversy between me and my co-sponsor on this bill, I believe that some of the history of this bill should be cleared up. In the first place———.

The SPEAKER. Will the gentleman yield for a moment? Does the gentleman ask unanimous consent of the House to address the House?

Mr. RICHTER. Yes, I do, Mr. Speaker.

PERMISSION TO ADDRESS HOUSE

Mr. RICHTER asked and obtained unanimous consent to address the House.

Back several months ago in Pittsburgh there was called together a meeting of the Democrats and Republicans, and officials of the city and county, also the representatives of the Allegheny Conference on Community Development, for the purpose of putting through this Legislature an integrated package of bills to promote and help the City of Pittsburgh. At that time we were asked to co-sponsor the bills. Also at that time there were no copies of the bills available. We all agreed that we would introduce them by request on a non-partisan basis. Fortunately or unfortunately my colleague from Allegheny, Mr. Brown, and I drew this particular bill from the grab-bag. It was also the understanding at that time that although we would introduce the bills we were not bound to be for them. When I did receive a copy of House Bill 542, although I am very much in favor of the intent and purpose set forth in that bill, there were certain things about it that I personally did not advocate or pass upon. It seemed a little bit too socialistic to me; it seemed as though it was aiding government in proceeding against private business. It was for that purpose that I introduced my amendments.

PERMISSION TO ADDRESS HOUSE

Mr. FLEMING asked and obtained unanimous consent to address the House.

Mr. Speaker, for the purpose of the record I would like it to show that when I called this bill (House Bill 542) up it was at the request of the gentleman from Allegheny, Mr. Brown. I conferred with his co-sponsor, Mr. Richter,

and then it was upon agreement between both of them that the bill was called up for the purpose of considering amendments. I have no objection to the course that has been taken. I would say in behalf of Mr. Richter, that that was the course he wanted to pursue in the first instance, but it was at the request of the co-sponsor that I called the bill up.

REPORTS FROM COMMITTEES

Mr. MIKULA from the Committee on Municipal Corporations, reported as committed, House Bill No. 9, entitled:

An Act abating certain tax penalties and interest on unpaid county, city, borough, town, township, school district, poor district and county institution district taxes, with certain exceptions prohibiting the sale of real property for the nonpayment of any such taxes for a certain period; and preserving certain tax liens; and providing for the extension thereof.

Mr. DENNISON from the Committee on Highways, reported as committed, House Bill No. 853, entitled:

An Act to further amend section two of the act approved the first day of June, one thousand nine hundred thirty-three (P. L. 1172), entitled "An act establishing certain streets in boroughs and incorporated towns as State highways and providing for their construction and maintenance at the expense of the Commonwealth" by changing or deleting certain routes and adding certain new routes.

Mr. WATERHOUSE from the Committee on Highways, reported as committed, House Bill No. 855, entitled:

An Act to further amend section two of the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 720) entitled "An act providing for the taking over by the Commonwealth under certain terms, conditions and limitations of certain streets in cities of the second class, second class A and third class as State highways and for the improvement, construction, reconstruction, resurfacing and maintenance by the Commonwealth of certain defined widths of said streets imposing duties on such cities and on public utility companies using such streets providing that no assessment shall be made upon the Commonwealth in the elimination of any grade crossing thereon authorizing cities persons associations or corporations to enter into agreements with the Commonwealth to bear a portion of the cost of construction or maintenance providing for the assessment of certain portions of the cost of street improvements on abutting property owners regulating the replacement of certain facilities of public utility companies prohibiting the opening of said streets after improvement without a permit and providing penalty therefor regulating the maintenance of detours authorizing the increase of city indebtedness in certain cases and appropriating money in the Motor License Fund for the purposes of this act," by changing or deleting certain routes and adding certain new routes.

Mr. RUSSELL E. REESE from the Committee on Banking and Building and Loan Associations, reported as committed, Senate Bill No. 282, entitled:

An Act to amend article IX of the act, approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 157), entitled "An act relating to the business of building and loan associations providing for the organization and voluntary dissolution of such associations; defining the rights, powers, duties, liabilities, and immunities of such association, and of their officers, directors, shareholders, solicitors, and other employes; prohibiting the transaction of business in this Commonwealth by foreign building and loan associations; conferring powers and imposing duties upon the courts, recorders of deeds, and certain State departments, commissions, and officers; establishing limitations of actions; imposing penalties; and repealing certain acts and parts of acts," by authorizing building and loan associations to grant chattel mortgages in certain cases.

SENIOR CLASS OF MIDDLETOWN HIGH SCHOOL WELCOMED

The SPEAKER. The Chair welcomes the Senior Class of the Middletown, Pennsylvania, High School, under the direction of Mr. Miller, who are the guests of the gentleman from Dauphin, Mr. Hocker.

REPUBLICAN WOMEN OF JUNIATA COUNTY WELCOMED

The SPEAKER. The Chair also welcomes a group of the Council of Republican Women from Juniata County.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 35.

An Act to further amend the act approved the twenty-fifth day of July one thousand nine hundred thirteen (P. L. 1024) entitled "An act to protect the public health and welfare by regulating the employment of females in certain establishments with respect to their hours of labor and the conditions of their employment by establishing certain sanitary regulations in the establishments in which they work by requiring certain abstracts and notices to be posted by providing for the enforcement of this act by the Commissioner of Labor and Industry and others by prescribing penalties for violations thereof by defining the procedure in prosecutions and by repealing all acts and parts of acts inconsistent with the provisions thereof" providing for payment of time and one-half for overtime changing hours of labor and restrictions relative to age in certain employments and extending provisions to include additional persons

HOUSE BILL No. 327.

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" transferring from the Department of Public Instruction to the Department of Mines the Anthracite Mine Inspector's Examining Board and the Mine Inspectors' Examing Board for the Bituminous Coal

Mines of Pennsylvania and providing reimbursement for certain expenses to members of such boards

HOUSE BILL No. 780.

An Act requiring public assistance milk orders to be presented for payment within a certain period otherwise to be canceled and the monies appropriated for their payment to be escheated to the Commonwealth and credited to the current appropriation for public assistance purposes

HOUSE BILL No. 838.

An Act to further amend the definition of "Extension education" in section one of the act approved the second day of May one thousand nine hundred twenty-five (P. L. 492) entitled "An act to provide for the equalization of educational opportunity and the encouragement of the study of citizenship by recognition of extension education for boys and girls who are employed and for adults as a function of the public schools of this Commonwealth and to facilitate the proper organization and edministration of such extension education" including recreational or social service for youth and children within the meaning of the term "extension education"

HOUSE BILL No. 905.

An Act to amend and reenact section one of the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 491) entitled "An act reducing for a limited period of time the training period of internship in osteopathic hospitals in order to qualify for examination for license by the Osteopathic Surgeons' Examing Board to practice major surgery and suspending inconsistent laws" further regulating the training period of internship in osteopathic hospitals

SENATE BILL No. 38.

An Act to further amend sections one and two of the act approved the thirty-first day of May one thousand eight hundred and ninety-three (P. L. 188) entitled "An act designating the days and half days to be observed as legal holidays and for the payment acceptance and protesting of bills notes drafts checks and other negotiable paper on such days" by making Saturdays bank holidays under certain conditions and repealing inconsistent laws

SENATE BILL No. 293.

An Act to further amend sections one thousand three one thousand one hundred three one thousand one hundred seven and one thousand eight hundred two of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206), entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto," further regulating the powers and duties of township auditors and controllers and the letting of contracts.

COMMITTEE MEETINGS

Agriculture and Dairy Industries, Room No. 331, Wednesday, April 30, 1947, at 10 a. m., Daylight Saving Time.

Fisheries, Room No. 331, Wednesday, April 30, 1947, at 10:45 a. m., Daylight Saving Time.

Liquor Control, Room No. 325, Wednesday, April 30, 1947, at 10:30 a. m., Daylight Saving Time.

Motor Vehicles, Room No. 522, Wednesday, April 30, 1947, at 11 a. m.

Municipal Corporations, Room No. 521, Wednesday, April 30, 1947, at 10:30 a. m., Daylight Saving Time.

Professional Licensure, Room No. 324, Wednesday, April 30, 1947, at 11 a. m., Daylight Saving Time.

Public Utilities, Room No. 323, Wednesday, April 30, 1947, at 10 a. m., Daylight Saving Time.

Townships, Room No. 331, Wednesday, April 30, 1947, at 11 a. m.

ADJOURNMENT

Mr. FROST. Mr. Speaker, I move that this House do now adjourn until Wednesday, April 30, 1947, at 12:00 noon Eastern Standard Time.

The motion was agreed to, and (at 1:29 p. m. E. S. T.) the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1947. 137th of the General Assembly.

Vol. 30. HARRISBURG, PA., WEDNESDAY, APRIL 30, 1947. No. 48.

SENATE

WEDNESDAY, April 30, 1947

The Senate met at 1:30 o'clock, p. m., Eastern Standard Time.

The PRESIDENT (Lieutenant-Governor Daniel B. Strickler) in the Chair.

PRAYER

In the absence of the Chaplain, the Senator from Berks, Dr. RUTH, offered the following prayer:

Almighty God, our heavenly Father, we thank Thee for this opportunity to serve Thee and our fellowmen. We pray that Thy wisdom will guide us today to do our work so that the youth of our State, which is represented here today, may be inspired to assume their full place of leadership in their time and age, to carry on this great work which rests upon the leadership of the men and women of the past of our great Keystone State, which laid the foundation for this great Republic, which has grown to such enormous size, power and greatness. May we all have this wisdom in our hearts and minds to keep our state and our nation in the forefront, so that peace and harmony, love and good will shall come upon this earth, and that Thy will may be done here, even as it is in Heaven.

We ask it in Thy Holy Name. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. TALLMAN and Mr. WOLFE, further reading was dispensed with, and the Journal was approved.

NOMINATIONS BY THE GOVERNOR

NOTARIES PUBLIC

The Secretary to the Governor being introduced, presented in writing from His Excellency, the Governor of the Commonwealth, nominations for appointment as Notaries Public.

CONSIDERATION OF NOTARIES PUBLIC

Mr. TALLMAN. Mr. President, I move that the Senate do now proceed to the consideration of nominations for appointment as Notaries Public, sent to the Senate, by His Excellency, the Governor of the Commonwealth, on April 30, 1947.

Mr. LLOYD H. WOOD. Mr. President, I second the motion.

The motion was agreed to.

The nominations were read as follows:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 30, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the dates set opposite their names:

ALLEGHENY COUNTY

Mrs. Jane M. Hink, Pittsburgh, 1803 Commonwealth Bldg., Confirmation.

S. S. Klein, Pittsburgh, 814 Brookline Blvd., Confirmation.

BERKS COUNTY

Harry E. Boyer, Reading, Confirmation.

INDIANA COUNTY

Mrs. Alma Johnson, Pine Twp., Strongstown, Confirmation.

McKEAN COUNTY

Mrs. Virginia G. Lemon, Smethport, Confirmation.

MONTGOMERY COUNTY

E. Foster Yerger, Royesford, Confirmation.

PHILADELPHIA COUNTY

Miss Elizabeth M. Flanagan, 1810 Packard Bldg. (2), Philadelphia, Confirmation.

Mrs. Louise C. Murray, 5149 N. Fairhill St., Philadelphia, Confirmation.

Mis Elizabeth F. Schmidt, 1518 Walnut St. (2), Philadelphia, Confirmation.

Herman Shuster, 2130 W. Columbia Ave., Philadelphia, Confirmation.

Martin Wexler, 1762 N. Eleventh St., Philadelphia, Confirmation.

YORK COUNTY

Clarence E. Gardner, Fairview Twp., c/o M. Pat Brooke, Harrisburg State Airport, New Cumberland, Confirmation.

PHILADELPHIA COUNTY

Miss Rose Squires, Philadelphia Saving Fund Bldg., Philadelphia, May 3, 1947.

JAMES H. DUFF.

NOMINATIONS FOR NOTARIES PUBLIC

A motion was made by Mr. TALLMAN and Mr. LLOYD H. WOOD,

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provision of the Constitution, and were as follows, viz:

YEAS—48

Barr,	Geltz	Lord,	Tarr,
Becker,	Haluska	Mahany,	Taylor,
Blass,	Hare,	Mallery,	Tyler,
Carr,	Heyburn	Margie,	Wade,
Chapman,	Holland	Rahauser,	Wagner,
Crider,	Homsher	Rosenfeld,	Walker,
Crowe,	Jaspan	Ruth,	Watson,
Dent,	Kephart,	Scarlett,	Wilson,
DiSilvestro,	Klein,	Snowden,	Wolfe,
Doehla,	Lane,	Stevenson,	Wood, L. H.,
Farrell,	Leader,	Stiefel,	Wood, T. N.,
Frazier,	Letzler,	Tallman,	Woodring,

NAYS—0

Two thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

He also presented communication in writing from His Excellency the Governor of the Commonwealth, which was read as follows, and referred to the Committee on Executive Nominations.

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 30, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Bruno Petrucci, 612 Conrad Avenue, North Charleroi, Charleroi, Washington County, for appointment as Justice of the Peace in and for the Borough of North Charleroi, Washington County, until the first Monday of January, 1948, vice Samuel H. Gaskill, deceased.

JAMES H. DUFF.

HOUSE MESSAGES

HOUSE CONCURS IN SENATE BILL No. 254

The Clerk of the House of Representatives being introduced returned to the Senate, Senate Bill No. 254, entitled.

An Act to amend the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 289) entitled "An act relating to nonprofit corporations defining and providing for the organization merger consolidation and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and members prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the first class within the provisions of this act prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas prothonotaries of such courts recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" regulating the establishment and maintenance of common trust funds by nonprofit corporations

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 362

He also returned to the Senate, Senate Bill No. 362, entitled:

An Act to amend section two of the act approved the eleventh day of April, one thousand nine hundred forty-five (P. L. 203), entitled "An act to provide assistance for typhoid fever carriers, and persons having typhoid fever carriers in their households, and imposing certain responsibilities upon the Secretary of Health, the Secretary of Public Assistance, and the Secretary of Welfare in connection therewith," by fixing the date which financial assistance shall begin.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 369

He also returned to the Senate, Senate Bill No. 369, entitled:

An Act to authorize railroad corporations incorporated in this Commonwealth to hold directors' meetings at such place within this Commonwealth or elsewhere as appointed by a majority of the directors

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 475

He also returned to the Senate, Senate Bill No. 475, entitled:

An Act to further amend section two of the act approved the tenth day of July one thousand nine hundred thirty-five (P. L. 645) entitled "An act imposing certain requirements on certain hospitals receiving State aid authorizing the withholding of appropriations and imposing duties on the Department of Welfare" extending temporary wartime provisions

with the information that the House has passed the same without amendments.

HOUSE BILLS FOR CONCURRENCE

He also presented for concurrence bills of the House, as follows:

House Bill No. 95, entitled:

An Act to repeal the act, approved the sixteenth day of May, one thousand nine hundred forty-five (P. L. 594), entitled "An act providing for the disposition of fines, penalties and forfeitures collected in summary proceedings and imposing penalties."

Which was committed to the Committee on Judiciary General.

House Bill No. 445, entitled:

An Act to further amend section one thousand four hundred twelve of the act, approved the eighteenth day of

May, one thousand nine hundred eleven, P. L. 309), entitled "Public School Code," requiring the Commonwealth to pay the tuition of certain non-resident inmates of institutions attending public schools.

Which was committed to the Committee on Education.

House Bill No. 749, entitled:

An Act to further amend section one thousand five hundred eight of the act approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "Public School Code," entitling school nurses employed by first class school districts to same status and compensation as school teachers.

Which was committed to the Committee on Education.

House Bill No. 758, entitled:

An Act to further amend the act, approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858), entitled "State Employes Retirement Law," by further defining "State employe" and "original member" to include Members of the General Assembly at their option; and [making an appropriation] permitting such members to retire under certain circumstances.

Which was committed to the Committee on State Government.

House Bill No. 874, entitled:

An Act to further amend the first three paragraphs of section one thousand two hundred one of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "Public School Code," further defining substitutes and regulating their employment; and further providing for reimbursement of School districts employing substitutes.

Which was committed to the Committee on Education.

House Bill No. 974, entitled:

An Act to further amend section two hundred four of the act aproved the eighteenth day of May one thousand nine hundred eleven (P. L. 309), entitled "Public School Code," increasing the pay of teachers attending meetings called by the county superintendent.

Which was committed to the Committee on Education.

House Bill No. 1066, entitled:

An Act to amend section twenty of the act, approved the twenty-fifth day of May, one thousand nine hundred forty-five (P. L. 1050), entitled "Local Tax Collection Law," making a husband liable for his wife's per capita, poll and occupation taxes and providing for the collection thereof.

Which was committed to the Committee on Local Government.

House Bill No. 1112, entitled:

An Act to further amend subsection (b) of section two of the act, approved the twenty-ninth day of September, one thousand nine hundred thirty-eight (P. L. 53), entitled: as amended "An act relating to institutions of counties, cities, wards, boroughs, townships, institution districts and other political subdivision, for the case maintenance, and treatment of mental patients; providing for the transfer to the Commonwealth for the care, maintenance and treatment of mental patients of such institutions, and all grounds, lands, building and personal property of such political subdivision used for the care and maintenance of indigent persons connected with such mental institutions; providing for the management and operation or closing and abandonment thereof: and the maintenance of mental patients therein; including the collection of maintenance in certain cases; providing for the retransfer of certain property to counties, cities, wards, boroughs, townships, institution districts and other political subdivisions under certain circumstances; conferring and imposing upon the Governor, the Department of Welfare, the courts of common pleas; and counties, cities, wards, boroughs, townships, institution districts and other political subdivisions certain powers and duties; prohibiting cities, counties, wards, boroughs, townships, institution districts and other political subdivisions certain powers and duties; prohibiting cities, counties, wards, boroughs, townships, institution districts and other political subdivisions from maintaining and operating institutions, in whole or in part, for the care and treatment of mental patients; and repealing inconsistent laws," authorizing the Department of Welfare, with the approval of the Governor, to transfer to institution districts for the care and maintenance of indigent persons property no longer required by the Commonwealth for mental hospitals.

Which was committed to the Committee on Public Health and Welfare.

House Bill No. 1178, entitled:

An Act to further amend section six hundred seventeen point one of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "Public School Code," authorized school districts under certain conditions to appropriate money to non-profit corporations for the construction of school athletic stadia, including adequate equipment of the athletic field with fence enclosures end lighting system.

Which was committed to the Committee on Education.

RESOLUTION RECALLING FROM THE GOVERNOR HOUSE BILL No. 838

He also presented extract from the Journal of the House of Representatives, which was twice read as follows, considered and agreed to:

In the House of Representatives, April 30, 1947.

Resolved, (If the Senate concur), That House Bill No. 838, Printer's No. 214, entitled:

An Act to further amend the definition of "Extension education" in section one of the act approved the second day of May one thousand nine hundred twenty-five (P. L. 492) entitled "An act to provide for the equalization of educational opportunity and the encouragement of the study of citizenship by recognition of extension education for boys and girls who are employed and for adults as a function of the public schools of this Commonwealth and to facilitate the proper organization and administration of such extension education" including recreational or social service for youth and children within the meaning of the term "extension education"

be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILLS SIGNED

The PRESIDENT (Lieutenant-Governor Daniel B. Strickler) annouced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

Senate Bill No. 254, entitled:

An Act to amend the act, approved the fifth day of May,

one thousand nine hundred thirty-three (P. L. 289), entitled "An act relating to nonprofit corporations; defining and providing for the organization, merger, consolidation, and dissolution of such corporations; conferring certain rights, powers, duties, and immunties upon them and their officers and members; prescribing the conditions on which such corporations may exercise their powers; providing for the inclusion of certain existing corporations of the first class within the provisions of this act; prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth; conferring powers and imposing duties on the courts of common pleas, prothonotaries of such courts, recorders of deeds, and certain State departments, commissions, and officers authorizing certain local public officers and State departments to collect fees for service required to be rendered by this act; imposing penalties; and repealing certain acts and parts of acts relating to corporations," regulating the establshment and maintenance of common trust funds by nonprofit corporations.

Senate Bill No. 362, entitled:

An Act to amend section two of the act approved the eleventh day of April, one thousand nine hundred forty-five (P. L. 203), entitled "An act to provide assistance for typhoid fever carriers, and persons having typhoid fever carriers in their households, and imposing certain responsibilities upon the Secretary of Health, the Secretary of Public Assistance, and the Secretary of Welfare, in connection therewith," by fixing the date on which fiinancial assistance shall begin.

Senate Bill No. 369, entitled:

An Act to authorize railroad corporations incorporated in this Commonwealth to hold directors' meetings at such place within this Commonwealth, or elsewhere, as appointed by a majority of the directors.

Senate Bill No. 475, entitled:

An Act to further amend section two of the act, approved the tenth day of July, one thousand nine hundred thirty-five (P. L. 645), entitled "An act imposing certain requirements on certain hospitals receiving State aid; authorizing the withholding of appropriations; and imposing duties on the Department of Welfare," extending temporary wartime provisions.

Whereupon,

The PRESIDENT (Lieutenant-Governer Daniel B. Strickler) in the presence of the Senate signed the same.

HAROLD RUSSELL INTRODUCED TO SENATE

The PRESIDENT. Gentlemen of the Senate, we are honored today by the presence of a distinguished American, one who has done much for us. I have the pleasure of introducing to the members of the Senate and the guests here today Sergeant Harold Russell, a handless veteran, who is appearing in the motion picture "The Best Years of Our Lives." Sergeant Russell.

SERGEANT RUSSELL. Mr. President and members of the Senate, it is a rare and great privilege to be able to say a few words to you gentlemen today. I think I have been a very lucky guy in the sense that my appearance in the picture, "The Best Years of Our Lives" has given me a great opportunity to speak for a lot of people who otherwise might not be able to speak for themselves.

In the last few months we have been traveling all over the country, visiting Veteran's hospital's, army and navy hospitals, crippled children's homes and hospitals and rehabilitation centers. We have seen what fine work the Veteran's Administration, the army and navy, are doing toward rehabilitation in their hospitals.

We are wondering if that same type program might not be made available to our disabled civilians who do not have the apportunities that the man who qualified to enter our army, navy and Veteran's hospitals have; we are wondering why there could not be great medical rehabilitation centers for use of both civilians and veterans in all our major cities, a program which would probably help take care of approximately 23,000,000 disabled Americans from one end of our country to the other.

We are sure that this program could be put into effect, which would mean a tremendous saving of life and a great help to industry and the health and rehabilitation of our people.

The PRESIDENT. Thank you very much, Sergeant Russell, four your inspiring message.

Mr. DENT. Mr. President, I am sure I express the sentiments of the Pennsylvania Senate when we thank Sergeant Russell for his appearance here today. One can easily see, from the attitude he takes for others who are not as fortunate as he, in the position that they now enjoy, that he is unselfishly devoting his time that others might get whatever comfort they may be able to attain through the efforts of men like him.

Mr. TALLMAN. Mr. President, I desire to join most heartily in the remarks made by the gentleman from Westmoreland, Senator Dent, in saying that I think we appreciate more than can be expressed in words, the very fine message which we heard from Sergeant Russell, and I trust that he may spread that message many times and much further, so that more good can be accomplishned.

We appreciate very much his being here and hope that he may come back some other time and be with us again.

MEMBERS OF GRADUATING CLASS, NEW OXFORD HIGH SCHOOL INTRODUCED TO SENATE

Mr. TARR. Mr. President, I wish to call attention to the members of the Senate at this time, the graduating class of the New Oxford High School, sitting on my left, under the direction of Mr. Ivan R. Mechtly. It is the senior class of the New Oxford, Adams County High School.

I have always wanted to get up and have the pleasure of introducing to the Senate members of a school from my district, but they are just too far away, so after talking it over with my good friend, Senator Crider, I take the honor now to present to the Senate the graduating class of the New Oxford High School.

The PRESIDENT. On behalf of the Senators the Chair welcomes to the Senate the members of the graduating class of the New Oxford High School and trusts they will enjoy their visit here.

HUNTINGDON COUNTY VISITORS INTRODUCED TO SENATE

Mr. MALLERY. Mr. President, this afternoon we are honored by the presence in the Senate of the Honorable Charles Fetterhoof, President Judge of the Courts of Huntingdon County, and with him are Mr. Charles Fetterolf and Mr. Ralph Volpe, of Huntingdon county.

The PRESIDENT. The Chair welcomes to this session of the Senate the distinguished visitor from Huntingdon County.

VISITORS FROM COOPERSBURG INTRODUCED TO SENATE

Mr. TALLMAN Mr. President, I want at this time to direct to the attention of the Senate a very distinfiuished group of citizens from Coopersburg, Pennsylvania, who are members of the Coopersburg Lions Club, seated on our right.

The PRESIDENT. The Chair also welcomes to the Senate members of the Lions Club of Coopersburg and would say to you that if we had time we would like to hear you roar, but we will have some of that ourselves later.

PERMISSION TO ADDRESS SENATE

Mr. DiSILVESTRO asked and obtained unanimous consent to address the Senate.

Mr. DiSILVESTRO. Mr. President, Senator Jaspan and I join with the Philadelphia Inquirer in expressing disapproval of silt conditions on the Schuylkill River which the Philadelphia Inquirer has forcefully pointed out in an article which appeared on Tuesday, April 29, and I quote.

"When does the silt reach Philadelphia?"—These are not photographs, of mountains or hills these are just masses of silt—"These photograph, typical of a sheaf of desolating pictures made in a three-day survey by the Inquirer, Show how rotting, man-made mountains of culm and silt; choke the headwaters of the Schuylkill and pour silt into the river, which eventually deposits the black muck at the mouth of the Schuylkill in Philadelphia."

Conditions on the Schuylkill undoubtedly are extremely dangerous today and something must be done immediately to correct them. It was hoped that when the Brunner Bill was passed and enacted into law, the coal operators would comply with the law, but unfortunately they are flouting the pledges made by them to clean up the river and build silt basins and more important, they are violating the laws of the Commonwealth in delibertely dumping silt into our streams. We wonder whether they are exempt from the provisions of the law.

In view of the shocking revelations made by the Philadelphia Inquirer, it becomes increasingly important that the Water Sanitary Board and the Attorney General take immediate steps to abate the nuisance and further prosecute the violators of the Brunner law. We dare not delay. We also have a duty to perform to see that our laws are enforced.

Therefore, Mr. President, on behalf of Senator Jaspan and myself, I offer the following resolution:

RESOLUTION

ATTORNEY GENERAL AND SANITARY WATER BOARD TO START PROCEEDINGS TO ABATE THE FLOW OF SILT INTO PENNSYLVANIA STREAMS AND MAKE A REPORT OF THEIR PROGRESS TO SENATE IN THIRTY DAYS

Mr. DiSILVESTRO. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Messrs. DiSILVESTRO and JASPEN, offered the following resolution which was twice read as follows and referred to the Committee on Forests and Waters, Game and Fish:

In the Senate, April 30, 1947.

In 1937, the LaRue Pure Streams Act was passed and it was believed that stream pollution would at last be ended.

However, during the years that followed, the question arose as to whether the act was intended to cover coal silt. To eliminate that question the Philadelphia Inquirer began a pictorial and editorial campaign against coal silt in the Schuylkill River and Governor Duff who was then Attorney General, not only made it his official duty to put an end to that question, but dedicated himself to the problem and staked his political future on insisting that coal silt shall cease to flow into clean water streams that were used by the public. Only as a result of his courageous and persistent demands was the Brunner bill for the purification of Pennsylvania streams enacted into the laws of this Commonwealth.

Under the Brunner Act of 1945, the prosecution for violations was centered in the office of the Attorney General with the courts of common pleas having jurisdiction in the county where water pollution was taking place. The act prohibited the dumping of silt and acid mine draining into clear water devoted to public use. It also gave the State Sanitary Water Board power to define water purity standards and to determine available equipment. Fines of $100 to $5,000 and jail terms up to one year for non-compliance, were provided.

Through the recent investigation of the Philadelphia Inquirer, it was discovered that the coal mine operators were again violating the law and were apparently indifferent to the further and continued polluting of the streams.

Hundreds of tons of slimy coal silt continue to flow every day into the wrecked remnants of the Schuylkill River and start their journey towards the culm-choked mouth of the river at Philadelphia.

That a situation like this can no longer be a matter of debate. It is a matter that requires immediate and drastic legal action; therefore be it

Resolved, That the Attorney General and the Sanitary Water Board shall immediately initiate proceedings to abate the flow of coal silt into the streams of Pennsylvania and to prosecute vigoriously the offenders who are presently responsible for the flow of coal silt into the streams; and be it further

Resolved, That the Attorney General of Pennsylvania and the Sanitary Water Board shall file within thirty days a written report with the Senate, setting forth the proceedings which they have initiated and the success or failure thereof.

PERMISSION TO ADDRESS SENATE

Mr. SCARLETT asked and obtained unanimous consent to address the Senate.

Mr, SCARLETT. Mr. President, oleomargine in this session of the General Assembly has become more or less of a "hot" subject.

But the heat applied by big interests and those who seek special privileges has not melted either oleo or butter to the point of cooling my determination to protect the rights of the consumers of both products.

I have been looking into the facts that make oleo a hot subject. I have run across some ugly information and damaging records. I feel it is my duty to tell you the facts. Some are not pleasant.

As you know, a new oleomargine bill has been intro-

duced in the Senate. It is Senate Bill 644, sponsored by Senator Heyburn.

Members of the Senate and the public at large have a right to know why this bill has been presented for consideration of the General Assembly.

There appear to be many who would like to see all legislation on oleomargarine wiped from the state statues. I say that would be dangerous. Not only dangerous, but it would be a calamity for both buyers and sellers of oleomargarine.

Existing Pennsylvania laws governing the distribution and sale of oleomargarine are stringent. There is reason for that. The main reason is not so much for the benefit of the farmer, as claimed by certain groups, as it is for the benefit of the consumer.

Senate Bill 644 represents legislation that the Commonwealth needs and must have. It tells what oleomargarine is. It prohibits sale of oleo when colored yellow in imitation of butter. It does not prohibit manufacturers from giving it any other color than yellow.

Senate Bill 644 provides a relatively insignificant license fee of $5 for manufacturers, wholesalers, retailers, hotels restaurants and boarding houses alike. No distinctions are drawn. The license fee is less than that levied by the Federal Government.

There are two chief reasons why a license is necessary: |1. to better enforce provisions of the law, and (2) to enable the Commonwealth to know who is handling the product and keep unscrupulous dealers out of the business as a matter of protection to the public. Both are vitally important, as I shall soon point out.

Some have interpreted this new law to demand that retailers of oleomargarine make lengthy reports to the Commonwealth. That is not true. Retailers make no reports to anyone. The bill rightfully requires that they merely maintain records of the amounts purchased from their wholesalers. Before I have finished I shall explain why this is desirable and necessary.

Senate Bill 644 favors retailers in other respects. No longer will your grocer need wrap plain paper around a package of oleo and stamp his name and address thereon unless he digs it out of a tub and sells in bulk. This bill eliminates reports of violations to the county courts by constables; eliminates prosecutions by individuals, and eliminates undue posting of signs and placards in stores where oleo is sold.

I have no quarrel with oleomargarine as such and when sold as such. Neither has the State Council of Farm Organizations which represents 100,000 Pennsylvania farmers. When the consumer buys butter he wants butter. When he buys oleo he wants to know that it is oleo. But it is not fair to have him exposed to buying oleo when he thinks he is buying butter.

The only basic provisions of the proposed new oleo law are that the Commonwealth have knowledge of where the product is being sold in order that consumers may be protected from fraud and deception, that oleo be sold for what it really is, and not substituted for another product.

In no way does the Heyburn Bill restrict the sale of oleomargarine. Rather, it greatly broadens the scope of sales. It protects retailers from becoming unknowing accomplices of crooks and racketeers.

Anyone who believes there can be no fraud in dealing in oleomargarine in these United States need only look up the records of the Federal Bureau of Internal Revenue. They are jammed with reports of case after case where disgusting practices of known criminals have resulted in the foisting of an inferior product upon an unsuspecting public.

The most glaring cases that I have reviewed where consumers are being cheated are in the states where state regulation is limited to color restrictions. Fleecing of the public does not usually occur in states where outlets are licensed.

Consumers should not let moneyed special interests and pressure groups fool them. They are not fooling me in my efforts to do what I believe is proper for the protection of the people of Pennsylvania.

Internal Revenue records are full of cases where fraud and deception have been practiced by unscrupulous persons, known criminals and racketeers. Such persons have been caught red-handed, operating in cellars, caves, old barns, garages and all kind of filthy places, under conditions of insanitation that are revolting. They have used washing machines, battered tin tubs, wash boilers and all sorts of containers for mixing color in oleo. Some even worked renovated butter into their mixtures.

And out of such equipment there has come a product which was put up in flashy blue and gold cartoons carrying such false labels as "Quality Butter" and on other cartons, "Country Butter".

These are all facts contained in public records. They are not dated 40 or 50 years ago. They are of recent occurrence. These and other facts relating to this vile practice can be verified in court records by anyone who is sufficiently interested to dig up the real facts on this whole subject.

These records expose colossal profits obtained by such operations. It is a tempting racket with a product easily manipulated by the simplest methods.

I could go on giving case after case where thousands of consumers have been defrauded of thousands of dollars of hard-earned cash and duped with so-called "Bargain Butter." Sad to relate, most of those struck hardest with such brazen fraud are laborers and families in the low income brackets.

Fraud in oleo does not originate with the legitimate manufacturer. It usually takes place in distribution channels. That is why we must have legislation that clearly identifies the points of distribution and enables the Commonwealth to do its duty in the protection of legitimate manufacturers, dealers and consumers alike.

Licensing stops the illegal operator. This bill does not create any hardship or restrict the sale of oleomargarine when sold as legal oleomargarine. It encourages such sales, but discourages illegal sales.

Selfish outside interests may try to influence unsuspecting persons and gain their support for the elimination of proper safeguards for all citizens of Pennsylvania, dealers and consumers alike. For these pressure groups to succeed in hoodwinking this Senate is unthinkable. It must not happen here.

Pennsylvania has several special commodity food laws which were requested and are supported wholeheartedly

by their respective industries, including butter, cream, ice cream, lard, meat, milk, eggs, oysters, sausage, soft drinks, bakery products, coffee and chicory. The general food law is not sufficient to do the full job with these other foods. Neither can it fully provide for emergencies that can arise in the unlicensed distribution and sale of oleomargarine.

I have no special interest other than when a consumer wants oleo he is entitled to get it, and when a housewife buys butter she is equally entitled to get pure, unadulterated butter—not oleomargarine in disguise.

It has been said that present Pennsylvania laws discriminate against oleomargarine and that the Heyburn Bill places a "stigma" on oleomargarine as a food. Because oleomargarine so readily can be sold as real butter, it is automatically placed in a different class as a food product.

Bread is bread, pickles are pickles, apples are apples, and there are no products that can be made in imitation of any one of them and be passed off as the real thing. Yes, oleomargarine is in a class by itself. It has had special legislation for half a century. It still needs and must have special licensing legislation to prevent fraud and deception.

I say in all sincerity—let us keep oleomargarine the clean, sanitary product that it is claimed to be. Let us make it more readily available to all who wish to purchase it. Let us give full and proper protection to all consumers and legitimate dealers and have them always able to sell it for what it really is. Let us not expose our housewives and our children to the dangers of "moonshine butter" and the gyping by racketeers here in Pennsylvania.

I am heartly in favor of special legislation that will protect all of us, that will protect the consumer and the legitimate dealer in oleomargarine. The Heyburn Bill offers such protection. It warrants your full support. No member of this Senate who has the best interests of his constituency at heart can afford to vote against this bill.

PERMISSION TO ADDRESS THE SENATE

Mr. HOLLAND asked and obtained unanimous consent to address the Senate.

Mr. HOLLAND. Mr. President, I am very much surprised and really shocked to hear a member of the Senate get up and state that oleomargarine is being marketed in Pennsylvania by racketeers. The manufacturers who are producing oleomargarine in America are nearly as old as America itself. Some of the concerns, from a financial standpoint, are of the highest reliability.

To say that this law must be passed, which is practically a nuisance tax to discourage people from selling oleomargarine, and say that it must be passed to help and protect the people of Pennsylvania from racketeers selling oleomargarine, then we put into that class every wholesale grocer, every retailer, some of them who are old as Pennsylvania, companies that are as old as Pennsylvania itself.

Oleomargarine has been proven by tests by all the laboratories, including the butter trust laboratories, as being a wholesome product and one which contains all the vitamins contained in butter.

When he states that oleomargarine can be sold across the counter as butter, the gentleman knows there are laws protecting us against such practices. We have the Pure Food Law, which has control over the manufacture of oleomargine, and when you consider the millions of dollars which are being spent each year in national publications and over the radio to sell certain grades of oleomargarine, certainly these manufacturers are not going to throw this money away and substitute butter for the product on which they have spent so much to bring it before the public.

To say that fraud and deception is being practiced by those selling oleomargarine is hitting way below the belt. If any of these things exist, there are existing laws to place those people under the jurisdiction of the courts and sentence them accordingly. To say that in the prosecutions for Pure Food Law violations that more exist concerning oleomargarine than any other type of food that is sold, I say to you that is a gross exaggeration. Many a man who produces butter today has labeled it many a time wrongly. They are selling that over the counter too as grade A when it is not a grade A butter, and getting high prices. We have a law to correct that too.

We do not need another law here, just to confuse users of oleomargarine, and it is unfair to stand up here and try and tell the people of Pennsylvania that oleomargarine is poison or unclean, or not made under proper manufactoring conditions, or that it should be sold uncolored, when we color butter itself. Butter is colored and there are also certain ingredients added to butter to make a different tasting butter. There is a lot of difference between butter coming right out of a churn and the butter we buy over the counter.

I say to you that this is an attack which I think is wholly unwarranted, it is an attack on industries which are just as good and substantial as any other industry in America, the manufacturers of oleomargarine; and those who are trying to curb the sale of oleomargarine are the same people who tried time and time again to have laws passed that oleomargarine should be colored green before it would be allowed to be sold. It is a long story about oleomargarine in America, a long fight against butter trust. I might also say to the gentleman, for his information, that thousands and thousands of pounds of butter are brought into Pennsylvania; producers on the farms can not begin to make enough butter for the users of butter in Pennsylvania.

I think this is a very unfair attack against a good honest industry and a smoke-screen and a smear, just to confuse the people when they buy oleomargarine, that they are buying inferior products and one which may be poisonous to the user.

PERMISSION TO ADDRESS SENATE

Mr. FARRELL asked and obtained unanimous consent to address the Senate.

Mr. FARRELL. Mr. President, my remarks will be few, because when this bill comes up for final passage, not No. 644 but No. 190, which does propose to abolish the oleomargine law, I am going to have a lot more to say.

I would just like to call your attention, Mr. President, to a few things. I would like to call your attention to a telegram I just opened while the speech-making was

going on. It is from Pittsburgh and it says "Louis H. Farrell, House of Representatives. Legislative Council of Western Pennsylvania comprising twenty-five thousand members urges removal of all restriction to permit the free manufacture and sale of oleomargarine." It is signed by the secretary.

I have a communication from an organization which says they represent seventy thousand women. I just want to call your attention to what the Philadelphia Bulletin said last Saturday on its editorial page. The Bulletin is a pretty fair paper and it says—I will not quote the entire article but I would like just to quote this part of it:

"If the public should vote on the issue it surely would favor the Farrell Bill. It knows oleo from butter and when it wants oleo it wants to be able to buy it without expense and trouble."

Mr. President, I would like also to call your attention to a communication which I just opened here—I have received hundreds of letters on this matter, but this communiation is from Waynesboro, Pennsylvania, and it just came in. It says "the business and professional women's club of Waynesboro want action on abolition of margarine restrictions."

I also have here a communiation, Mr. President, from the Pennsylvania Federation of Business and Professional Women's Clubs, representing twenty-four hundred members, which is to the same effect.

That is what I want to put over to you folks. While you are all home during the week-end I want you to read the Reader's Digest—I am not advertising the Bulletin or the Reader's Digest, but they do have some pretty good news and pretty substantial news.

In the Reader's Digest of May, 1947, page 27, there is an article of three pages on margarine, which I wish you would all read, and there is one thing particularly that I want to quote now. It says "butter and margarine both contain eighty per cent fat." It says "isn't it time to wipe this sixty year old nonsense off the nation's law books."

PERMISSION TO ADDRESS SENATE

Mr. SCARLETT asked and obtained unanimous consent to address the Senate.

Mr. SCARLETT. Mr. President, I have not attempted to say that margarine is not a pure food. It is a pure food. It so happens that it is made from the best of importations from other countries, such as the Phillipines, Cuba, South America and Africa. None of it, however, happens to be produced in the United States.

I expected that the women's clubs would attack this measure, because the originator of the opposition, in a conversation with me, advised me that he had seven hundred envelopes addressed to women's clubs throughout the state of Pennsylvania, and he expected to turn them loose. That is all right. I have no fault to find with that. I have no fault to find with the sale and consumption of margarine, but I do have fault to find with a product that is a colored imitation of butter. With the remaval of these restrictions, any restaurant, hotel or eating place in the State of Pennsylvania could serve margarine unknown to the hotel or restaurant itself. That I do not think is right. I think the people in this state are entitled to better protection.

As I said before, there have been comparatively few violations in the State of Pennsylvania and that is because of the regulations which we have had. Eighty some per cent of the violations come from states that do not have a restrictive licensing law. There is a movement on foot, not by these regular manufacturers, the large manufacturers, but by those who purchase this product from those manufacturers, from those jobbers, to color it and wrap it and sell it as butter.

I see no reason why any consumer or any retailer should object to the Heyburn bill. I can see why a jobber might object to it, yet I can hardly see that he is put to much trouble because he necessarily has to make a report to the federal government once a month. The report to the State of Pennsylvania is similar and simply requires that an additional sheet be placed under the carbon and that copy be furnished to the State of Pennsylvania.

The purpose, the real purpose, the only purpose of this licensing law is that violators can be more easily traced. It would be rather a difficult job to trace violators if the officers were not able to visit the distributors, I mean the wholesalers, and obtain from them certain information as to the distribution of the product. I think also that such a law would be for the benefit of the distributor. It would take away from him the suspicion which certainly he is placed under now. It cannot be denied that there is an attempt to disguise oleomargarine. Someone has said there have been suggestions that they color oleomargarine green. I suppose that was for the purpose of pointing out to the purchaser that it was margarine and not butter, because, so far as I know, there has not been produced any green butter.

I again say that this bill is for the protection of every citizen of the State of Pennsylvania. Other surrounding states which have not had this protection now have in their legislatures bills to give them the protection that we have had and which we are asking for now.

PERMISSION TO ADDRESS SENATE

Mr. RAHAUSER asked and obtained unanimous consent to address the enate.

Mr. RAHAUSER. Mr. President, some time ago, in bringing this matter before the Senate, I said that the laws were some forty years out of date. While I have the most sincere regard for the gentleman from Chester, I beg to differ with him about the origin of the production of oleomargarine in the state of Pennsylvania. It probably once was true, that margarine was manufactured from substances imported into this country.

In a statement made by Dr. Hugh H. Darby, of the American Cookery Institution, he says as follows:

"At one time a good percentage of the vegetable oils were obtained in various parts of the world, and therefore some competing manufacturers were able to raise the point that this constituted the favoring of foreign agriculture in contrast to our own national agriculture."

And I may remark today that for forty years this act was an act well established for the protection of our domestic agriculture.

However, he goes on and sa

"It is for this reason that Texas put a special tax on margarine made from foreign vegetable oils.

"Today, however, soybean and cottonseed oil produced in the United States are the major ingredients of all margarine. In buying margarine today, and we are only writing of today, we are supporting our own farmers on our own soil. Therefore, if there remains any old ideas about the origin of margarine, they should be completely revised. To do otherwise would be an injustice to our soybean and cottonseed farmer of today."

Some time ago, when I stated the content of margarine, I cited the fourteen million pounds of whole milk that went into the production of margarine and I cited likewise that this constituted some fourteen per cent of the ingredients used in margarine, and that this was the product of Pennsylvania farms.

I would like to read also for the thoughtful consideration of this body something that is said in the Reader's Digest. My colleague, Senator Farrell, said you should read this over the week-end but in order that it might not be neglected by somebody, I want to read these few remarks.

"The nutritive values of butter and margarine have been argued at great length. Several points are conceded by both sides. Butter and margarine are both 80 per cent fat. Both contain Vitamin A; butter naturally, margarine by fortification. Butter's Vitamin A content varies with the season. Dairymen claim it runs from 9,000 units per pound in winter to 20,000 in summer. The law requires no guarantees or minimum standards.

"On the other hand, 99 per cent of all margarine made in the United States for human consumption is fortified with at least 9,000 units per pound and most with 15,000 or more. Margarine is subject to test for its Vitamin A content."

I will not take any more time of the Senate except that I would like, beginning with next week, to have a better prepared statement in answer to our worthy colleague from Chester.

PERMISSION TO ADDRESS SENATE

Mr. HOLLAND asked and obtained unanimous consent to address the Senate.

Mr. HOLLAND. Mr. President, I just have a few words to say in answer to the gentleman from Chester.

For years in America western farmers opposed oleomargarine and the largest lobbies were from the western and mid-western states. Today the farmers of these states have found out that by growing soybeans they can make more money than they ever made before and, as you know, soybeans are used in the production of oleomargarine.

I just want to have this clear, because I do not want the people to be confused and think that the material going into margarine is all imported. It is not. It is one of the most profitable products of the middle west and western farms, the soybean.

PERMISSION TO ADDRESS SENATE

Mr. SCARLETT asked and obtained unanimous consent to address the Senate.

Mr. SCARLETT. I agree, Mr. President, with most that the gentleman has said. I again say oleomargarine is a wholesome food. I know that. I have looked well into the subject and I think I know just what I am talking about along that line.

There are no restrictions on the method of selling or distributing margarine in this bill, with the exception of making a record as to where it goes.

I was not aware that so much cottonseed oil was being used in margarine at the preesnt time, because some margarine manufacturers have told me that it was not. In any event there is not, as far as I know, a pound of margarine being manufactured in the State of Pennsylvania.

Again I say margarine is a good wholesome food, it should be distributed, it should be properly distributed, it should be made available to any one who desires to use it—and I use it myself occasionally and I like it—but I do think there should be restrictions placed on this product, only to the extent of a $5 license, so that the policing departments of the pure food law authorities of the United States and the state of Pennsylvania can find it more easy to locate offenders.

Again I say the bill is for the protection of the people. It permits them to buy a lower priced product, but it would not permit the racketeer to buy that lower priced product at twenty or twenty-five cents a pound, color it, re-label it and sell it for sixty-five cents a pound.

The farmers of the state of Pennsylvania are making no objection. They simply are interested, with the rest of the people, in knowing that it is sold as margarine. There would be no way at all to detect the sale of this product if it was not so handled. I think our women and our children are entitled to that protection and I am more and more heartily in favor of this legislation.

REPORTS FROM COMMITTEES

Mr. WATSON, from the Committee on Appropriations, reported as committed, House Bill No. 1313, entitled:

An Act to amend section one of the act approved the twenty-ninth day of May one thousand nine hundred forty-five (Appropriation Acts page 20 Act No. 26-A) entitled "An act making an appropriation to the Elwyn Training School at Elwyn in the County of Delaware Commonwealth of Pennsylvania and prescribing certain conditions upon which the appropriation will be available to the school" increasing the per capita annual maintenance rate of wards of the State and the amount of the total appropriation.

Mr. LLOYD H. WOOD, from the Committee on Finance, reported as committed, House Bill No. 659, entitled:

An Act to further amend section twenty-three of the act approved the first day of June one thousand eight hundred eighty-nine (P. L. 420) entitled "A further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine" by increasing for a further limited period of time the rate of tax imposed upon the gross receipts of certain companies limited partnerships association joint-stock associations copartnerships and persons by making further provisions for the report and payment of the tax and by further defining gross receipts.

He also, from the Committee on Finance, reported as committed, House Bill No. 661, entitled:

An Act to reenact and amend the title and the act approved the ninth day of June, one thousand nine hundred thirty-six (Special Session of one thousand nine hundred thirty-six, P. L. 13), entitled "An act imposing an emergency State tax for a limited period of time on liquor, as herein defined, sold by the Pennsylvania Liquor Control Board; providing for the collection and payment of such tax; and imposing duties upon the Department of Revenue and the Pennsylvania Liquor Control Board," as previously reenacted and amended, by extending the provisions thereof for a further limited period of time.

He also, from the Committee on Finance, reported as amended, House Bill No. 662, entitled:

An Act to reenact and amend the title and the act approved the fourteenth day of June, one thousand nine hundred thirty-five (P. L. 341), entitled as amended "An act to provide revenue by imposing a State tax upon sales of cigarettes by dealers as herein defined; requiring persons engaged in the sale of cigarettes at wholesale and retail to secure permits; prescribing the method and manner of collceting such tax; conferring powers and imposing duties on the Department of Revenue, and persons, as herein defined, engaged in the sale of cigarettes at retail or wholesale; and providing penalties," as previously reenacted and amended, by increasing the rate of tax by reducing the rate of commission for affixing stamps and extending the provisions of the act for a further limited period of time.

He also, from the Committee on Finance, reported as committed, House Bill No. 663, entitled

An Act to further amend section three of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 284) entitled as amended "An act imposing a State tax payable by those herein defined as manufacturers and by others on malt or brewed beverages used sold transported or delivered within the Commonwealth prescribing the method and manner of evidencing the payment and collection of such tax conferring powers and imposing duties on the Department of Revenue and those using or engaged in the sale at retail or wholesale or in the transportation of malt or brewed beverages taxable hereunder and providing penalties" by temporarily increasing the rates of certain taxes.

He also, from the Committee on Finance, reported as amended, House Bill No. 664, entitled:

An Act to provide revenue by imposing a state tax, payable by those herein defined as manufacturers and bottlers and by others of syrups and bottled soft drinks, prepared, used, sold, transported or delivered within the Commonwealth; requiring persons as herein defined engaged in the manufacture, bottling, distribution, sale and transportation of syrup and bottled soft drinks to secure permits; prescribing the method and manner of evidencing the payment and collection of such tax or assessing the tax; conferring powers and imposing duties on the Department of Revenue and those manufacturing, bottling, distributing, selling and transporting syrup or bottled soft drinks taxable hereunder; and providing penalties.

He also, from the Committee on Finance, reported as committed, House Bill No. 665, entitled:

An Act to reenact and amend the title and the act approved the sixteenth day of May one thousand nine hundred thirty-five (P. L. 208) entitled as amended "An act to provide revenue for State purposes by imposing an excise tax for a limited period of time on the net incomes of certain corporations joint-stock associations and limited partnerships providing for the assessment collection settlement and resettlement of taxes and reviews and appeal therefrom conferring powers and imposing duties on certain persons corporations joint-stock associations limited partnerships State and county officers boards and departments making an appropriation and providing penalties" as previously reenacted and amended by extending the provisions of the act for a further limited period of time and by disallowing any deduction for net operating losses

He also, from the Committee on Finance, reported as committed, House Bill No. 666, entitled:

An Act to further amend section twenty-one of the act approved the first day of June one thousand eight hundred eighty-nine (P. L. 420) entitled "A further supplement to an act entitled 'An act to provide revenue by taxation approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine" postponing the manufacturing exemption with regard to capital stock tax and the franchise tax on domestic and foreign corporations joint-stock associations limited partnerships and companies

Mr. WAGNER, from the Committee on Education, reported as committed, House Bill No. 439, entitled:

An Act to add section five point one to the act, approved the nineteenth day of June, one thousand nine hundred thirty-one (P. L. 589), entitled as amended, "An act to promote the public health and safety, by providing for the examination and licensure of those who desire to engage in the occupation of barbering; regulating barber shops and barber schools, and apprentices and students therein; regulating compensation for service rendered; conferring certain powers and duties on the Department of Public Instruction; and providing penalties," further regulating apprentices and students and their registration in such occupation in certain cases.

Mr. STEVENSON, from the Committee on Local Government, reported as amended, House Bill No. 788, entitled:

An Act to add clause XXVI to section seven hundred two of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" authorizing the establishment of districts for police protection and providing for an equal assessment on all property benefited by such protection

Mr. CARR, from the Committee on Education, reported as committed, House Bill No. 494, entitled:

An Act to further amend the act, approved the nineteenth day of June, one thousand nine hundred thirty-one (P. L. 589) entitled as amended "An act to promote the public health and safety, by providing for the examination and licensure of those who desire to engage in the occupation of barbering; regulating barber shops and barber schools, and apprentices and students therein; regulating compensation for service rendered; conferring certain powers and duties on the Department of Public Instruction and providing penalties," by further regulating the practice of barbering, the annual renewal of certificates, and the eligibility requirements for examinations.

BILLS INTRODUCED AND REFERRED

Mr. MALLERY read in his place and presented to the Chair Senate Bill No. 679, entitled:

An Act to amend section seventy-two of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh

and eighth classes; and revising, amending and consolidating the laws relating thereto," establishing a fund and manner of assessing the various counties to pay expenses incurred by the State Association of County Commissioners for carrying on the work and activities of such State Association.

Which was committed to the Committee on Local Government.

He also read in his place and presented to the Chair Senate Bill No. 680, entitled:

An Act to amend section seventy-two of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," providing for the payment by the several counties of expenses incurred by the State Association of County Commissioners for carrying on the work and activities of such State Association.

Which was committed to the Committee on Local Government.

Mr. FRAZIER. Mr. President, as you all know, I have the privilege of residing in the fairest city in America, the city of brotherly love, fair in very many things; I have the honor of representing the largest senatorial district in America, with 412,000 population, and I am happy of my associations and happy about my city in all things but one.

For many years, Mr. President, I have been irked and annoyed by one condition which exists in the city of Philadelphia. We have many meetings in my senatorial district where we like to have the honor and privilege of having the Mayor of Philadelphia come and talk to us.

Since the Act of 1999, the Charter Bill of Philadelphia, for some reason in that bill the mayor was taken out of the category of all the other mayors in America and he became nothing but a private citizen when he went to meetings, he was not a politician, he had no political rights, and in fact, it was a crime for the mayor to indicate that he was a Republican, and I have always been irked by that. Nowhere in America does such a condition exist.

Without consulting anyone, and upon my own initiative, I thought that condition ought to be corrected and I now present to the Chair a bill which, if enacted into law, will restore to the Mayor of Philadelphia that citizenship which he ought to have.

Mr. JASPAN. Mr. President, may I point out to the Senator from Philadelphia that he said the Act of 1999. I believe, Mr. President, it was an act of 1919.

Mr. FRAZIER. Mr. President, if I said the Act of 1999 I ask to have it corrected. If his ears are bad I ask him to have the wax taken out.

Mr. JASPAN. Don't forget you put the wax in my ears.

Mr. FRAZIER read in his place and presented to the Chair Senate Bill No. 681, entitled:

An Act to amend sections two and twenty-three of article nineteen of the act, approved the twenty-sixth day of June, one thousand nine hundred nineteen (P. L. 581), entitled "An act for the better government of cities of the first class of this Commonwealth," changing the status of the mayor in relations to certain activities.

Which was committed to the Committee on Local Government.

Mr. LETZLER read in his place and presented to the Chair Senate Bill No. 682, entitled:

An Act to further amend rule seventy-seven of section six of article eleven of the act, approved the ninth day of June, one thousand nine hundred eleven (P. L. 756), entitled "An act to provide for the health and safety of persons employed in and about the bituminous coal mines of Pennsylvania, and for the protection and preservation of property connected therewith," requiring that non-gaseous mines upon becoming gaseous shall discontinue the use of certain electrical equipment within a certain period of time, authorizing the Secretary of Mines to extend such period for an additional period after investigation and requiring such mines to otherwise comply with all laws relating to gaseous mines.

Which was committed to the Committee on Mines and Mining.

He also read in his place and presented to the Chair Senate Bill No. 683, entitled:

An Act to further amend section three of Article XXVIII of the act, approved the ninth day of June, one thousand nine hundred eleven (P. L. 756), entitled "An act to provide for the health and safety of persons employed in and about the bituminous coal mines of Pennsylvania, and for the protection and preservation of property connected therewith," applying certain regulations to mines employing fewer than five persons; and providing penalties.

Which was committed to the Committee on Mines and Mining.

Mr. HOMSHER read in his place and presented to the Chair Senate Bill No. 684, entitled:

An Act to further amend section one thousand two hundred fourteen of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," making further provision for the employment of supervising principals.

Which was committed to the Committee on Education.

Mr. T. NEWELL WOOD read in his place and presented to the Chair Senate Bill No. 685, entitled:

An Act making an appropriation from the General Fund to the Department of Property and Supplies for use at any existing or new State-owned Institutions within the Department of Welfare, for purchase or condemnation of land, for construction of new buildings, for repair and alterations to and replacement of existing buildings, and for architectural and engineering services, fixtures, equipment, sewage treatment plants, water supply, electrical and other facilities.

Which was committed to the Committee on Appropriations.

Mr. HOLLAND read in his place and presented to the Chair Senate Bill No. 686, entitled:

An Act to amend the act, approved the twenty-fifth day of May, one thousand nine hundred thirty-seven (P. L. 814), entitled "An act to provide for the permanent personal registration of electors in cities of the second class as a condition of their right to vote at elections and

primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; and imposing penalties," providing for the fixing of the number and compensation of employes by the commission; removing the requirement that county commissioners furnish offices for the commission; and providing for the payment by the Commonwealth of expenses of registration commissions in cities of the second class.

Which was committed to the Committee on Elections.

He also read in his place and presented to the Chair Senate Bill No. 687, entitled:

An Act relating to county and city institution districts for the care of indigent persons requiring public care, children in foster homes, etc.; providing for the transfer of such functions to the Commonwealth; conferring and imposing upon the Department of Welfare certain powers and duties; abolishing the city and county institution districts and repealing inconsistent laws.

Which was committed to the Committee on Public Health and Welfare.

Messrs. RAHAUSER and BARR read in their place and presented to the Chair Senate Bill No. 688, entitled:

An Act providing for the reimbursement to counties by the Commonwealth for certain costs of operation of institutions for the care of dependent, neglected and delinquent children.

Which was committed to the Committee on Public Health and Welfare.

They also read in place and presented to the Chair Senate Bill No. 689, entitled:

An Act to further amend the act approved the seventeenth day of June one thousand nine hundred thirteen (P. L. 507) entitled "An act to provide revenue for State and county purposes, and in cities coextensive with counties, for city and county purposes; imposing taxes upon certain classes of personal property; providing for the assessment and collection of the same; providing for the duties and compensation of prothonotaries and recorders in connection therewith, and modifying existing legislation which provided for raising revenue for State purposes," by providing further for the assessment, collection and lien of the tax, granting certain enforcement and investigatory powers to taxing authorities, and imposing duties on certain county officers.

Which was committed to the Committee on Judiciary General.

Messrs. BARR and RAHAUSER read in place and presented to the Chair Senate Bill No. 690, entitled:

An Act relating to costs in desertion and non-support cases; placing said costs upon defendants, and imposing duties upon courts and certain county officers.

Which was committed to the Committee on Judiciary General.

They also read in place and presented to the Chair Senate Bill No. 691, entitled:

An Act relating to costs in fornication and bastardy and failure to support cases; placing said costs upon defendants, and imposing duties upon courts and certain county officers.

Which was committed to the Committee on Judiciary General.

They also read in place and presented to the Chair Senate Bill No. 692, entitled:

An Act relating to the imposition of costs in criminal cases; providing for such costs to be borne by the Commonwealth in certain cases; and imposing duties upon counties and upon the Commonwealth in connection with the costs in criminal cases.

Which was committed to the Committee on Judiciary General.

Mr. DENT read in his place and presented to the Chair Senate Bill No. 693, entitled:

An Act to further amend section three hundred five of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333), entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," by providing for the reimbursement of counties by the Commonwealth for a portion of the expenses incurred in the conduct of elections.

Which was committed to the Committee on Elections.

He also read in his place and presented to the Chair Senate Bill No. 694, entitled:

An Act to amend the act approved the twenty-fifth day of April, one thousand nine hundred twenty-nine (P. L. 694) entitled "An act providing for the payment monthly by the counties to the Department of Revenue of the expenses of keeping convicts in State penitentiaries," by extending the provisions thereof to all state penal and correctional institutions and providing further for the determination of costs to be borne by the counties.

Which was committed to the Committee on State Government.

Mr. CHAPMAN read in his place and presented to the Chair Senate Bill No. 695, entitled:

An Act to amend subsection (c) of section one of the act, approved the thirty-first day of March, one thousand nine hundred thirty-seven (P. L. 160), entitled "An act creating a commission to be known as the Pennsylvania Public Utility Commission; defining in part the powers and duties of such commission; abolishing The Public Service Commission of the Commonwealth of Pennsylvania, terminating the terms of the members thereof, and transferring to the Pennsylvania Public Utility Commission the records, employes, property, and equipment of The Public Service Commission of the Commonwealth of Pennsylvania; authorizing the Pennsylvania Public Utility Commission to appear in and complete all pending proceedings, legal or otherwise, instituted before, by or against The Public Service Commission of the Commonwealth of Pennsylvania; providing that all certificates of

public convenience, contracts, orders, and rules and regulations of the latter commission shall remain effective until repealed, changed or modified by the Pennsylvania Public Utility Commission, and transferring and appropriating to the Pennsylvania Public Utility Commission any unexpended balance of any existing appropriation to The Public Service Commission of the Commonwealth of Pennsylvania," increasing the salaries of the chairman and other commissioners.

Which was committed to the Committee on Corporations.

CALENDAR

SENATE ADOPTS THE REPORT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 104

Agreeably to order,

The Senate proceeded to the consideration of the Report of Committee of Conference on Senate Bill No. 104, as follows:

REPORT OF THE COMMITTEE OF CONFERENCE ON SENATE BILL No. 104

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering Senate Bill No. 104, entitled: "An act to amend section three of the act approved the fifteenth day of May, one thousand nine hundred forty-five (P. L. 526), entitled 'An act relating to the use of trailing cables on portable electric machinery in coal mines; providing for the health and safety of persons employed therein, and for the protection and preservation of property connected therewith, and for the inspection of such equipment by the Department of Mines,' providing for additional grant of time within which to conform to the requirements thereof, and validating actions of the Secretary of Mines and the Department of Mines."

Respectfully submit the following bill as our report:

A. H. LETZLER,
ROWLAND B. MAHANY,
BURTON E. TARR,
(Committee on the Part of the Senate.)

CHAS. L. ROBERTSON,
HARRY P. O'NEILL,
(Committee on the Part of the House of Representatives.)

An Act to amend section three of the act approved the fifteenth day of May one thousand nine hundred forty-five (P. L. 526) entitled "An act relating to the use of trailing cables on portable electric machinery in coal mines providing for the health and safety of persons employed therein and for the protection and preservation of property connected therewith and for the inspection of such equipment by the Department of Mines" providing for additional grant of time within which to conform to the requirements thereof and validating actions of the Secretary of Mines and the Department of Mines

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section three of the act approved the fifteenth day of May one thousand nine hundred forty-five (P. L. 526) entitled "An act relating to the use of trailing cables on portable electric machinery in coal mines providing for the health and safety of persons employed therein and for the protection and preservation of property connected therewith and for the inspection of such equipment by the Department of Mines" is hereby amended to read as follows

Section 3 This act shall become effective one year following its final passage and its provisions shall be enforced by the Department of Mines provided however on written request from an operator the time may be extended by the Secretary of Mines for a period of not more than six (6) months Provided further That any operator who may at the time of passage of this act have in use a trailing cable which does not meet the specifications required by this act may continue to use such cable until replacement is necessary or until the Department shall order a cable replaced but in no event later than the first day of April one thousand nine hundred forty-nine In either such case the new cable shall meet the specifications fixed by this act The action of the Department of Mines in permitting the continued use of trailing cables not conforming to this act as originally enacted because flame resisting trailing cables were not available in sufficient number to replace existing cables is hereby ratified confirmed and validated

Section 2 The provisions of this act shall become effective immediately upon final enactment

On the question,

Will the Senate adopt the Report of Committee of Conference?

Mr. TALLMAN. Mr. President, I move that the Senate adopt the Report of Committee of Conference on Senate Bill No. 104.

Mr. WADE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

Barr,	Geltz,	Lord,	Tarr,
Becker,	Haluska,	Mahany,	Taylor,
Blass,	Hare,	Mallery,	Tyler,
Carr,	Heyburn,	Margie,	Wade,
Chapman,	Holland,	Rahauser,	Walker,
Crider,	Homsher,	Rosenfeld,	Watson,
Crowe,	Jaspan	Ruth,	Wilson,
Dent,	Kephart,	Scarlett,	Wolfe,
DiSilvestro,	Klein,	Snowden,	Wood, L. H.,
Doehla,	Lane,	Stevenson,	Wood, T. N.,
Farrell,	Leader,	Stiefel,	Woodring,
Frazier,	Letzler,	Tallman,	

NAYS—1

Wagner,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILLS ON CONCURRENCE IN HOUSE AMENDMENTS

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 313, on concurrence in House amendments, entitled:

An Act to reenact, amend and revise the act approved the first day of May one thousand nine hundred and thirty-three (P. L. 103), as amended, entitled "An act concerning townships of the second class; and amending, revising, consolidating and changing the law relating thereto."

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 342, entitled:

An Act making an appropriation to the Senate and the House of Representatives to pay the expenses of their committees directed to visit State institutions under the supervision of the Department of Welfare

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 342

Mr. TALLMAN. Mr. President, I move that the Senate concur in the amendments made by the House to Senate Bill No. 342.

Mr. WADE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	Geltz,	Mahany,	Tarr,
Becker,	Heluska,	Lord.	Taylor,
Blass,	Hare,	Mallery,	Tyler,
Carr,	Heyburn,	Margie,	Wade,
Chapman,	Holland.	Rahauser,	Wagner,
Crider,	Homsher	Rosenfeld,	Walker,
Crowe,	Jaspan,	Ruth,	Watson,
Dent,	Kephart,	Scarlett,	Wilson,
DiSilvestro,	Klein,	Snowden,	Wolfe,
Doehla,	Lane.	Stevenson,	Wood, L. H.,
Farrell,	Leader,	Stiefel,	Wood, T. N.,
Frazier,	Letzler,	Tallman,	Woodring,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILL ON FINAL PASSAGE

Agreeably to order,

The Senate resumed the consideration of House Bill No. 772, as follows:

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal School or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by changing the name of the Thaddeus Stevens Industrial School

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 As much as applies to the Department of Public Instruction of section two hundred two of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" which section was last amended by the act approved the twenty-fifth day of May one thousand nine hundred forty-five (P. L. 1015) and by the act approved the sixth day of June one thousand nine hundred forty-five (P. L. 1398) is hereby further amended to read as follows

Section 202 Departmental Administrative Boards Commissions and Officers The following boards commissions and officers are hereby placed and made departmental administrative boards commissions or offices as the case may be in the respective administrative departments mentioned in the preceding section as follows

* * * * *

In the Department of Public Instruction
State Council of Education
State Real Estate Commission
Pennsylvania State Board of Censors
Public School Employes' Retirement Board
Board of Trustees of [Thaddeus Stevens Industrial School] Thaddeus Stevens Trade School
Board of Trustees of Pennsylvania State Oral School for the Deaf
Board of Trustees of Pennsylvania Soldiers' Orphans School
Board of Trustees of West Chester State Teachers' College
Board of Trustees of Millersville State Teachers' College
Board of Trustees of Kutztown State Teachers' College
Board of Trustees of East Stroudsburg State Teachers' College
Board of Trustees of Mansfield State Teachers' College
Board of Trustees of Bloomsburg State Teachers' College
Board of Trustees of Shippensburg State Teachers' College
Board of Trustees of Lock Haven State Teachers' College
Board of Trustees of Indiana State Teachers' College
Board of Trustees of California State Teachers' College
Board of Trustees of Slippery Rock State Teachers' College
Board of Trustees of Edinboro State Teachers' College
Board of Trustees of Clarion State Teachers' College
Board of Trustees of Cheyney Traniing School for Teachers
State Board of Medical Education and Licensure
State Board of Pharmacy
State Dental Council and Examining Board
State Board of Optometrical Examiners
State Board of Osteopathic Examiners
Osteopathic Surgeons' Examining Board
State Board of Examiners for the Registration of Nurses
State Board of Veterinary Medical Examiners
State Board for the Examination of Public Accountants

State Board of Examiners of Architects
Anthracite Mine Inspectors' Examining Board
Mine Inspectors' Examining Board for the Bituminous Coal Mines of Pennsylvania
State Registration Board for Professional Engineers
State Civil Service Commissions

Section 2 Section four hundred one of said act as last amended by the act approved the thirty-first day of May one thousand nine hundred forty-five (P. L. 1214) is hereby further amended to read as follows

Section 401 Boards of Trustees of State Institutions The boards of trustees of each of the State institutions hereinafter mentioned shall consist of nine members and the head of the department having supervision over the institution ex officio

The terms of the members of each such board shall be four years and until their successors are qualified

Five members of any such board shall constitute a quorum

Each such board shall annually elect a president and vice-president from among its members and a secretary and treasurer who need not be members of the board The secretary and treasurer may be the same person

This section shall apply to

Board of Trustees of [Thaddeus Stevens Industrial School] Thaddeus Stevens Trade School
Board of Trustees of Pennsylvania State Oral School for the Deaf
Board of Trustees of Pennsylvania Soldier's Orphan School
Board of Trustees of West Chester State Teachers' College
Board of Trustees of Millersville tSate Teachers' College
Board of Trustees of Kutztown State Teachers' College
Board of Trustees of East Stroudsburg State Teachers' College
Board of Trustees of Mansfield State Teachers' College
Board of Trustees of Bloomsburg State Teachers' College
Board of Trustees of Shippensburg State Teachers' College
Board of Trustees of Lock Haven State Teachers' College
Board of Trustees of Indiana State Teachers' College
Board of Trustees of California State Teachers' College
Board of Trustees of Slippery Rock State Teachers' College
Boari of Trustees of Edinboro State Teachers' College
Board of Trustees of Clarion State Teachers' College
Board of Trustees of Cheyney Training School for Teachers
Board of Trusttes of Pennsylvania Soldiers' and Sailors' Home
Board of Trustees of Eastern State Penitentiary which upon the establishment of the Medium Security Prison at Graterford shall thereafter be known as the Board of Trustees at Graterford
Board of Trustees of Western State Penitentiary
Board of Trustees of Pennsylvania Institution for Defective Delinquents And upon the establishment of the Medium Security Prison at Huntingdon shall thereafter be known as the Board of Trustees at Huntingdon
Board of Trustees of the Pennsylvania Industrial School at Camp Hill Cumberland County Pennsylvania
Board of Trustees at Rockview
Board of Trustees of the Pennsylvania Training School for Girls
Board of Trustees of State Industrial Home for Women
Board of Trustees of Pennsylvania Training School at Morganza
Board of Trustees of Pennsylvania Training School at Kis-Lyn Luzerne County Pennsylvania
Board of Trustees of Allentown State Hospital
Board of Trustees of Danville State Hospital
Board of Trustees of Farview State Hospital
Board of Trustees of Harrisburg State Hospital
Board of Trustees of Norristown State Hospital
Board of Trustees of Warren State Hospital
Board of Trustees of Wernersville State Hospital
Board of Trustees of Torrance State Hospital
Board of Trustees of Ashland State Hospital
Board of Trustees of Blossburg State Hospital
Board of Trustees of Coaldale State Hospital
Board of Trustees of Connellsville State Hospital
Board of Trustees of Hazleton State Hospital
Board of Trustees of Locust Mountain State Hospital
Board of Trustees of Nanticoke State Hospital
Board of Trusttes of Philipsburg State Hospital
Board of Trustees of Scranton State Hospital
Board of Trustees of Shamokin State Hospital
Board of Trusttes of Laurelton State Village
Board of Trustees of Pennhurst State School
Board of Trustees of Polk State School
Board of Trustees of Selinsgrove State Colony for Epileptics

Board of Trustees of such institutions as are acquired by the Commonwealth from any county city or institution district and are used as State mental hospitals under the provisions of act number twenty-one approved the twenty-ninth day of September one thousand nine hundred thirty-eight

Provided That from and after the third Tuesday of January one thousand nine hundred and forty-three the terms of the first three members to be appointed by the Governor to each of the following boards of trustees shall expire on the third Tuesday of January one thousand nine hundred and forty-five and the terms of the next three members to be appointed shall expire on the third Tuesday of January one thousand nine hundred and forty-seven and the terms of the next three members shall expire on the third Tuesday of January one thousand nine hundred and forty-nine the successors to each of the above mentioned members shall be appointed for terms of six years and all appointments thereafter shall be for terms of six years except those to fill vacancies created prior to the end of any term which shall be only for the duration of the unexpired term

Board of Trustees of [Thaddeus Stevens Industrial School] Thaddeus Stevens Trade School
Board of Trustees of Pennsylvania State Oral School for the Deaf
Board of Trustees of Pennsylvania Soldiers' Orphan School
Board of Trustees of West Chester State Teachers' College
Board of Trustees of Millersville State Teachers' College
Board of Trustees of Kutztown State Teachers' College
Board of Trustees of East Stroudsburg State Teachers' College
Board of Trustees of Mansfield State Teachers' College
Board of Trustees of Bloomsburg State Teachers' College
Board of Trustees of Shippensburg State Teachers' College
Board of Trustees of Lock Haven State Teachers' College
Board of Trustees of Indiana State Teachers' College
Board of Trustees of California State Teachers' College
Board of Trustees of Slippery Rock State Teachers' College
Board of Trustees of Edinboro State Teachers' College
Board of Trustees of Clarion State Teachers' College
Board of Trustees of Cheyney Training School for Teachers

Section 3 Section one thousand three hundred eleven of said act as amended by the act approved the twenty-first day of Jun one thousand nine hundred thirty-seven (P. L. 1865) is hereby further amended to read as follows

Section 1311 Boards of Trustees of State Institutions Within the Department The Boards of trustees of the several State Normal Schools or Teachers Colleges the Board

of Trustees for the Cheyney Training School for Teachers the Board of Trustees of Pennsylvania State Oral School for the Deaf the Board of Trustees of Pennsylvania Soldiers' Orphan School and the Board of Trustees of [Thaddeus Stevens Industrial School] Thaddeus Stevens Trade School shall have general direction and control of the property and management of their respective institutions Each of the said boards of trustees shall have the power and its duty shall be

(a) Subject to the approval of the Governor to elect a president principal or superintendent of the institution who shall subject to the authority of the board administer the institution and if deemed advisable a business manager

(b) On nomination by the president principal or superintendent from time to time to appoint such officers and employes as may be necessary

(c) To fix the salaries of its employes in conformity with the standards established by the Executive Board

(d) Subject to the approval of the Superintendent of Public Instruction to make such by-laws rules and regulations for the management of the institution as it may deem advisable.

And the amendments made therto having been printed as required by the Constitution.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and wer as follows, viz:

YEAS—48

Barr,	Geltz,	Lord,	Tarr,
Becker,	Haluska,	Mahany,	Taylor,
Blass,	Hare,	Mallery,	Tyler,
Carr,	Heyburn,	Margie,	Wade,
Chapman,	Holland,	Rahauser,	Wagner,
Crider,	Homsher,	Rosenfeld,	Walker,
Crow,	Jaspan,	Ruth,	Watson,
Dent,	Kephart,	Scarlett,	Wilson,
DiSilvestro,	Klein,	Snowden,	Wolfe,
Doehla,	Lane,	Stevenson,	Wood, L. H.,
Farrell,	Leader,	Stiefel,	Wood, T. N.,
Frazier,	Letzler,	Tallman,	Woodring,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 7, as follows:

An Act to amend sections one and four of the act approved the twenty-eight day of May one thousand nine hundred forty-three (P. L. 793) entitled "An act authorizing counties of the second class to regulate the production of smoke from chimneys smokestacks or other source including provisions for the payment of inspection and certificates of compliance fees incident thereto authorizing the expenditure of money for the employment of persons and the acquisition of property for effectuating such regulations and providing penalties for the violation thereof" removing exemption regarding railroad and locomotives and changing the effective date

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections one and four of the act approved the twenty-eight day of May one thousand nine hundred forty-three (P. L. 793) entitled "An act authorizing counties of the second class to regulate the production of smoke from chimneys smokestacks or other source including provisions for the payment of inspection and certificates of compliance fees incident thereto authorizing the expenditure of money for the employment of persons and the acquisition of property for effectuating such regulations and providing penalties for the violation thereof" is hereby amended to read as follows

Section 1 Counties of the second class shall have the power by resolution or ordinance to regulate the production or emission of smoke from any chimney smokestack or other source [except railroad locomotives] within such county Said regulations may include provisions for the payment of fees for examination of plans and issuing of permits for inspection of fuel-burning devices and issuing certificates of compliance with such regulations and providing for fines and penalties as hereinafter set forth for the violation of any such regulation The boards of commissioners of counties of the second class shall have discretion to determine the effective date of any resolution or ordinances promulgated by them pursuant to this act and in making such determination shall take into consideration the availability of fuel burning devices suitable for burning high volatile bituminous coal smokelessly

Section 4 This act shall become effective [six (6) months after the cessation of the war in which the United States is now engaged] immediately upon the final enactment of these amendments

Section 2 If any provision of this act or the application thereof to any person or circumstances is held invalid the remainder of this act and the application of such provision to other persons or circumstances shall not be affected thereby and to this end the provisions of this act are declared to be severable

Section 3 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

Mr. LANE. Mr. President, I know from experience that anything I may say upon the floor of the Senate will not change a vote on this bill.

However, since the bill is on third reading and final passage, I believe that we should have some facts with regard to the administration of the same. I would have preferred to interrogate Senator Walker, but in view of his absence I would like to interrogate his co-partner, Senator Barr.

Mr. BARR. Mr. President, Senator Barr is not a co-partner of Senator Walker.

The PRESIDENT. He is not here to deny it.

Mr. LANE. Mr. President, I would like to ask Senator Barr what would be the average cost of installing smoke control apparatus in indivilual homes in Allegheny County.

Mr. BARR. Mr. President, this bill has nothing to do with that. This bill amends the Act of 1943, which gave the county commissioners of Allegheny County the power, it is a permissive act, allowing them to pass resolutions or "Regulate the production or emission of smoke from any chimney, smokestack or other source," and in the Act of 1943 we excepted railroad locomotives. The only thing done under this bill is to take out those three

words "except railroad locomotives" to which the railroads have agreed. They said they wanted to be regulated and I think if they say they want to be regulated we ought to go along with them

Mr. LANE. Senator Barr, do not the provisions of this bill grant the county commissioners of Allegheny County the right to regulate smoke?

Mr. BARR. That is correct.

Mr. LANE. Does it not also grant them the right to enact ordinances which would make it mandatory for the good citizens of your county to install smoke control apparatus in their homes?

Mr. BARR. They have that right now, Mr. President. For the information of the gentleman from Washington we have a smoke control ordinance which is in operation in the city of Pittsburgh at present.

Mr. LANE. Then, Mr. President, I would like to ask the gentleman from Allegheny what would be the cost or what is the cost of installing smoke control apparatus in each individual home?

Mr. BARR. Mr. President, I do not think that has anything to do with this bill, but I will answer the gentleman's interrogation by saying that there are different ways of handling it. In other words, if you burn high volatile coal it does cost, I think, $2 more a ton, but you do not use nearly as much of that coal and, secondly there is an enormous saving to the housewife and the person who has to pay the cleaning bills.

Mr. LANE. Senator Barr, according to the newspapers, city council will enforce the smoke control ordinance in Pittsburgh as of October 1, Is that correct?

Mr. BARR. That is correct, whether this act is passed or not; this is a county smoke provision.

Mr. LANE. Is the equipment available?

Mr. BARR. As I read the bill, Senator Lane, "the Boards of Commissioners of counties of the second class shall have discretion to determine the effective date of any resolution or ordinances promulgated by them pursuant to this act, and in making such determination shall take into consideration the availability of fuel burning devices suitable for burning high volatile bituminous coal smokelessly." That is an amendment to this bill which was added after the bill was introduced in the House of Representatives which we are willing to accept.

Mr. LANE. What would be the effect of the smoke control bill in regard to the bituminous coal market in Western Pennsylvania? What would they lose?

Mr. BARR. Mr. President, they would not lose anything. I know in Allegheny county the coal mines there can not produce nearly the amount of coal that Western Pennsylvania should have, for use right there in Allegheny county alone and, as I told the gentleman, in this bill you will only except railroad locomotives and they use only two per cent of the coal that is burned.

Mr. LANE. Is it not a fact that the provisions of this bill outlaw the use of high volatile coal in the city of Pittsburgh and the county of Allegheny?

Mr. BARR. No, Mr. President, that is not true. It depends on what device you use with it. If you burn low volatile coal, if you use a certain kind of stoker, I think you can use high volatile coal.

Mr. LANE. So that you admit, Senator Barr, that it is absolutely necessary to install smoke control apparatus in the individual homes.

Mr. BARR. No, Mr. President, I do not admit that. I admit there are several ways it can be done. A lot of people use heating oil, a lot of people use gas and then there are those that heat with hard coal and there are some advantages to each of those fuels.

Mr. LANE. Mr. President, it is apparent from the interrogation here today that we do not know just where we are going. However, I would like to read into the record, so that we can refer to it in the future, a news item that appeared in the Pittsburgh Post-Gazette today, which has the heading, "Easier Smoke Rules Rejected by Council. Retail Coal Group Insists Confusion is Widespread." The article then reads as follows:

"City council has turned thumbs down on a request by the Retail Coal Merchants Association to 'soften' up smoke abatement regulation which go into effect October 1.

"J. Don Horner, president of the RCMA, conferred with Council President Thomas Kilgallen on Monday as to the possibilities of modifying regulations to allow the use of high-volatile coal in stoves after the October deadline.

"Council and Mayor Lawrence immediately went into a huddle and came up with the decision that 'modifications will be considered if an emergency arises and not before.'

"SPEAKS OF HARDSHIP

"The essence of Mr. Horner's argument was that the change from high-volatile to low-volatile coal would work too much of a hardship on the people and that there 'is a wide feeling of confusion about enforcement.'

"'We believe in a smoke abatement,' said Mr. Horner. 'But we believe in a sensible approach to the problem or it will fall of its own weight.'

"'Normally we sell between 500,000 and 600,000 tons of coal in the Pittsburgh district during the summer. But today, people are afraid to buy the regular coal for fear they won't be able to use it and are afraid to buy the low-volatile coal for fear it won't work.

"SAYS SLACK RUNS HIGH

"'True, a sufficient supply of low-volatile run-of-the-mine coal can be obtained from Central Pennsylvania but it is 70 to 80 per cent slack.

"'We have had trouble with it. Some customers have refused to pay for it after it had been dumped in their cellars. Johnstown uses almost low-volatile coal exclusively and yet it is one of the dirtiest cities in Pennsylvania.

"Mr. Horner went on to explain that Pittsburghers have been accustomed to the very highest grade prepared coal and that it will take them some time to learn to use low-volatile coal.

"'It is very difficult to burn it in stoves,' he said. "It also has a tendency to burn out grate bars.'

"Mr. Kilgallen said he doubted that confusion existed and said that council and the mayor were confident the 'skies over Pittsburgh would be clear in 1948.'"

As we go merrily on our way legislating industry out of Western Pennsylvania, and coal miners out of work, I want this in the record, that this bill is going to pass, it is going to be enacted into law, because the leadership

on both sides are back of it, but I will have the opportunity to stand here and tell you "I told you so" in the years to come, and I reiterate my statement that I made before, that smoke control in Western Pennsylvania is ridiculous and fantastic, because we are the heavy industrial section of the state. Western Pennsylvania depends upon the coal and the steel industry and it is going to hurt, regardless of any statement to the contrary.

And so, in conclusion, I say I have brought this to the attention of the members of the Senate time and time again and I will continue to oppose it, because I feel that we are taking a step in the wrong direction.

Mr. HALUSKA. Mr. President, sometimes one is called to rise in his place whether he wants to or not. I just heard the gentleman from Washington read into the record a statement—I do not know who the author was—that Johnstown is one of the dirtiest cities in Pennsylvania. I certainly resent that statement, coming from that direction. I think Johnstown is far from being the dirtiest city in Pennsylvania and the man who wrote that story should come to Johnstown and spend a few days there with us.

Secondly, Mr. President, I should like to interrogate the gentleman from Lehigh.

The PRESIDENT. Will the gentleman from Lehigh permit himself to be interogated?

Mr. TALLMAN. I will, Mr. President.

Mr. HALUSKA. Mr. President, as I read the first part of this bill it states very specifically that the county commissioners shall have, at their own discretion, the right to set the date this act shall become effective and then, at the bottom of the same page, line 17, page 34, section 3, we find the following wording "the provisions of this act shall become effective immediately upon final enactment."

What I want to know is shall this bill become effective upon final enactment or do the county commissioners have the right to set that date.

Mr. TALLMAN. Mr. President, as I understand the bill, and I suffer from some lack of knowledge as to the detailed question the gentleman from Cambria asks, but as I understand this bill it is merely a bill which empowers the county commissioners to enact the kind of regulation they want relative to the smoke nuisance. I take it, Mr. President, that the effective date of the bill is now when it becomes a law, when the Governor shall sign it, and thereafter, any Board of County Commissioners, pursuant thereto, could make regulations which may become effective upon passage of such resolutions by the various municipalities.

Mr. HALUSKA. Thank you, Mr. Tallman.

Mr. President, we are going back into the same rut where once again we find ourselves delegating legislative powers to various individual groups. It has always been my impression that this Legislature could not delegate legislative powers to other groups in the Commonwealth. This is not the first time in this session, but the third or fourth time, that we have been called upon to vote for such ridiculous measures.

I must uphold my colleague from Washington County, when he questioned the gentleman from Allegheny, Senator Barr, as to what it might cost to install these smoke devices. I recall so vividly in my mind back in 1938, when the then candidate, Arthur James, came to my town and pointed toward our mines and said "if I am elected Governor the smoke shall fly from those stacks again." Not only in Cambria County did he say it, but he mentioned it in Pittsburgh, Johnstown, Philadelphia and elsewhere. We were hoping he was right. The smoke did fly.

Now we find ourselves going in the opposite direction they are telling us the smoke must cease flying. What de we face? Nothing but an invitation to gas and fuel oils to replace coal.

I realize that this bill was passed in 1943, but I also realize that under this bill now the county commissioners of Pittsburgh have the right to state what shall be used what the type may be, they must be installed in these private homes and these industries, and any further cost placed upon the coal consumer will definitely make that consumer turn to fuel oil and we shall regret our action, gentlemen, in days to come. Once this bill becomes effective in Pittsburgh it will come to Johnstown, Altoona, Williamsport and elsewhere. It is a small cancer and a cancer is bound to kill you. There is no cure for cancer and I say to you this is a cancer and each and every one of us will feel the effects of it in the days to come.

Mr. BARR. Mr. President, I think my colleagues, Senator Lane and Senator Haluska, are trying to start a fire with just a little smoke. This bill would merely amend an act passed here unanimously in 1943, where we excepted railroad locomotives, and now we are removing that exception.

Senator Haluska talked about delegating legislative power. In the city of Pittsburgh we have the power through ordinance, to regulate smoke. Naturally winds do blow and smoke follows the wind, and what good is it to have our smoke ordinance if the surrounding municipalties in greater Allegheny county do not have similar smoke ordinances? In other words it is just a waste of time.

These gentlemen that Senator Lane quoted, from the Retail Coal Merchants Association, they came to call on me and they gave me much the same story; they have been before city council and they have had the same story up there some ten or twelve times and I think they timed their last call on city council very well, knowing this bill was going to be acted upon today.

Mr. TARR. Mr. President, I am only going to take a moment of the time of the Senate to explain my position and the reason for my vote.

It seems to me, Mr. President, that the question of the use of high volatile or low volatile coal is just a method of trying to get rid of the coal tar—well, I think "tar" is a pretty good thing myself.

Fayette county is one of the largest producers of soft coal in the Commonwealth and it is my firm belief that if this bill does become a law that the production of coal in my county will be cut to such an extent that thousands of men will be put out of work. I can remember in Fayette county when there was no smoke. I can remember back some fifteen years ago when practically everyone in the Commonwealth was crying for smoke, because smoke meant industry and industry meant pay.

Mr. President, Fayette county produces only high vola-

tile coal, and I am going to vote "no" on this bill because I believe that in so voting I am going to best serve both industry and labor in my county. I am not asking anyone, as I know it will be useless, to vote against this bill with me, but I want my vote recorded because I think in voting "no" I will best serve the interests of all Fayette county.

And the question recurring,

Shall the bill pass finally?

(During the calling of the roll the following occurred:)

Mr. LANE. Mr. President, how is the Senator from Allegheny, Senator Walker, recorded as voting on this bill?

The PRESIDENT. The Senator from Allegheny, Senator Walker, is not recorded as having voted.

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—35

Barr,	Farrell,	Letzler,	Tallman,
Becker,	Frazier,	Lord,	Taylor,
Blass,	Geltz	Mahany,	Wade,
Carr,	Hare,	Margie,	Watson,
Chapman,	Holland	Rahauser,	Wilson,
Crider,	Homsher	Rosenfeld,	Wolfe,
Dent,	Jaspan	Ruth,	Wood, L. H.,
DiSilvestro,	Kephart,	Snowden,	Wood, T. N.,
Doehla,	Klein,	Stevenson,	

NAYS—4

Haluska	Lane,	Mallery,	Tarr,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 235, as follows:

An Act to establish The Brandywine Battlefield Park Commission and to authorize the acquisition by purchase condemnation or gift of lands for the establishment of the Brandywine Battlefield Park providing for the control management and supervision of the property to be acquired for such park by such commission authorizing the commission to make and to enforce rules and regulations for its preservation development and visitation and making appropriations

Whereas The Brandywine Battlefield is the only major battlefield of the Revolutionary War that is not owned by State or Nation and

Whereas the Battle of Brandywine sometimes described only as a defeat for the Continental Army was in reality one of General Washington's most skillfully executed strategic reflecting credit upon the American Forces and their Commander

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 There is hereby created as an independent administrative commission of the Commonwealth The Brandywine Battlefield Park Commission The Governor within sixty days after the passage of this act shall appoint ten citizens of this Commonwealth who together with the Secretary of Forests and Waters and the Chairman of the Pennsylvania Historical and Museum Commission ex officio shall constitute The Brandywine Battlefield Park Commission which commission shall be charged with the duty of establishing marking preserving controlling managing and supervising The Brandywine Battlefield Park herein authorized to be established The commissioners so appointed shall serve for a term of four years The Governor shall fill all vacancies arising from any cause whatsoever Six members shall constitute a quorum

Section 2 The commission shall organize immediately upon its appointment by the election of one of its members as chairman another as vice chairman another as secretary and another as treasurer It may adopt such rules of organization and procedure as it may deem appropriate and determine the duties of its officers and employes Thereafter it shall elect its officer annually on the anniversary of The Battle of Brandywine September 11, 1777 or as near thereto as convenient

Section 3 The Department of Property and Supplies is hereby authorized and empowered upon the advice and approval of The Brandywine Battlefield Park Commission to acquire by condemnation purchase or gift in the name of the Commonwealth the General Washington and General Lafayette headquarters or the sites thereof used during the Battle of Brandywine together with such other contiguous adjoining or adjacent land not to exceed fifty acres as lay within the area of said battlefield

Section 4 The real estate so acquired shall be preserved and maintained as a patriotic and historical place and park to be known as The Brandywine Battlefield Park

Section 5 The Brandywine Battlefield Park Commission is charged hereby with the custody control management and supervision of said park and is hereby authorized and empowered to make plans for its preservation maintenance development and improvement and to make and enforce such rules and regulations for the visitation thereof by the public as may be necessary using therefor any funds at the disposal of the said commission not otherwise specifically appropriated or allocated

Section 6 Except as otherwise provided in this act the commission shall be subject to the provisions of The Administrative Code of 1929 as amended

Section 7 The sum of fifty thousand ($50,000) or so much thereof as may be necessary is hereby specifically appropriated to the Department of Property and Supplies to pay for the lands acquired under the provisions of this act repairs to structures thereon thus acquired and any costs and expenses in connection therewith

Section 8 The sum of ten thousand dollars ($10,000) or so much thereof as may be necessary is hereby specifically appropriated to The Brandywine Battlefield Park Commission for clerical expenses and to maintain the lands or structures acquired under the provisions of the act for the biennium beginning the first day of June one thousand nine hundred and forty-seven

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	Geltz	Lord,	Tarr,
Becker,	Haluska	Mahany,	Taylor,
Blass,	Hare,	Mallery,	Tyler,
Carr,	Heyburn	Margie,	Wade,
Chapman,	Holland	Rahauser,	Wagner,
Crider,	Homsher	Rosenfeld,	Walker,
Crowe,	Jaspan	Ruth,	Watson,
Dent,	Kephart,	Scarlett,	Wilson,
DiSilvestro,	Klein,	Snowden,	Wolfe,
Doehla,	Lane,	Stevenson,	Wood, L. H.,
Farrell,	Leader,	Stiefel,	Wood, T. N.,
Frazier,	Letzler,	Tallman,	Woodring,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 390, as follows:

An Act to amend section nine hundred six of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" authorizing the granting of the right to maintain radio stations radio towers facilities for skiing roadside rests and devices for flood control and recreational uses on land acquired for the use of the Pennsylvania Game Commission

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section nine hundred six of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" is hereby amended to read as follows

Section 906 Use of Lands (a) Lands for which title has been acquired for use of the commission or which have been leased or any part thereof may be used for the purpose of creating and maintaining State Game Refuges and Public Hunting Grounds either or both or for the propagation of game or for game propagation experiments or for special preserves as hereinafter provided and as much thereof as deemed necessary may be used for the administration development and management of such lands and the commission may permit its employes or agents to reside thereon

(b) The commission may cut or cut and remove and sell or otherwise dispose of or permit the cutting removing and selling of timber on lands for which title has been acquired

(c) The commission subject to the approval of the Governor may sell or lease minerals or oil or gas on in and under lands for which title has been acquired for its use when such disposition appears to the commission to be for the best interests of the Commonwealth Provided however That when the estimated value of such minerals or oil or gas exceeds five hundred dollars the proposed sale or lease shall be advertised at least once a week for three successive weeks in two or more newspapers published in the general locality of the lands in question

(d) The commission may sell or otherwise dispose of less valuable sand clay stone or other minerals or other products from said lands when such sale or disposition will not in the opinion of the commission adversely affect game protection or propagation or public hunting

(e) The commission may grant rights of way or licenses for rights of way for roads railroads pipe lines electric lines telephone lines and telegraph lines on and across lands for which title has been acquired for its use when such grants will not in the opinion of the commission adversely affect game protection and propagation and shall charge for such licenses such remuneration and damages as the commission deems the conditions and circumstances warrant

(f) The commission may grant any or all of the following rights on lands acquired for its use when such grants will not adversely affect game protection and propagation and may charge for such licenses such rental and damages as the commission deems the conditions and circumstances warrant

(1) Water rights

(2) Rights to maintain airway beacon lights

(3) Rights to maintain forest fire observation towers

(4) Rights to maintain radio stations and radio towers solely for national defense law enforcement or flood forecasting purposes

(5) Rights to maintain ski runs or trails and essential towing equipment but excluding rest houses restaurants or hotels

(6) Rights to the Department of Highways to establish and maintain roadside rests

(7) Rights to any State or Federal Agency to construct maintain and operate water impoundments or flowage for flood control or recreational use

(g) No camp site lease may be issued to any person nor shall overnight camping be permitted on State Game Lands except that such rights may be granted to officers or agents of the commission or the Board of Fish Commissioners or the Department of Forests and Waters or the United States Forest Service or any other governmental agency when necessary for the performance of official duties incident to wildlife or forest preservation

(h) All net proceeds from the sale of timber or the sale or leasing of minerals or of oil or gas or other products or for licenses or other rights granted by the commission shall be deposited in the Game Fund

Section 2 The provisions of this act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	Geltz,	Lord,	Tarr,
Becker,	Haluska,	Mahany,	Taylor,
Blass,	Hare,	Mallery,	Tyler,
Carr,	Heyburn,	Margie,	Wade,
Chapman,	Holland,	Rahauser,	Wagner,
Crider,	Homsher,	Rosenfeld,	Walker,
Crowe,	Jaspan,	Ruth,	Watson,
Dent,	Kephart,	Scarlett,	Wilson,
DiSilvestro,	Klein,	Snowden,	Wolfe,
Doehla,	Lane,	Stevenson,	Wood, L. H.,
Farrell,	Leader,	Stiefel,	Wood, T. N.,
Frazier,	Letzler,	Tallman,	Woodring,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 415 on third reading, entitled:

An Act to amend sections 501 and 502 of the Act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 1053) entitled "An act relating to the regulation of public utilities defining as public utilities certain corporations companies associations and persons providing for the regulation of public utilities including to a limited extent municipalities engaging in public utility business by prescribing defining and limiting their duties powers and liabilities and regulating the exercise surrender or abandonment of their powers privileges and franchises defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle conferring

upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons associations companies and corporations including to a limited extent municipal corporations subject to this act and administering the provisions of this act authorizing the commission to fix temporary rates placing the burden of proof on public utilities to sustain their rates and certain other matters authorizing a permissive or mandatory sliding scale method of regulating rates providing for the supervision of financial and contractual relations between public utilities and affiliated interests and supervision and regulation of accounts and securities or obligations issued assumed or kept by persons associations companies corporations or municipal corporations subject to this act conferring upon the commission power to vary reform or revise certain contracts conferring upon the commission the exclusive power to regulate or order the construction alteration relocation protection or abolition of crossings of facilities of public utilities and of such facilities by or over public highways to appropriate property for the construction or improvement of such crossings and to award or apportion resultant costs and damages authorizing owners of such property to sue the Commonwealth for such damages providing for ejectment proceedings in connection with the appropriation of property for crossings conferring upon the commission power to control and regulate budgets of public utilities imposing upon persons associations companies and corporations (except municipal corporations) subject to regulation the cost of administering this act prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings prescribing penalties fines and imprisonment for violations of the provisions of this act and regulations and orders of the commission and the procedure for enforcing such fines and penalties and repealing legislation supplied and superseded by or inconsistent with this act" by excluding water supply companies from the requirements of original cost accounting

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration or Senate Bill No. 542, as follows:

An Act to amend Section six hundred seven of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by making it unlawful to disturb or tamper with traps set by agents of the Commission

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section six hundred seven of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" is hereby amended to read as follows

Section 607 Disturbing Traps of Another It is unlawful for any person to disturb the traps of another or to take a fur-bearing animal racoon or predator from the traps of another unless specifically authorized by the owner

Except as otherwise provided by law and unless traps are set on private property without the permission of the owners or occupiers of the property it is unlawful for any person to tamper with disturb mutilate destroy or remove any trap or other device set by an officer or any other agent of the commission for the purpose of trapping wild animals or birds or to interfere in any manner whatsoever with such trapping operation or to remove or attempt to remove any animal or bird from such trap or device

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	Geltz,	Lord,	Tarr,
Becker,	Haluska,	Mahany,	Taylor,
Blass,	Hare,	Mallery,	Tyler,
Carr,	Holland,	Margie,	Wade,
Chapman,	Heyburn,	Rahauser,	Wagner,
Crider,	Homsher,	Rosenfeld,	Walker,
Crowe,	Jaspan,	Ruth,	Watson,
Dent,	Kephart,	Scarlett,	Wilson,
DiSilvestro,	Klein,	Snowden,	Wolfe,
Doehla,	Lane,	Stevenson,	Wood, L. H.,
Farrell,	Leader,	Stiefel,	Wood, T. N.,
Frazier,	Letzler,	Tallman,	Woodring,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 570, on third reading, entitled:

An Act to further amend sections one four five and six of the act approved the seventh day of May one thousand nine hundred twenty-three (P. L. 151) entitled "An act defining and regulating the business of dry cleaning and dyeing providing for the maintenance construction and inspection of dry cleaning and dyeing buildings and establishments providing for enforcing the act and penalties for violation thereof" by repealing exemptions from certain provisions of said act and providing for regulation of Class I and Class II dry cleaning and dyeing plants

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 609, as follows:

An Act to further amend the act approved the ninth day of June one thousand nine hundred eleven (P. L. 756) entitled "An act to provide for the health and safety of persons employed in and about bituminous coal mines of Pennsylvania and for the protection and preservation of property connected therewith" by further providing for the health and safety of persons employed in and about the bituminous coal mines of Pennsylvania

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Be it enacted &c that section one of article one of the act approved the ninth day of June one thou-

sand nine hundred eleven (P. L. 756) entitled "An act to provide for the health and safety of persons employed in and about the bituminous coal mines of Pennsylvania and for the protection and preservation of property connected therewith" as amended by the act approved the first day of July one thousand nine hundred thirty-seven (P. L. 2486) is hereby further amended by inserting therein a new clause to read as follows

Section 1 Be it enacted &c that for the purpose of this act the terms and definitions contained therein shall be as follows

* * * * *

Return Air After a volumn of air has passed through and has ventilated all of the working places in a split or section of a mine it shall then be designated as return air

Section 2 Section four of article four of said act is hereby amended to read as follows

Section 4 In case of accident to a ventilating fan or its machinery whereby the ventilation of the mine would be seriously interrupted or where the fan has been stopped for a period of time not exceeding thirty minutes in a gaseous mine and sixty minutes in a non-gaseous mine the mine foreman shall order the men to withdraw immediately from the mine if the mine foreman shall deem it necessary he may withdraw the men from a gaseous mine in less than thirty minutes and from a non-gaseous mine in less than sixty minutes He shall not allow them to return to their work until the ventilation has been restored and the mine has been thoroughly examined by him or by an assistant mine foreman or fire boss and reported safe

Section 3 Section nine of article four of said act as last amended by section six of the act approved the first day of July one thousand nine hundred thirty-seven (P. L. 2486) is hereby further amended to read as follows

Section 9 The mine foreman shall direct that the coal is properly mined before it is blasted "Properly mined" shall mean that the coal shall be undercut centercut overcut or sheared by pick or machine and in any case the cutting shall be as deep as the holes are laid in mines generating explosive gas in quantities sufficient to be detected by an approved safety lamp when the coal seam is five feet six inches or more in thickness "properly mined" shall mean that in all entries less than ten feet wide wherein the coal is undercut or overcut it shall be sheared on one side as deep as the cutting before any holes are charged and fired or the coal shall be blasted in sections by placing the first hole near the center of the coal seam He shall direct that sprags be set as often as necessary but at a distance not exceeding seven feet apart under or upon the breast of undermined centermined or overmined coal The mine foreman shall direct at what hours blasting shall be done in the mine and a notice of the time shall be posted at a conspicuous place at the mine and a copy of the notice shall be kept on file at the mine office Provided however that in districts in which it has been the common practice to blast coal from the solid said practice or method may be continued notwithstanding anything to the contrary herein contained

In all [such] dry and dusty portions of a [dry and dusty] mine [where explosive gas is being generated in quantities sufficient to be detected by an approved safety lamp] the mine foreman shall direct and see that the rooms and entries are moistened by water or other efficient means as often as necessary to keep the dust in damp condition and he shall direct and see that the dust is loaded and taken out of the mine as often as necessary

In lieu of the above provisions rock dust may be substituted for or used in conjunction with water under the following conditions The rock dust to be used shall be pulverized so that one hundred per cent will pass through a sieve having twenty meshes per lineal inch and fifty per cent or more will pass through a sieve having two hundred meshes per lineal inch It shall not contain more than five per cent combustible matter nor more than twenty-five per cent of quarts or free silica particles and not be unduly absorbent of moisture Preference shall be given to the lighter colored rock dust

The rock dusting shall be done with such regularity and frequency that all surfaces required to be rock dusted shall be kept in such condition that the incombustible content of the adhering and lodging dust shall not be less than [fifty-five] sixty-five per cent

The rock dust shall be distributed on top bottom and sides of all haulageways travelingways airways developing entries and entries producing coal from rooms or pillars and their parallel entries

The superintendent shall see that a representative sample of dust is gathered at each sampling point from the roof sides and floor of all entries by a competent person once each two months and tested to determine if any part of the mine requires redusting and a record shall be kept in a book provided for that purpose through the Department of Mines in the same manner as is provided for the record books of the mine officials showing the location at which samples have been taken and the results of the analyses or tests The distance between sampling points on haulageways travelingways and airways shall not exceed two thousand feet but in developing entries and in entries producing coal from rooms or pillars and their parallel entries the distance between sampling points shall not exceed five hundred feet If in the judgment of the mine inspector of the district any mine or portion of a mine is of such a dry and dusty nature as to cause a hazard from coal dust he shall direct that the said mine or portion of a mine be rock dusted or watered as provided in this article However if in the judgment of the inspector of the district the coal in the coal bed is of such a dry and dusty nature that the various processes of releasing the coal from the coal bed and its subsequent loading and transporting throws into suspension in the atmosphere of a working place or places such amount of coal dust as to indicate danger therefrom he shall direct that all coal in such working place or places be watered to the extent that coal dust will not be thrown into suspension in the atmosphere of the working place or places in such quantity as to indicate danger from coal dust while the coal is being loaded and transported Should the operator superintendent or mine foreman of any mine be dissatisfied with the decision of the mine inspector in regard to watering or rock dusting it shall be the duty of the dissatisfied person to appeal from such decision to the Secretary of Mines who shall at once direct two or more of the other inspectors to accompany promptly the inspector of the district to make further examination into the matter in dispute If the said inspectors shall agree with the decision of the inspector of the district their decision shall be final and conclusive unless the dissatisfied person shall within seven days of the receipt of the decision of the committee of inspectors appeal therefrom to the court of quarter sessions of the county in which said mine is situated and thereafter the proceedings had shall be as prescribed by sections one and two of article ten of this act as amended

The mine foreman shall direct and see that as the miners advance in their excavation all dangerous and doubtful pieces of coal slate and rock overhead are taken down or at once carefully secured against falling on the workmen Any workman who neglects to carry out or disobeys the instructions of the mine foreman or his assistant in regard to securing his working place shall be suspended or discharged by the mine foreman and if such negligence or disobedience results in serious injury or loss of life to any person the mine foreman shall give the name of said workman to the inspector for presecution in accordance with section two article twenty-six of this act

Section 4 Section one of article eight of said act as amended by section fifteen of the act approved the first day of July one thousand nine hundred thirty-seven (P. L. 2486) is hereby further amended to read as follows

Section 1 The operator or the superintendent shall provide and hereafter maintain in good condition from the top to the bottom of every shaft or slope where persons or material are lowered or hoisted a telephone or metal tube of proper diameter suitably adapted to the free passage of sound through which conversation may be held

and understood between persons at the top and the bottom of said shaft or slope and he shall also provide means of signaling from the top to the bottom and from the bottom to the top of such shaft or slope The same provisions shall apply to inside planes whereon coal is lowered and persons have to travel [when required by the inspector] In all mines telephone connections shall be made from the surface to the main sections of the mine when required by the inspector All signaling appratus and telephone connections shall be kept in good condition and shall be always available for service

The operator or the superintendent shall provide every cage used for lowering or hoisting persons with handrails at sides or overhead or additional suitable devices and with [chain] bar or gate at ends and with a sufficient covering overhead to protect persons thereon and shall also provide for each said cage efficient safety catches which shall be tested once every two month and a record of each test shall be sent to the inspector and to the superintendent and also recorded with ink in a book kept at the mine office for that purpose The ropes shall be securely attached to the sides of the drum of every machine that is used for lowering and hoisting persons or material into and out of the mine and the flanges shall have a clearance of not less than four inches when the whole of the rope is wound on the drum and adequate brakes shall be attached to the drum so that the speed thereof can be controlled when men are being lowered or hoisted An efficient indicator that shall show the position of the cages in the shaft shall be attached to the hoisting apparatus and an efficient safety device that will prevent overwinding shall be attached to every engine used for lowering and hoisting persons

All shafts shall be provided with safety gates controlled by the cage at the top and intermediate landings said gates to be approved by the inspector and suitable track safety blocks shall be provided to secure mine cars while men or material are entering or leaving the cage

Section 5 Paragraph five of section six of article nine of said act as amended by section seventeen of the act approved the first day of July one thousand nine hundred thirty-seven (P. L. 2486) is hereby further amended to read as follows

Section 6 Every ventilating fan at non-gaseous mines shall be kept in operation continuously day and night unless operations are definitely suspended except when written permission is given by the inspector to stop it The said permission or a copy thereof shall be posted by the mine foreman in a conspicuous place at the entrance or entrances to the mine and shall state the particular hours the fan may be stopped The inspector shall have the power to withdraw or modify such permission at any time and in any manner he may deem best In all cases in which permission has been given by the inspector to stop the ventilating fan the fan shall be started two hours before the time to begin work It shall be the duty of the mine foreman to see to it that all persons are out of the mine before the fan is stopped and that no person be permitted to enter the mine until the fan has been in operation for a period of two hours

No main or principal ventilating fan shall be placed inside of any mine No auxiliary fan unless driven by electricity or compressed air shall be placed in any mine If the fan be electrically driven the motor shall be placed in the intake airway

[Every ventilating furnace in a mine shall be properly attended to and operated by a competent person employed by the mine foreman for that purpose for two hours before the appointed time to begin work and constantly thereafter during working hours]

Section 6 Section nine of article ten of said act as amended by section twenty-one of the act approved the first day of July one thousand nine hundred thirty-seven (P. L. 2486) is hereby further amended to read as follows

Section 9 All approved lamps used for examining mines or for working therein shall be the property of the operator and shall be in care of the mine foreman assistant mine foreman fire boss or some other competent person or persons appointed by the mine foreman whose duty it shall be to clean fill trim examine light and deliver them locked and in a safe condition to the men when entering the mine and to receive the lamps from the men when returning from work [for which service a charge not exceeding the actual cost of labor and material may be made by the operator] At any mine wherein explosive gas was generated within one year before the passage of this act in sufficient quantities to be detected by an approved safety lamp a sufficient number of approved safety lamps not less than one-fourth of the number approved safety lamps in use shall be kept in a convenient place in good condition for use in case of emergency It shall be the duty of every person who knows that his approved lamp is injured or defective to return it immediately and report such fact to the person authorized to receive and care for said lamp who shall report the matter to the mine foreman assistant mine foreman or fire boss as soon as practicable

Section 7 Subsection forty-one of section three and subsections seventy-one seventy-two and seventy-three of section five of article eleven of said act are hereby amended to read as follows

41 All branch trolley lines shall be fitted with an automatic trolley switch or section insulator and line switch or some other device that will allow the current to be shut off from such branch headings Switches or circuits breakers shall be provided on haulage roads to de-energize all trolley and feeder lines at intervals not to exceed two thousand feet

71 No man shall be placed in charge of [a] an electrically operated coalcutting loading or drilling machine in any gaseous portion of a mine who is not a competent person capable of determining the safety of the roof and sides of the working place and detecting the presence of explosive gas

72 In any gaseous portion of a mine no electrically operated [a] coalcutting loading or drilling machine shall be brought within the last break-through next the working face until the machine [man] operator shall have made an inspection for gas in the place where the machine is to work unless such examination is then made by some other competent person authorized or appointed for that purpose by the mine foreman If any explosive gas is found in the place the machine shall not be taken in

73 No electrically operated coalcutting loading or drilling machine shall be continued in operation in a gaseous portion of a mine for a longer period than half an hour without an examination as above described being made for gas and if gas is found the current shall at once be disconnected from the power supply

Section 8 Section eleven of article nineteen of the said act is hereby amended to read as follows

Section 11 Each inspector shall devote the whole of his time to the duties of his office It shall be his duty to thoroughly examine each mine in his district as often as possible (but at least once every four months) giving special attention to all mines generating explosive gas and to other mines where unusual dangers may be suspected to exist and to see that all provisions of this act are observed and strictly carried out especially those that demand that the air current be carried to the working faces He shall keep in his office a record of all examinations of mines showing the condition in which he finds them especially with reference to ventilation and drainage the number of persons employed inside of each mine the extent to which the law is obeyed and the progress made in the improvement of mines He shall keep a record of all serious accidents showing the nature and causes thereof and the number of deaths resulting therefrom

Section 9 Section one of article twenty-eight of said act as amended by section forty-six of the act approved the first day of July one thousand nine hundred thirty-seven (P. L. 2486) is hereby further amended to read as follows

Section 1 Should a mine or portion of a mine that has at any time generated explosive gas in quantities sufficient to be detected by an approved safety lamp after the pas-

sage of this act not to generate explosive gas during any one period of [two] four years then such mine or portion of a mine shall not be governed or controlled by the provisions of this act for mines or portions of mines generating explosive gas Should a mine that has been classified as a gaseous mine not so generate explosive gas during any one period of four years then such mine shall not be governed or controlled by the provisions of this act for mines generating explosive gas After two years such a mine for rating purposes only shall be reclassified by the Department of Mines as non-gaseous with the condition however that the mine shall continue to operate for two more years without removing any of the safety restrictions and equipment required in a gaseous mine and at the end of the four years such mine shall not be governed or controlled by the provisions of this act for mines generating explosive gases and the Department of Mines shall declare the mine as non-gaseous

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	Geltz,	Lord,	Tarr,
Becker,	Haluska,	Mahany,	Taylor,
Blass,	Hare,	Mallery,	Tyler,
Carr,	Heyburn,	Margie,	Wade,
Chapman,	Holland,	Rahauser,	Wagner,
Crider,	Homsher,	Rosenfeld,	Walker,
Crowe,	Jaspan,	Ruth,	Watson,
Dent,	Kephart,	Scarlett,	Wilson,
DiSilvestro,	Klein,	Snowden,	Wolfe,
Doehla,	Lane,	Stevenson,	Wood, L. H.,
Farrell,	Leader,	Stiefel,	Wood, T. N.,
Frazier,	Letzler,	Tallman,	Woodring,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 785, on third reading, entitled:

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant-Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by creating the Public Service Institute Board in the Department of Public Instruction and defining its powers and duties.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 863, as follows:

An Act to further amend section three of the act approved the thirteenth day of May one thousand nine hundred twenty-seven (P. L. 988) entitled "An act providing for and regulating the State registration of nurses and licensed attendants the annual recording of registration certificates and regulating the profession of nursing and repealing certain existing laws" further providing for emergency registration of nurses

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section three of the act approved the thirteenth day of May one thousand nine hundred twenty-seven (P. L. 988) entitled "An act providing for and regulating the State registration of nurses and licensed attendants the annual recording of registration certificates and regulating the profession of nursing and repealing certain existing laws" as last amended by the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 514) is hereby further amended to read as follows

Section 3 No application for original registration as a registered nurse shall be considered unless accompanied by a fee of ten ($10.00) dollars Every applicant to be eligible for examination as a registered nurse must furnish evidence satisfactory to the board that he or she is twenty-one years of age or over is a citizen of the United States is of good moral character has completed work equal to a standard high school course as evaluated by the Department of Public Instruction and has graduated from a school of nursing which gives at least a two years' course of instruction or has received instruction in different schools of nursing connected with hospitals for periods of time amounting to at least a two year's course as aforesaid and then graduated which school or combination of schools of nursing must be on the approved list issued by the State Board of Examiners for Registration of Nurses as hereinafter provided Provided That a graduate nurse registered in any state of the United States where the requirements for registration in the judgment of the board are at least equal to the requirements of law for such nurses in Pennsylvania may at the discretion of the board be registered without examination upon application in writing on forms provided by the board and upon the payment of a fee of ten ($10.00) dollars And provided that any applicant who is a citizen of the United States and who was eligible for examination for registration in the Commonwealth of Pennsylvania as a registered nurse prior to September first one thousand nine hundred and thirty-eight may upon application in writing on forms provided by the board and upon the payment of a fee of ten ($10.00) dollars be granted registration by examination based upon the submission of evidence showing that he or she had met the requirements for registration in the State of Pennsylvania which obtained at the time of his or her graduation from an accredited school of nursing or without examination if the applicant shall show to the satisfaction of the board that he or she graduated prior to June first one thousand nine hundred and twelve from a reputable hospital or sanitarium or training school where a systematic course of practical instruction in nursing was given This amendment shall become effective immediately upon final enactment and continue [for the duration of the present war between the United States

and any foreign country and one year after cessation of hostilities] until the thirtieth day of June one thousand nine hundred forty-nine

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	Geltz,	Lord,	Tarr,
Becker,	Haluska,	Mahany,	Taylor,
Blass,	Hare,	Mallery,	Tyler,
Carr,	Heyburn,	Margie,	Wade,
Chapman,	Holland,	Rahauser,	Wagner,
Crider,	Homsher,	Rosenfeld,	Walker,
Crowe,	Jaspan,	Ruth,	Watson,
Dent,	Kephart,	Scarlett,	Wilson,
DiSilvestro,	Klein,	Snowden,	Wolfe,
Doehla,	Lane,	Stevenson,	Wood, L. H.,
Farrell,	Leader,	Stiefel,	Wood, T. N.,
Frazier,	Letzler,	Tallman,	Woodring,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 1046, on third reading, entitled:

An Act to amend section two of the act approved the twenty-sixth day of May one thousand nine hundred twenty-one (P. L. 1172) entitled A Supplement to the act approved the seventeenth day of May one thousand nine hundred seventeen (P. L. 208) entitled "An act to regulate the practice of pharmacy and sale of poisons and drugs and providing penalties for the violation thereof defining the words "drug" and "poison" and providing for the appointment of a board which shall have in charge the enforcement of said law and the powers to make rules and regulations for the enforcement of said law and providing for the purchase of samples of drugs for determining their quality strength and purity requiring permits to conduct pharmacies providing for the revocation thereof and prescribing penalties" regulating the use of a corporate title in applying for a pharmacy permit and its use on labels signs and advertisements.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 50, entitled:

An Act to further amend the act, approved the twenty-fifth day of May, one thousand nine hundred thirty-seven (P. L. 849), entitled "An act to provide for the permanent personal registration of electors in cities of the third class as a condition of their right to vote at elections and primaries, and their enrollement as members of political parties as a further condtion of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration, and other apointeees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility coroprations, real estate brokers, rental agents, and boards of school directors; imposing penalties; and repealing existing legislation," by changing the provisions of said act relating to removal notices, transfer of registration, checkup of registers and street lists.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 60, entitled:

An Act to further amend section thirty-nine of the act, approved the twenty-fifth day of May, one thousand nine hundred thirty-seven (P. L. 849), entitled "An act to provide for the permanent personal registration of electors in cities of the third class as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; imposing penalties; and repealing existing legislation," by further regulating and changing the provisions of the act relating to cancellation of registration upon the failure to vote within two years by giving removal notice same effect as request for reinstatement.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 190, on second reading, entitled:

An Act to repeal certain statutes relating to oleomargarine butterine or similar substances manufactured wholly or partly from fats oils or oleaginous substances.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bils to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 275, entitled:

An Act to amend section twenty-seven and subsection (a) of section twenty-eight of the act approved the first day of June one thousand nine hundred thirty-seven (P. L. 1132) entitled "An act to provide for the permanent personal registration of electors in cities of the second class A as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors and imposing penalties" increasing the period of time in which removal notices and registration transfers must be made.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 372, entitled:

An Act to further amend section one thousand twelve and subsection C of section one thousand two hundred ten of the act approved the fifteenth day of May one thousand nine hundred and thirty-three (P. L. 624) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employes of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise o fbanking powers by any other corporation asociation or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" by further providing for the powers and duties and limitation upon powers of corporations and persons authorized to engage in a banking or fiduciary business or both.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 383, on second reading, entitled:

An Act to amend the title and the act approved the eighth day of April one thousand nine hundred thirty-seven (P. L. 262) entitled "An act relating to consumer credit in amounts of one thousand dollars ($1000) or less requiring licenses from the Secretary of Banking restricting licenses to domestic business corporations fixing minimum capital requirements conferring certain powers on the Secretary of Banking limiting interest and other charges providing certain exemptions and imposing penalties" by further prescribing the powers of said licensees and the Secretary of Banking and further regulating the granting of said licenses and the loans charges interest and refunds to be made or collected by such licensees.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 387, entitled:

An Act to further amend section one of the act, approved the eighth day of April, one thousand eight hundred sixty-eight (P. L. 73), entitled "An act to authorize the recorder of deeds in the several counties of this Commonwealth to record the discharges of all honorably discharged officers and soldiers," providing for the recording of certificates of service issued commissioned officers.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 422, entitled:

An Act to amend the title and sections one two and three of the act approved the thirty-first day of July one thousand nine hundred forty-one (P. L. 606) entitled "An act relating to the sale transfer assignment and pledge of acccounts receivable" by further defining the term "accounts receivable" and further providing for notation of assignments upon the books of the assignor and for giving notice of assignments to accounts debtors and the effects thereof respectively

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 459, entitled:

An Act to add subsection E to section one thousand two of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 457) entitled "An act relating to the busines of building and loan associations providing for the organization and voluntary dissolution of such associations defining the rights powers duties liabilties and imunities of such associations and of their officers directors shareholders solicitors and other employes prohibiting the transaction of business in this Commonwealth by foreign building and loan associations conferring powers and imposing duties upon the courts recorders of deeds

and certain State departments, commissions and officers establishing limitations of actions imposing penalties and repealing certain acts and parts of acts" further limiting the merger consolidation or conversion of building and loan associations in certain cases.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 491, entitled:

An Act to further amend Subsection C of Section two hundred four of the act approved the fifteenth day of May one thousand nine hundred thirty-three (P. L. 624) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employes of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" by further providing for the establishment of branch offices and subagencies and for the approval thereof by the Department of Banking and the Banking Board.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 496, entitled:

An Act making an appropriation to the Pennsylvania Museum and School of Industrial Art Philadelphia for the support of research and investigation of basic problems affecting the textile industry and providing for the making of a report thereon to the Department of Commerce.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 503, on second reading, entitled:

An Act to amend or further amend Sections eight hundred six eight hundred eight and eight hundred thirty of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by making it unlawful for certain persons to disturb wild birds or wild animals within safety zones during the open hunting or trapping season clarifying the law with reference to shooting within safety zones prohibiting the conveyance of certain firearms without being wrapped or in a case and clarifying the law with reference to hunting accident reports.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 523, entitled:

An Act to further amend paragraph four of Subsection A of Section one thousand one of the act approved the fifteenth day of May one thousand nine hundred thirty-three (P. L. 624) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers defining the rights powers and duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employes of all such corporations or private bankers or of affiliated corporations asociations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" by further regulating the making of installment loans

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 526, entitled:

An Act to reenact section four hundred one of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" providing for the election and term of judges and inspectors of elections.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 537, on second reading, entitled:

An Act requiring owners of hotels restaurants and places

of amusement and entertainment to give notice to patrons thereof that concessions for certain services have been granted to other persons and that gratuities received by the employes of such concessions are the property of the owner thereof.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 538, on second reading, entitled:

An Act to further amend the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" creating a County Transit and Traffic Commission in counties of the second class providing for its membership and defining its powers and duties.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 554, entitled:

An Act providing that in cities of the first class in all cases where taxes are due and unpaid upon a single tract of land and it is desired to divide such tract into separate parcels the Board of Revision of Taxes may apportion such taxes ratably between or among the parcels so divided and providing that upon payment of the taxes and proper costs on any such parcel it shall be released from the lien.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 556, entitled:

An Act to further amend the act approved the fifteenth day of May one thousand nine hundred thirty-three (P. L. 624) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employes of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State department commissions and officers imposing penalties and repealing certain acts and parts of acts" further providing for authorized investments and limitations upon loans and discounts of savings banks.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 561, entitled:

An Act to amend sections eight hundred sixty-eight and eight hundred sixty-nine of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" further regulating the use and possession of certain containers

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 577, entitled:

An Act to amend section one thousand one hundred five of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 457) entitled "An act relating to the business of building and loan associations providing for the organization and voluntary dissolution of such associations defining the rights powers duties liabilities and immunities of such associations and of their officers directors shareholders solicitors and other employes prohibiting the transaction of business in this Commonwealth by foreign building and loan associations conferring powers and imposing duties upon the courts recorders of deeds and certain State departments commissions and officers establishing limitations of actions imposing penalties and repealing certain acts and parts of acts" providing for the transaction of business by a majority of the liquidating trustees

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 587, entitled:

An Act to further amend subsection (b) of section thirty of the act approved the thirtieth day of March one thousand nine hundred thirty-seven (P. L. 115) entitled "An act to provide for the permanent personal registration of electors in cities of the first class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties bodies of electors registration commissions commissioners registrars inspectors of registration and other appointees of registration commission election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics real estate brokers rental agents certain public service companies persons firms and corporations operating ve-

hicles for moving furniture and household goods and boards of school directors and imposing penalties" clarifying the provisions relating to the time for giving change of party enrollment notice

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 593, on second reading, entitled:

An Act to amend sections three hundred two and seven hundred one of the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 571) entitled "An act relating to assessment for taxation in counties of the fourth fifth sixth seventh and eighth classes designating the subjects property and persons subject to and exempt from taxation for county borough town township school except in cities and county institution district purposes and providing for and regulating the assessment and valuation thereof for such purposes creating in each such county a board for the assessment and revision of taxes defining the powers and duties of such boards providing for the acceptance of this act by cities regulating the office of ward borough town and township assessors abolishing the office of assistant triennial assessor in townships of the first class providing for the appointment of a chief assessor assistant assessors and other employes providing for their compensation payable by such counties prescribing certain duties of and certain fees to be collected by the recorder of deeds and eliminating the triennial assessment" enlarging the powers of boards of assessment and revision of taxes as to the revision of assessments and valuations

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 613, entitled:

An Act to authorize counties, cities, boroughs, incorporated towns, townships, school districts, poor districts, and county institution districts to file tax and municipal claims not filed within the time specified by law, and to amend such claims where the property affected is not sufficiently described, and to file suggestions of nonpayment and averments of default, or to sue out writs of scire facias on certain tax or municipal claims, and to revive judgments where the lien of such claims or the judgment thereon have been lost; and providing for the reinstatement of the liens of such claims and judgments.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 617, entitled:

An Act to reenact and amend sections four hundred ninety-six four hundred ninety-six point one four hundred ninety-six point two four hundred ninety-six point three and four hundred ninety-six point four of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" authorizing eighth class counties to acquire operate and lease aviation landing fields and airdromes conferring power of eminent domain for such purposes authorizing the appropriation of certain lands purchased at tax sales for such purposes and joint action with other political subdivisions in the operation and maintenance of such airfields and providing for the expenditure of funds for such purposes in cooperation with State Federal or other public agencies

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 651, entitled:

An Act making an additional deficiency appropriation to the Department of Public Assistance and providing for certain allocations therefrom for the purpose of carrying out the Public Assistance Law for the two fiscal years beginning June first one thousand nine hundred forty-five and for the payment of assistance and expenses accrued or incurred prior to and remaining unpaid on May thirty-first one thousand nine hundred forty-five

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 803, entitled:

An Act to further amend the act approved the twenty-ninth day of April one thousand nine hundred thirty-seven (P. L. 487) entitled "An act to provide for the permanent personal registration of electors in boroughs towns and townships as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors requiring the county commissioners of the various counties to act as a registration commission therefor and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school districts and imposing penalties" changing the provisions of said act relating to removal notices transfer of registration checkup of registers and street lists

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 875, entitled:

An Act to further amend section one of the act approved the seventh day of June one thousand nine hundred eleven (P. L. 680) entitled "An act providing for the examination licensure and registration of persons firms or corporations engaged or engaging in the business or work of plumbing or house drainage and prescribing certain rules regulations and requirements for the construction of plumbing house drainage and cesspools in cities of the first class and imposing fines penalties and forfeitures for violation thereof" by exempting therefrom the construction of sewers and water lines

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. FARRELL offered the following amendment:

Amend sec. 1 (Sec. 1), page 4, line 2, by inserting after the word "engineer" the following: "in those cases where a complete set of plans of said sewers to be constructed and water pipes to be laid shall have been filed with the appropriate office of said cities".

It was agreed to,

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time, and agreed to, as amended,

Ordered, To be transcribed for a third reading.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 882, entitled:

An Act to further amend section thirty-eight of the act, approved the twenty-ninth day of April, one thousand nine hundred thirty-seven (P. L. 487), entitled "An act to provide for the permanent personal registration of electors in boroughs, towns, and townships as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; requiring the county commissioners of the various counties to act as a registration commission therefor; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; and imposing penalties," further regulating and changing the provisions of the act relating to cancellation of registration upon failure to vote within two years, by giving removal notice same effect as request for reinstatement.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1148, entitled:

An Act to further amend section one thousand four of the act approved the fifteenth day of May one thousand nine hundred thirty-three (P. L. 624) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employes of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" further regulating the pledge of assets for deposits

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

REPORTS FROM COMMITTEES

Mr. T. NEWELL WOOD. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. It there objection? The Chair hears none.

Mr. T. NEWELL WOOD. from the Committee on Corporations, reported as amended, Senate Bill No. 639, entitled:

A Further Supplement to the act, approved the twenty-ninth day of April, one thousand eight hundred seventy-four (P. L. 73), entitled "An act to provide for the incorporation and regulation of certain corporations," granting to every corporation heretofore or hereafter incorporated for the purpose of engaging in the telephone or telegraph business, the power to appropriate private property in certain cases and subject to approval by the Public Utility Commission for the construction, maintenance and operation of its lines and facilities, and providing for the assessment of damages arising from such appropriation and the method of appropriation.

Mr. GELTZ. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. GELTZ from the Committee on Finance, reported as committed, Senate Bill No. 498, entitled:

An Act lapsing all unexpended or unencumbered balances of appropriations from all funds made by the General Assembly at its session of one thousand nine hundred and thirty-nine and prior sessions, and at its regular sessions of one thousand nine hundred and forty-one and one thousand nine hundred and forty-three and the Special Sessions of one thousand nine hundred and forty and one thousand nine hundred and forty-two.

BILLS ON FIRST READING

Mr. TALLMAN. Mr. President, I move that the Senate

do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. TAYLOR. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. DENT. Mr. President, I ask that House Bills 659, 661, 662, 663, 664, 665 and 666 be not read for the first time today.

The PRESIDENT. There is objection to House Bills 659, 661, 662, 663, 664, 665 and 666 being read for the first time; therefore they will appear on tomorrow's first reading calendar.

And the question recurring,

Will the Senate agree to the motion, as amended?

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 439, entitled:

An Act to add section five point one to the act approved the nineteenth day of June one thousand nine hundred thirty-one (P. L. 589) entitled as amended "An act to promote the public health and safety by providing for the examination and licensure of those who desire to engage in the occupation of barbering regulating barber shops and barber schools and apprentices and students therein regulating compensation for service rendered conferring certain powers and duties on the Department of Public Instruction and providing penalties" further regulating apprentices and students and their registration in such occupation in certain cases.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 494, entitled:

An Act to further amend the act approved the nineteenth day of June one thousand nine hundred thirty-one (P. L. 589) entitled as amended "An act to promote the public health and safety by providing for the examination and licensure of those who desire to engage in the occupation of barbering regulating barber shops and barber schools and apprentices and students therein regulating compensation for service rendered conferring certain powers and duties on the Department of Public Instruction and providing penalties" by further regulating the practice of barbering the annual renewal of certificates and the eligibility requirements for examinations.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 498, entitled:

An Act lapsing all unexpected or unencumbered balances of appropriations from all funds made by the General Assembly at its session of one thousand nine hundred and thirty-nine and prior sessions, and at its regular sessions of one thousand nine hundred and forty-one and one thousand nine hundred and forty-three and the Special Sessions of one thousand nine hundred and forty one thousand nine hundred and forty-two.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 639, entitled:

A Further Supplement to the act, approved the twenty-ninth day of April, one thousand eight hundred seventy-four (P. L. 73), entitled "An act to provide for the incorporation and regulation of certain corporations," granting to every corporation heretofore or hereafter incorporated for the purpose of engaging in the telephone or telegraph business, the power to appropriate private property in certain cases and subject to approval by the Public Utility Commission for the construction, maintenance and operation of its lines and facilities, and providing for the assessment of damages arising from such appropriation and the method of appropriation.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 788, entitled:

An Act to add clause XXVI to section seven hundred two of the act, approved the first day of May, one thousand nine hundred thirty-three (P. L. 103), entitled "An act concerning townships of the second class; and amending, revising, consolidating, and changing the law relating thereto," authorizing the establishment of districts for police protection and providing for an equal assessment on all property benefited by such protection.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1313, entitled:

An Act to amend section one of the act, approved the twenty-ninth day of May, one thousand nine hundred forty-five (Appropriation Acts, page 20, Act No. 26-A), entitled "An act making an appropriation to the Elwyn Training School at Elwyn, in the County of Delaware, Commonwealth of Pennsylvania, and prescribing certain conditions upon which the appropriation will be available to the school," increasing the per capita annual maintenance rate of wards of the State and the amount of the total appropriation.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

STATEMENT BY MINORITY LEADER, MR. DENT

Mr. DENT. Mr. President, due to conditions over which I have no control, I will not be able to be present at the session tomorrow, but I have a message I want to deliver to the Senate, relative to some of the tax bills, and that was the reason I asked that these tax bills go over in their order, to delay action on them, so that any information that I might request, if at all possible, would be available for me.

I have some information at my command—I do not want to vouch for the veracity of it—but I request that the Republican Floor Leader try and get for me, if he can possibly do so, and for the information of the rest of the Senate, the amount of money that will be raised by the so-called soft drinks tax.

I have searched the records and find, from information received from Washington, D. C., that for the last year available the gross business done by the soft drinks people in the Commonwealth of Pennsylvania was $25,000,

000. Based upon a twenty per cent tax this would give to the State Treasury of Pennsylvania approximately $5,000,000 in taxes which would add up to about $10,000,000 in the biennium.

The Governor, in his budget message, stated that this tax would raise $38,000,000 or a twenty per cent tax on $190,000,000 total worth of business.

I want to point out to the members of the Senate that if we are basing our appropriations and our estimates of governmental costs for the next biennium upon this estimate of revenue, I suggest to the members that they interrogate the budget directors to the point of finding out whether or not the amount of money estimated will be raised or upon what figures he bases this estimation.

Mr. President, if history repeats the story of the only state in the union that now has this tax, it would tell us that the estimate of $38,000,000 is way out of range. South Carolina, in its best year, has only been able to have a return of $4,000,000 for a biennium.

I submit to the Senate that before we place this imposition upon the people of the Commonwealth, let us find out whether or not it will do as it has been suggested it will do.

Mr. President, I have before me a long treatise written by a person who represents a very profound group of citizens, who believe that passing this bill, in the first instance, will do something that will be detrimental to the health and welfare of the youth of Pennsylvania. They say in this message, and I am not giving it as authoritative, except that is is a quotation that has been given to me, that eighty per cent of the consumption of all soft drinks in Pennsylvania is by that group of citizens under the age of twenty-one. If that is so, Mr. President, then this tax will do two things; it will place an undue and unjust burden upon the shoulders of the youths who will carry the burden of this tax, and it will also open the door for the youth to be seeking a more potent and more powerful refreshment for the sum that they must pay.

I say, Mr. President, that this is one of the most serious tax bills ever presented in the Senate of Pennsylvania, for many reasons. I tried the other day to show to you that it does not add anything to the dignity of this Commonwealth to be reaching down into this type of taxation. I again show you now that it reaches that portion of our state citizenry that has no defense to make on their own account.

I also tried to point out to you, Mr. President, that if it does not raise the amount of money that the Governor's Budget Director estimates, then the tax is not only punitive and not only discriminatory but we find that it is practically useless.

Therefore, because of the fact that I would not be here tomorrow, I wanted the record to be clear that we intend to present certain figures to the Senate, and if the Majority Leadership is unable to get the figures, I will give my figures for what they are worth, after the research I have made.

BILLS SIGNED

The PRESIDENT (Lieutenant-Governor Daniel B. Strickler announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being corerct, the titles were publicly read as follows:

House Bill No. 358, entitled:

An Act to further amend the act, approved the nineteenth day of July, one thousand nine hundred thirty-five (P. L. 1356), entitled "Licensed Weightmasters Act," providing for transportation of solid fuel over a public highway; making exceptions to necessity of weightmaster's certificate; and designating certain acts as prima facie evidence of short weight.

House Bill No. 746, entitled:

An Act to further amend sections two and four of the act approved the thirtieth day of April one thousand nine hundred forty-three (P. L. 145) entitled as amended "An act providing for and regulating the accumulation investment and expenditure by counties cities boroughs incorporated towns townships and school districts of funds for post war projects" permitting contributions to fund after post war period and the purchase or replacement of school buses

House Bill No. 917, entitled:

An Act to repeal the act, approved the nineteenth day of March, one thousand nine hundred forty-three (P. L. 19), entitled "An act reducing, for a period of time, the training period of medical internship in hospitals in order to qualify for examination for license to practice medicine and surgery, and suspending inconsistent laws."

House Bill No. 921, entitled:

An Act to repeal the act, approved the twenty-second day of April, one thousand nine hundred forty-three (P. L. 71), entitled "An act authorizing the State Board of Medical Education and Licensure to issue temporary permits to doctors of medicine and surgery in this State, under under certain conditions, for a limited period of time."

House Bill No. 936, entitled:

An Act to further amend sections one of the act, approved the twenty-sixth day of May, one thousand nine hundred forty-three (P. L. 607), entitled "An act authorizing administrative boards within the Department of Public Instruction, for the duration of the present war, to admit to examination and grant licenses or registration to certain aplicants who are less than twenty-one, but not less than twenty years of age," further regulating the professional examination, licensure, or registration of persons who are less than twenty-one, but over twenty years of age.

House Bill No. 1215, entitled:

An Act ratifying the proposed amendment to the Constitution of the United States relative to the terms of the President of the United States.

Whereupon,

The PRESIDENT (Lieutenant-Governor Daniel B. Strickler) in the presence of the Senate signed the same.

ADJOURNMENT

Mr. TALLMAN. Mr. President, I move that the Senate no now adjourn until Thursday, May 1, 1947, at 1:30 o'clock, p. m., Eastern Standard Time.

Mr. DOEHLA. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 3:58 o'clock, p. m., Eastern Standard Time until Thursday, May 1, 1947, at 1:30 o'clock, p. m., Eastern Standard Time.

HOUSE OF REPRESENTATIVES

WEDNESDAY, April 30, 1947.

The House met at 12:00 noon Eastern Standard Time. The SPEAKER (Franklin H. Lichtenwalter) in the Chair.

PRAYER

The guest Chaplain, Rev. George C. Bingaman, Pastor of St. John's Reformed Church, Coopersburg, offered the following prayer:

Almighty God, who hath ordained all free governments in the spirit of justice and equity, grant that this Legislative body may convene and act in perpetuation of this glorious foundation, serving this Commonwealth and our United States in truth and wisdom, and thus glorifying Thy Holy name. Through Jesus Christ our Lord. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of Tuesday, April 29, 1947.

The Clerk proceeded to read the Journal of Tuesday, April 29, 1947, when, on motion of Mr. STONIER unanimously agreed to, the further reading was dispensed with and the Journal approved.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence, bills numbered and entitled as follows:

SENATE BILL No. 72.

An Act to further amend section three hundred twenty of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by providing for the payment of retirement allowances to widows of deceased county employes and for crediting employes with time spent in military service in counties of the second class

Referred to the Committee on Counties.

SENATE BILL No. 195.

An Act to further amend the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 364) entitled "An act relating to business corporations defining and providing for the organization merger consolidation reorganization winding up and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and shareholders prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the second class within the provisions of this act prescribing the terms and conditions upon which foreign business corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas and certain State departments commissions and officers authorizing certain State departments boards commissions or officers to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" changing the time of the inception of corporate existence or authority to do business

Referred to the Committee on Judiciary.

SENATE BILL No. 218.

An Act to further amend the first paragraph of section nine hundred seventy-six of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333), entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," by further providing procedure for rejection of nomination petitions, papers or certificates.

Referred to the Committee on Elections and Apportionment.

SENATE BILL No. 366.

An Act to amend section five of the act approved the sixteenth day of May one thousand nine hundred forty-five (P. L. 577) entitled "An act for the prevention control and cure of venereal diseases by requiring certain persons to submit to physical examination and blood tests providing for the treatment of certain persons requiring reports to be made to the State Department of Health imposing duties upon and authorizing and directing the Secretary of Health to make rules and regulations and to disseminate certain information regulating the advertisement and restricting the sale of certain drugs and remedies and imposing penalties" authorizing county jails to receive persons under quarantine and providing for reimbursement by the Commonwealth

Referred to the Committee on Public Health and Sanitation.

SENATE BILL No. 532.

An Act to amend section twenty of the act, approved the twenty-fifth day of May, one thousand nine hundred forty-five (P. L. 1050), entitled "An act relating to the collection of taxes levied by counties, county institution districts, cities of the third class, boroughs, towns, townships, certain school districts and vocational school districts; conferring powers and imposing duties on tax collectors, courts and various officers of said political subdivisions; and prescribing penalties," making a husband liable for his wife's per capita, poll and occupation taxes and providing for the collection thereof.

Referred to the Committee on Municipal Corporations.

PERMISSION TO ADD ADDITIONAL SPONSORS

Mr. KELLEY asked and obtained unanimous consent to add the name of Mr. Najaka as an additional sponsor to House Bill 1180.

Mr. O'CONNOR asked and obtained unanimous consent to add the name of Mr. McMillen as an additional sponsor to House Bill 207.

REPORTS FROM COMMITTEES

Mr. LYONS from the Committee on Motor Vehicles, reported as committed, House Bill No. 83, entitled:

An Act to further amend subsection (a) of section six hundred fourteen of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the

highways of this Commonwealth; providing for the titling, including liens, encumbrances and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, alde nan, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissable as evidence imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operations of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by providing for the compulsory permanent revocation of operator's license on second conviction of operating a motor vehicle while under the influence of intoxicating liquor or narcotic or habit forming drug.

Mr. DAVID P. REESE from the Committee on Liquor Control, reported as committed, House Bill No. 146, entitled:

An Act to add subsection (d) to section twelve of the act, approved the third day of May, one thousand nine hundred thirty-three (P. L. 252), entitled as amended "An act to regulate and restrain the traffic in malt and brewed beverages, as herein defined; providing for the licensing of the manufacture, transportation, sale and distribution of such beverages; imposing license and permit fees, and providing for collection and distribution thereof; restricting ownership and interest in licensed places; permitting municipalities and townships, by vote of the electors, to prevent the licensing therein of places where such beverages may be sold for consumption on the premies, and regulating election for this purpose; imposing duties upon the Pennsylvania Liquor Control Board, quarter sessions courts, district attorneys, the Department of Justice, proper authorities of political subdivisions of the State, and election officers; providing penalties; and repealing existing acts," limiting the number of distributors' and importing distributors' licenses to be issued.

Mr. O'CONNOR from the Committee on Municipal Corporations, reported as committed, House Bill No. 207, entitled:

An Act to authorize cities, boroughs, incorporated towns, townships and school districts to file suggestions of nonpayment and averments of default, or to sue out writs of scire facias on certain tax or municipal claims, and to revive judgments where the lien of such claims, or the judgments thereon, have been lost and providing for the reinstatement of the liens of such claims and judgments.

Mr. McKINNEY from the Committee on State Government, reported as amended, House Bill No. 344, entitled:

An Act to amend section four of the act, approved the thirty-first day of May, one thousand nine hundred twenty-three (P. L. 481), entitled "An act providing for the appointment of boards of examiners to examine applicants for certificates of qualification as mine foremen, assistant mine foremen, and fire bosses in the bituminous coal mines of this Commonwealth; prescribing the qualifications; defining the powers and duties, and fixing the compensation of such examiners; authorizing the Chief of the Department of Mines to determine the district in which boards of examiners shall hold examinations, and to designate the boards before whom applicants in the various inspection districts shall appear; providing for the issuance of certificates of qualification to successful applicants; fixing the fees to be paid by applicants, and providing for their disposition; forbidding the employment of unqualified persons as mine foremen, assistant mine foremen, and fire bosses; providing a penalty for forging or making false statements regarding certificates," changing compensation of board members.

Mr. O'CONNOR from the Committee on State Government, reported as committed, House Bill No. 541, entitled:

An Act to further amend paragraph six of section one of the act, approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858), entitled "An act establishing a State employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing State employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon the heads of departments in which State employes serve; excepting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," by further defining State employe to include employes of the Interstate Commission on the Delaware River Basin.

Mr. JOHNSON from the Committee on State Government, reported as committed, House Bill No. 593, entitled:

An Act to further amend subsection nine of section eight of the act, approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858), entitled "An act establishing a State Employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing State employes, defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon the heads of departments in which State employes serve; excepting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," permitting contributors to change from the one one-hundred-sixtieth (1-160) to the one one-hundredth (1-100) class, and providing for obtaining of full benefits by contributors heretofore or hereafter making such change.

Mr. O'CONNOR from the Committee on Municipal Corporations, reported as committed, House Bill No. 714, entitled:

An Act to repeal the act approved the nineteenth day of June, one thousand nine hundred thirty-nine (P. L. 430), entitled "An act providing a method of annexation of parts of townships of the first class, in counties of the second class, not in excess of twenty per centum of the assessed value of any such township in counties of the second class, to contiguous cities of the second class, boroughs, or other contiguous townships of the first class, and regulating the proceeding pertaining thereto.

Mr. LAYER from the Committee on State Government, reported as amended, House Bill No. 782, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Pennsylvania Historical and Museum Commission, to acquire on behalf of the Commonwealth certain land at the recognized site of William Penn's first landing in Pennsylvania in the city of Chester, Delaware County, as a historical site, providing for the control, management, supervision, improvement and maintenance thereof, authorizing the Pennsylvania Historical and Museum Commission to make and enforce rules and regulations for the preservation and visitation thereof, and making an appropriation.

Mr. VAUGHAN from the Committee on Liquor Control, reported as committed, House Bill No. 892, entitled:

An Act to add section four hundred eleven point one to the act, approved the twenty-ninth day of November, one thousand nine hundred thirty-three (1933-34, P. L. 15), entitled as amended "An act to regulate and restrain the sale, manufacture, possession, transportation, importation, traffic in, and use of alcohol, and alcoholic and malt or brewed beverages; conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents, the Department of Public Instruction, other officers of the State government, courts, and district attorneys; authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises, and the granting of licenses, subject to local option, to sell such beverages for consumption on and off the premises; forbidding importation or bringing of such beverages into the State except as herein provided; prohibiting certain sales or practices in, connection with, and transactions in such beverages by licensees and others; providing for the forfeiture of certain property; making disposition of the receipts from State stores and of fees; and imposing penalties," relating to the capacity and deceptive appearance of glasses and other containers used for sale of liquor for consumption on the premises.

Mr. McCULLOUGH from the Committee on Townships, reported as amended, House Bill No. 961, entitled:

An Act to amend section one thousand five hundred two of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-one (P. L. 1206), entitled "An act concerning townships of the first class; amending, revising, consolidating, and changing the law relating thereto," providing for the furnishing and installation of ornamental standards for street lighting with fittings and underground wiring therefor, and the assessment and collection of the cost thereof from property benefited thereby.

Mrs. DYE from the Committee on Professional Licensure, reported as amended, House Bill No. 982, entitled:

An Act to amend section one of the act, approved the twenty-first day of March, one thousand nine hundred forty-five (P. L. 51), entitled "An act defining and regulating the practice of Chiropody and providing penalties," by further defining chiropody.

Mr. WEISS from the Committee on State Government, reported as committed, House Bill No. 1010, entitled:

An Act to aid in alleviating the acute housing shortage by authorizing housing authorities to provide housing for veterans and families of servicemen and to cooperate with the Federal Government for such purpose.

Mr. WEISS from the Committee on State Government, reported as committed, House Bill No. 1011, entitled:

An Act to declare valid and legal the development and administration of housing projects for veterans and servicemen of World War II and their families, and to declare valid and legal all contracts, agreements, obligations, undertakings, indebtedness, appropriations and all proceedings, acts and things heretofore undertaken, performed or done with reference thereto.

Mr. NEFF from the Committee on Professional Licensure, reported as committed, House Bill No. 1017, entitled:

An Act to further amend the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 1216), entitled "An act to define real estate brokers and real estate salesmen; and providing for the licensing, regulation, and supervision of resident and nonresident real estate brokers and real estate salesmen and their business," by further defining real estate brokers and real estate salesmen; and further regulating the licensing and supervision of such persons and their business.

Mr. GRIFFITHS from the Committee on Municipal Corporations, reported as amended, House Bill No. 1035, entitled:

An Act to amend section forty of the act, approved the twenty-fifth day of May, one thousand nine hundred forty-five (P. L. 1050), entitled "An act relating to the collection of taxes levied by counties, county institution districts, cities of the third class, boroughs, towns, townships, certain school districts and vocational school districts; conferring powers and imposing duties on tax collectors, courts and various officers of said political subdivisions; and prescribing penalties," by providing that the surety on the bond or bonds of a deceased collector, for whose estate no executor or administrator has been appointed, shall have the sole right and power to take over the tax duplicates in which said surety is interested and to proceed to make collections thereon in accordance with the provisions of this section.

Mr. WOLF from the Committee on Motor Vehicles, reported as committed, House Bill No. 1111, entitled:

An Act to further amend the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled, "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justiecs of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forefeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by further defining "Dealers" and "Owners;" changing certain fees; further regulating the registration, titling, equipment, license plates and size of certain vehicles, and the licensing of operators; prescribing additional enforcement and penal provisions.

Mr. KELLEY from the Committee on Townships, reported as committed, House Bill No. 1180, entitled:

An Act to further amend section one thousand one of the act approved the twenty-fourth day of June, one thousand nine hundred thirty-one (P. L. 1206), entitled "An act concerning townships of the first class; amending, revising, consolidating, and changing the law relating thereto," increasing the compensation of township auditors.

Mr O'CONNOR from the Committee on State Government, reported as committed, House Bill No. 1185, entitled:

An Act to further amend section one of the act, approved the twenty-second day of June, one thousand nine hundred thirty-one (P. L. 844), entitled, as amended "An act authorizing the Commonwealth of Pennsylvania, or

any department or division thereof, and counties, cities, boroughs, incorporated towns, townships, school districts and poor districts to make contracts of life, health, and accident policies for the benefit of employes thereof, and contracts for pensions for such employes; and providing for the payment of the cost thereof," by extending the provisions of this act to elected and appointed officers.

Mr CORDIER from the Committee on Municipal Corporations, reported as amended, House Bill No. 1214, entitled:

An Act to amend the title and to further amend section two of the act, approved the twenty-eighth day of June, one thousand eight hundred ninety-five (P. L. 408), entitled "A supplement to the twenty-fourth section of an act, entitled 'An act to provide revenue by taxation, approved the seventh day of June, one thousand eight hundred and seventy-nine,' approved the first day of June, one thousand eight hundred and eighty-nnie, amending the twenty-fourth section, by providing for the payment by the State Treasurer of one-half of the two per centum tax on premiums paid by foreign fire insurance companies to the treasurers of the several cities and boroughs within this Commonwealth," including towns and townships within its provisions; providing for proportionate distribution of the tax receipts according to the amount of insurance written on property in the respective cities, townships, towns, and boroughs and requiring agents to be instructed to place on the fire insurance policy the name of the locality wherein the insured premises are located.

Mr. BOWER from the Committee on State Government, reported as committed, House Bill No. 1308, entitled:

An Act providing for the acquisition by the Department of Forests and Waters, in the name of the Commonwealth, of certain lands in Carbon County for use as a State Park and recreation area; providing for the management of said department, and defining the uses to which the property shall be put, and making an appropriation.

Mr McKINNEY from the Committee on State Government, reported as committed, House Bill No. 1320, entitled:

An Act to amend the act, approved the twenty-eighth day of May, one thousand nine hundred thirty-seven (P. L. 955), entitled "An act to promote public health, safety, morals and welfare by declaring the necessity of creating public bodies, corporate and politic, to be known as housing authorities to engage in slum clearance, and to undertake projects to provide dwelling accomodations for persons of low income; providing for the organization of such housing authorities; defining their powers and duties; providing for the exercise of such powers, including the acquisition of property by purchase, gift or eminent domain, th erenting and selling of property, and including borrowing money, issuing bonds, and other obligations, and giving security therefor; prescribing the remedies of abligees of housing authorities; authorizing housing authorities to enter into agreements, including agreements with the United States, The Commonwealth, and political subdivisions and municipalities thereof; defining the application of zoning, sanitary, and building laws and regulations to projects built or maintained by such housing authorities; exempting the property and securities of such housing authorities from taxation; and imposing duties and conferring powers upon the State Board of Housing, and certain other State officers and departments," authorizing authorities to undertake housing research and studies, and to enter into agreements to secure Federal contributions and providing for the creation of regional housing authorities and rural housing.

Mr. MAZZA from the Committee on Liquor Control, reported as committed, Senate Bill No. 49, entitled:

An Act providing that the statement of registration issued to electors shall be sufficient proof of age for the purchase of alcoholic beverages prohibiting transfers thereof imposing penalties and saving from prosecution licensees serving holders of such statements

Mr. LAYER from the Committee on State Government, reported as amended, Senate Bill No. 87, entitled:

A Supplement to the act, approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing State employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon the heads of departments in which State employes serve; excepting annuities, allowances, returns, benefits and rights from taxation and judicial process, and providing penalties," permitting certain State employes who during the war were loaned to the United States Government and who have now returned to State employment, to pay into the retirement fund the amount of the contributions they would have made during such period with interest and prescribing how the Commonwealth shall build up the necessary State annuity reserves.

Mr. POLASKI from the Committee on State Government, reported as committed, Senate Bill No. 381, entitled:

An Act to further amend subsection (f) of section four hundred forty-eight of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant-Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determinef," increasing the number of members of The Advisory Health Board, requiring one of such members to be a licensed dentist, and one to be a licensed pharmacist.

Mr. GORMAN from the Committee on State Government, reported as committed, Senate Bill No. 408, entitled:

An Act authorizing the Pennsylvania Historical and Museum Commission to accept, on behalf of the Commonwealth, certain real estate comprising the Crispin Cemetery in Philadelphia; and providing for its restoration and maintenance as an historic shrine.

Mr. LAYER from the Committee on Municipal Corporations, reported as committed, Senate Bill No. 419, entitled:

An Act validating county treasurers' sales for delinquent taxes where the reports and returns of such sales were not made to the court of common pleas and such sales were not confirmed by the court.

Mr. O'CONNOR from the Committee on State Government, reported as committed, Senate Bill No. 433, entitled:

An Act authorizing the Secretary of Property and Supplies to sell and convey a tract of land in Limerick Township, Montgomery County, Pennsylvania, with the approval of the Governor.

Mr. READINGER from the Committee on State Government, reported as amended, Senate Bill No. 478, entitled:

An Act to further amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and Sadministrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by extending the wartime purchasing powers of the Department of Property and Supplies for a period of not longer than two years after the state of war ceases; and by further prescribing the methods of making purchases and entering into contracts by the Department of Property and Supplies.

Mr. CLARENCE E. MOORE from the Committee on Municipal Corporations, reported as committed, Senate Bill No. 487, entitled:

An Act to amend the act, approved the twenty-fifth day of May, one thousand nine hundred forty-five (P. L. 1050), entitled "An act relating to the collection of taxes levied by counties, county institution districts, cities of the third class, boroughs, towns, townships, certain school districts and vocational school districts; conferring powers and imposing duties on tax collectors, courts and various officers of said political subdivisions; and prescribing penalties," changing the method of furnishing notices of taxes.

Mr. WORLEY from the Committee on State Government, reported as amended, House Bill No. 771, entitled:

An Act to further amend section one of the act approved the thirteenth day of April one thousand eight hundred eighty-seven (P. L. 21), entitled "An act for establishment of a uniform standard of time throughout the Commonwealth," making further provision for such standard of time and providing for a referendum to decide upon the one hour advancement of the standard time between the last Sunday of April and the last Sunday of September of each year.

RESOLUTION

RECALLING HOUSE BILL NO. 838 FROM THE GOVERNOR

Mr. BOWER offered the following resolution which was read, considered and adopted:

In the House of Representatives, April 30, 1947.

Resolved (if the Senate concur), that House Bill No. 838, Printer's No. 214, entitled "An act to further amend the definition of 'Extension education' in section one of the act approved the second day of May one thousand nine hundred twenty-five (P. L. 492) entitled 'An act to provide for the equalization of educational opportunity and the encouragement of the study of citizenship by recognition of extension education for boys and girls who are employed and for adults as a function of the public schools of this Commonwealth and to facilitate the proper organization and administration of such extension education' including recreational or social service for youth and children within the meaning of the term 'extension education'", be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the Senate for concurrence

SENATE MESSAGES

CONCURRENCE IN HOUSE RESOLUTION No. 43

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives as follows:

In the House of Representatives, April 17, 1947.

Whereas, The dictates of common sense require, and experience has proven, that where large numbers of persons are in daily attendance within a given area, first-aid facilities for the treatment and comfort of persons suffering minor accidents or illness should be maintained; and

Whereas, Hundreds of persons, particularly during the legislative sessions, are in daily attendance in the capitol building as visitors, interested parties and guests; and

Whereas, Frequently among such persons there are those who meet with a minor accident or suffer an illness, and no facilities presently exist where such persons may seek emergency aid or comfort, therefore be it

Resolved (if the Senate concur), That the Department of Property and Supplies be directed to establish and maintain at a central location in the main capitol building a first-aid room with adequate first-aid equipment, supplies and comfort facilities, and that during the sessions of the General Assembly the services of a registered nurse in daily attendance be supplied.

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 358.

An Act to further amend the act approved the nineteenth day of July one thousand nine hundred thirty-five (P. L. 1356) entitled "An act to regulate the sale and delivery of solid fuel as herein defined providing for appointment of licensed weighmasters prescribing their powers and duties authorizing substitute licensed weighmasters imposing certain duties on the Department of Internal Affairs and providing penalties" providing for transportation of solid fuel over a public highway making exceptions to the necessity of a weighmaster's certificate and designating certain acts as prima-facie evidence of short weight.

HOUSE BILL No. 746.

An Act to further amend sections two and four of the act approved the thirtieth day of April one thousand

nine hundred forty-three (P. L. 145) entitled as amended "An act providing for and regulating the accumulation investment and expenditure by counties cities boroughs incorporated towns townships and school districts of funds for post war projects" permitting contributions to fund after post war period and the purchase or replacement of school buses

HOUSE BILL No. 917.

An Act to repeal the act approved the nineteenth day of March one thousand nine hundred forty-three (P. L. 19) entitled "An act reducing for a limited period of time the training period of medical internship in hospitals in order to qualify for examination for license to practice medicine and surgery and suspending inconsistent laws"

HOUSE BILL No. 921.

An Act to repeal the act approved the twenty-second day of April one thousand nine hundred forty-three (P. L. 71) entitled "An act authorizing the State Board of Medical Education and Licensure to issue temporary permits to doctors of medicine legally licensed in other states to practice medicine and surgery in this State under certain conditions for a limited period of time"

HOUSE BILL No. 936.

An Act to further amend section one of the act approved the twenty-sixth day of May one thousand nine hundred forty-three (P. L. 607) entitled "An act authorizing administrative boards within the Department of Public Instruction for the duration of the present War to admit to examination and grant licenses or registration to certain applicants who are less than twenty-one but not less than twenty years of age" further regulating the professional examination licensure or registration of persons who are less than twenty-one but over twenty years of age

HOUSE BILL No. 1215.

A Joint Resolution ratifying the proposed amendment to the Constitution of the United States relative to the terms of the President of the United States

With the information that the Senate has passed the same without amendment.

The Clerk of the Senate being introduced, presented extracts from the Journal of the Senate:

Senate Bills for concurrence 474, 506, 507, 601 and 612.

REPORT OF COMMITTEE OF CONFERENCE ON SENATE BILL 104

Mr. HEWITT. Mr. Speaker, I submit the report of the Committee of Conference on Senate Bill No. 104.

The SPEAKER. The report will be filed with the Clerk. This being a Senate bill, the report of the Committee of Conference will be printed by the Senate.

COOPERSBURG LIONS CLUB WELCOMED

The SPEAKER. The Chair is very pleased to have as guests of the Chair this afternoon members of the Coopersburg Lions Club, of which The Speaker has the honor during the present year of serving as President. We are happy indeed to have this group of business and professional men of the community here at this afternoon's session.

CLASS OF SPRING GROVE HIGH SCHOOL WELCOMED

The SPEAKER. The Chair is also happy to welcome this afternoon the Freshmen Civics class of the Spring Grove High School under the direction of John L. Meyer. They are the guests of the Representatives from York, Messrs. Wolf, Goodling and Bentzel.

CLASS OF CAMP HILL SCHOOL WELCOMED

The SPEAKER. The Chair welcomes the sixth grade class of the Camp Hill School this afternoon, under the direction of Mrs. Zimbala.

SENIOR CLASS OF NEW OXFORD HIGH SCHOOL WELCOMED

The SPEAKER. The Chair is happy to welcome the Senior Class of the New Oxford High School under the direction of their Principal, Professor Mechley. They are the guests of the gentleman from Adams, Mr. Worley.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 9, entitled:

An Act abating certain tax penalties and interest on unpaid county, city, borough, town, township, school district, poor district and county institution district taxes, with certain exceptions; prohibiting the sale of real property for the nonpayment of any such taxes for a certain period; and preserving certain tax liens and providing for the extension thereof

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 326, entitled:

An Act relating to marriage and amending, revising, consolidating and changing the law relating thereto

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 429, entitled:

An Act to further amend section eleven of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 748), entitled as amended "An act relating to and regulating the purchase and sale of securities; providing for the registration and regulation of certain individuals and entities selling, contracting to sell or dispose of, attempting or offering to dispose of, soliciting offers to buy, or inducing holders thereof to exchange, securities defined herein, including securities issued by them, or engaging in the business of inducing holders of securities to effect the sale thereof in order to produce funds to pay for other investments sold by them, or in the business of buying securities directly from individuals who are not registered hereunder, or in the business of advising others as to the value or investment qualifications of securities and the management of investment accounts, and the solicitors of such investment advisers; providing for the revocation and suspension of registrations; conferring powers and imposing duties on the Pennsylvania Securities Commission and otherwise providing for the administration of this act; providing for appeals to the Court of Common Pleas of Dauphin County, and to the Supreme Court of Pennsylvania; conferring jurisdiction upon the several courts of common pleas to issue injunctions against

violations of this act and to appoint receivers and prescribing fees and penalties," changing provisions relating to display or advertisement of fact of registration.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 535, entitled:

An Act to amend section one thousand nine of Article Ten of the act, approved the fifteenth day of May, one thousand nine hundred and thirty-three (P. L. 624), entitled "An act relating to the business of banking, and to the exercise of fiduciary powers by corporations; providing for the organization of corporations with fiduciary with fiduciary powers, and of the banking corporations, with or without fiduciary powers, including the conversion of National banks into State banks, and for the licensing of private bankers; defining the rights, powers, duties, liabilities, and immunities of such corporations; of existent corporations authorized to engage in a banking business, with or without fiduciary powers of private bankers, and of the officers, directors, trustees, shareholders, attorneys, and other employes of all such corporations or private bankers, or of affiliated corporations, associations, or persons; restricting the exercise of banking powers by any other corporation, association, or person, and of fiduciary powers by any other corporation; conferring powers and imposing duties upon the courts, prothonotaries, recorders of deeds, and certain State departments, commissions, and officers; imposing penalties; and repealing certain acts and parts of acts," as amended, to permit certain Banks and Trust Companies to acquire and hold additional shares of stock of certain Title Insurance Companies

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 651, entitled:

An Act to further amend section four thousand three hundred four of the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto," by providing that the right to participate in the police pension fund, after having been established shall not be forfeited

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 735, entitled:

An Act to amend sections four thousand three hundred twenty, four thousand three hundred twenty-one, four thousand three hundred twenty-two, four thousand three hundred twenty-three, four thousand three hundred twenty-four and four thousand three hundred twenty-five of the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto," by requiring cities to establish a Firemen's Pension Fund and to make contributions to such fund, and providing for and regulating the management and operation of such fund

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 817, entitled:

An Act defining and regulating certain installment sales of motor vehicles; prescribing the conditions under which such sales may be made and regulating the financing thereof; regulating and licensing persons engaged in the business of making or financing such sales; prescribing the form, contents and effect of instruments used in connection with such sales and the financing thereof; prescribing certain rights and obligations of buyers, sellers, persons financing such sales and others; limiting incidental charges in connection with such instruments; and fixing maximum interest rates for delinquencies, extensions and loans regulating insurance in connection with such sales; regulating repossessions, redemptions, resales and deficiency judgments, and the rights of parties with respect thereto; authorizing extensions, loans and forfearances related to such sales; authorizing investigations and examinations of persons engaged in the business of making or financing such sales prescribing penalties; and repealing certain acts

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 818, entitled:

An Act to further amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by creating the Pennsylvania Consumer Credit Commission as a departmental administrative commission within the Department of Banking; fixing the compensation of the members thereof; defining its powers and duties; and eliminating provisions relating to the non-existent Board to License Private Bankers

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 819, entitled:

An Act to further amend section one of the act approved the seventeenth day of June one thousand nine hundred fifteen (P. L. 1012) entitled "An act regulating the business of loaning money in sums of three hundred ($300) dollars or less either with or without security to individuals pressed by lack of funds to meet immediate necessities fixing the rates of interest and charges therefor requiring the licensing of lenders and prescribing penalties for the violation of this act" by transferring the powers

and duties heretofore imposed upon the Secretary of Banking and the Department of Banking to the Pennsylvania Consumer Credit Commission providing for the receipt of certain license fees by and their deposit in a fund for the use of the commission and relieving licensees from payment of cost of examinations of their businesses

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 820, entitled:

An Act to amend the title of and the act approved the eighth day of April one thousand nine hundred thirty-seven (P. L. 262) entitled "An act relating to consumer credit in amounts of one thousand dollars ($1,000) or less requiring licenses from the Secretary of Banking restricting licenses to domestic business corporations fixing minimum capital requirements conferring powers on the Secretary of Banking limiting interest and other charges providing certain exemptions and imposing penalties" by defining the term "'Commission" transferring the powers and duties heretofore upon the Secretary of Banking to the Pennsylvania Consumer Credit Commission providing for the use by the said commission of certain funds and relieving licensees from payment of cost of examinations of their businesses

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 821, entitled:

An Act to amend the title of and the act approved the sixth day of April one thousand nine hundred thirty-seven (P. L. 200) entitled "An act licensing and regulating the business of pawnbrokers providing for the issuance of licenses by the Secretary of Banking authorizing the Secretary of Banking to make examinations and issue regulations limiting the interest and charges on loans and prescribing penalties for the violation of this act" by defining the term "commission" transferring the powers and duties heretofore imposed upon the Secretary of Banking to the Pennsylvania Consumer Credit Commission providing for the use by the said commission of certain funds and relieving licensees from payment of cost of examinations of their businesses

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 822, entitled:

An Act to add section four point one to the act approved the first day of June one thousand nine hundred forty-five (P. L. 1385) entitled "An act relating to chattel mortgages on any chattel or chattels of any kind or description including but not limited to livestock poultry farm machinery farm equipment and crops growing or to be grown designating the operation and effect of the lien of such mortgages providing for the filing indexing and docketing of such mortgages and related instruments in prothonotaries' offices and prescribing prothonotaries' fees providing for the filing in Pennsylvania of similar lien instruments originally filed or recorded in other states regulating the assignment release satisfaction and extension of the lien of such mortgages prescribing methods of foreclosure defining defaults and violations and fixing penalties" limiting and regulating the liability of chattels for subsequent purchases

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 823, entitled:

An Act to add section eleven point one to the act approved the twelfth day of May one thousand nine hundred twenty-five (P. L. 603) entitled "An act concerning conditional sales and to make uniform the law relating thereto" limiting and regulating liability of goods for subsequent purchases

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 824, entitled:

An Act limiting and regulating liability of goods wares and merchandise purchased under bailment lease contracts for subsequent purchases and limiting the rights of bailors in certain cases

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 852, entitled:

An Act to further amend the act approved the twenty-second day of June one thousand nine hundred thitry-one (P. L. 594) entitled "A nact establishing certain township roads as State highways authorizing their construction maintenance and improvement under certain conditions and restrictions limiting the obligation of the Commonwealth in the construction of certain structures located on such highways conferring certain powers upon the Department of Highways and local authorities persons associations and corporations for sharing the cost of the maintenance and construction of such highways and making an appropriation to carry out the provisions of said act" by changing or deleting certain routes and adding certain new routes

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 853, entitled:

An Act to further amend section two of the act approved the first day of June one thousand nine hundred thirty-three (P. L. 1172) entitled "An act establishing certain streets in boroughs and incorporated towns as State highways and providing for their construction and maintenance at the expense of the Comonwealth" by changing or deleting certain routes and adding certain new routes

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 855, entitled:

An Act to further amend section two of the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 720) entitled "An act providing for the taking over by the Commonwealth under certain terms conditions and limitations of certain streets in cities of the second class second class A and third class as State highways and for the improvement construction reconstruction resurfacing and maintenance by the Commonwealth of certain defined widths of said streets imposing

duties on such cities and on public utility companies using such streets providing that no assessment shall be made upon the Commonwealth in the elimination of any grade crossing thereon authorizing cities persons associations or corporations to enter into agreements with the Commonwealth to bear a portion of the cost of construction or maintenance providing for the assessment of certain portions of the cost of street improvements on abutting property owners regulating the replacement of certain facilities of public utility companies prohibiting the opening of said streets after improvement without a permit and providing penalty therefor regulating the maintenance of detours authorizing the increase of city indebtedness in certain cases and appropriating money in the Motor License Fund for the purposes of this act" by changing or deleting certain routes and adding certain new routes

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 869, entitled:

An Act to further amend section twenty-five of the act approved the twenty-fifth day of July one thousand nine hundred thirteen (P. L. 1311), entitled "An act providing for the establishment of a State Industrial Home for Women authorizing the purchase of a site and the erection thereon and equipment of necessary buildings; providing for the commitment to said State Industrial Home for Women of females between the ages of sixteen and thirty years, convicted of or pleading guilty to the commission of any criminal offense and providing for the government and management of said institution and making an appropriation to cary out the purposes of this act" providing for payment of certain salaries by the State without including the same in computing cost of maintaining inmates

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1175, entitled:

An Act authorizing husbands and wives holding property as tenants by the entireties to pledge or give such property as security for the bond or obligation of a third person or each other and providing that judgments entered upon default in any such bond or undertaking shall bind such property

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1232, entitled:

An Act authorizing the Secretary of Highways with the approval of the Governor to take over as State Highways public roads which connect existing State Highway routes with free interstate bridges and providing for construction reconstruction and maintenance at the expense of the Commonwealth.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 47, entitled:

An Act to amend Section 8 of the act approved the first day of June one thousand nine hundred and forty-five (P. L. 1358) entitled "An act relating to chattel mortgages on any chattel or chattels of any kind or description including but not limited to livestock poultry farm machinery farm erquipment and crops grown growing or to be grown designating the operation and effect of the lien of such mortgages providing for the filing indexing and docketing of such mortgages and related instruments in prothonotaries' offices and prescribing prothonotaries' fees providing for the filing in Pennsylvania of a similar lien instruments originally filed or recorded in other states regulating the assignment release satisfaction and extension of the lien of such mortgages prescribing methods of foreclosure defining defaults and violations and fixing penalties" by making further provision respecting the filing of chattel mortgages in prothonotaries' offices

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 109, entitled:

An Act to amend section one of the act, approved the tenth day of April, one thousand nine hundred forty-five (P. L. 187), entitled "An act to provide for the receiving, as evidence in any court, office, or other place in this State, official findings, records, reports, or certified copies thereof, of death, presumed death, missing, or other status issued by the Secretaries of War and Navy, and other Federal officers and employees," providing that official statements of missing in action shall be prima facie evidence of death of the person therein named.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 231, entitled:

An Act to amend the title and Section 1 of the act approved the sixteenth day of May, one thousand nine hundred and forty-five (P. L. 594, Number 249), entitled "An act authorizing and empowering any corporation for profit, heretofore or hereafter organized under any general or special law of this Commonwealth, by action of its board of directors to make contibutions out of its income in any taxable year for public and charitable purposes to the extent authorized, approved or ratified by the by-laws of such corporation or by resolution of its shareholders; and ratifying certain contributions," by removing certain limitations upon the power of corporations to make contributions for charitable purposes.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 232, entitled:

An Act to amend subsection sixteen of section three hundred two of the act approved the fifth day of May, one thousand nine hundred and thirty-three (P. L. 364), entitled "An act relating to business corporations; defining and providing for the organization, merger, consolidation, reorganization, winding up and dissolution of such corporations; conferring certain rights, powers, duties, and immunities upon them and their officers and shareholders; prescribing the conditions on which such corporations may exercise their powers; providing for the inclusion of certain existing corporations of the second class within the provisions of this act; prescribing the terms and conditions upon which foreign business corpo-

rations may be admitted, or may continue, to do business within the Commonwealth; conferring powers and imposing duties on the courts of common pleas, and certain State departments, commissions, and officers; authorizing certain State departments, boards, commissions, or officers to collect fees for services required to be rendered by this act; imposing penalties; and repealing certain acts and parts of acts relating to corporations," by removing certain limitations upon the power of corporations to make contributions for public and charitable purposes.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of Senate Bill No. 241, entitled:

An Act to amend Section 3 of the act approved the thirty-first day of May, one thousand nine hundred and twenty-three, (P. L. 468), entitled "An act concerning liability for participation in breaches of fiduciary obligations, and to make uniform the law with reference thereto," by making provision concerning the registration or transfer of securities to or by nominees of fiduciaries.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of Senate Bill No. 282, entitled:

An Act to amend article IX of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 457) entitled "An act relating to the business of building and loan associations providing for the organization and voluntary dissolution of such associations defining the rights powers duties liabilities and immunities of such associations and of their officers directors shareholders solicitors and other employes prohibiting the transaction of business in this Commonwealth by foreign building and loan associations conferring powers and imposing duties upon the courts recorders of deeds and certain State departments commissions and officers establishing limitations of actions imposing penalties and repealing certain acts and parts of acts" by authorizing building and loan associations to grant chattel mortgages in certain cases.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of Senate Bill No. 335, entitled:

An Act to amend section seventeen of the act, approved the eighth day of April, one thousand nine hundred thirty-seven, (P. L. 262), entitled "An act relating to consumer credit in amounts of one thousand dollars ($1,000) or less; requiring licenses from the Secretary of Banking; restricting licenses to domestic business corporations; fixing minimum capital requirements; conferring certain powers on the Secretary of Banking; limiting interest and other charges; providing certain exemptions; and imposing penalties," excluding domestic non-profit corporations operated exclusively by and for members of the medical and dental professions from the provisions thereof.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 106, entitled:

An Act requiring that all meetings of legislative bodies of political subdivisions and of boards commissions and authorities created by or operating as agencies of political subdivisions at which ordinances resolutions rules regulations and other actions are adopted to be open to the public permitting the holding of executive sessions from which the public is excluded but prohibiting the adoption of ordinances resolutions rules and regulations at such sessions.

And said bill having been read at length the second time and agreed to,
Ordered, To be transcribed for third reading.

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 612, entitled:

An Act to further amend subsections (a) and (b) of section four hundred eleven and section five hundred six of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscelaneous receipts making an appropriation and providing for refunds" providing for the transfer of motor vehicles trailers and semi-trailers from a husband to his wife and from a wife to her husband.

And said bill having been read at length the second time and agreed to,
Ordered, To be transcribed for third reading.

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 1040, entitled:

An Act authorizing and directing the Delaware River Joint Commission to undertake immediately an aggressive campaign to promote increased commerce on the Delaware River, both freight and passenger as authorized by the compact with the State of New Jersey under which said commission operates.

And said bill having been read at length the second time and agreed to,
Ordered, To be transcribed for third reading.

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 1109, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1005) entitled "An act relating to and regulating

tractors and trailers and their operation providing for their registration and the licensing of certain operators by the Department of Revenue upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of tractors and trailers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns and townships within the Commonwealth liability for damages caused by the negligent operation of tractors and trailers imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by further providing for the classification registration and regulation of tractors and the licensing of their operators

The first section was read.

On the question,

Will the House agree to the section?

Mr. JOHNSON offered the following amendments:

Amend sec. 1 (Sec. 203), page 3, line 17, by inserting after the word "drilling" the following: "and production."

Amend sec. 1 (Sec. 203), page 3, line 20, by inserting after the word "drilling" the following: "and production".

They were agreed to.

The section was agreed to as amended.

The second, third and fourth sections and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1286, entitled:

An Act validating certain conveyances of real property made by a county home or by the directors of the poor

The first section was read.

On the question,

Will the House agree to the section?

Mr. COOPER offered the following amendments:

Amend Sec. 1, page 2, line 17, by striking out the words "or agreements".

Amend Sec. 1, page 2, line 18, by striking out the words "by the provisions of said act" and inserting in lieu thereof "by the provisions of the act, approved the twenty-eighth day of April, one thousand eight hundred eighty-seven (P. L. 75)".

They were agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 1, entitled:

An Act to further amend section three hundred forty-one of the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance, exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," further defining and amplifying the powers of foreign insurance companies with relation to real property in this Commonwealth.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 2, entitled:

An Act to further amend the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 682), entitled "An act relating to insurance; amending, revising, and consolidating the law providing, for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," repealing sections four hundred four, four hundred five, and four hundred six thereof, and adding new sections restating and changing requirements relating to the investment of the capital reserves and surplus of and relating to the real estate which may be held by life insurance companies; and authorizing agreements between or among insurance companies concerning ownership and control of real estate owned by such companies or by corporations the stock of which is held or to be acquired by such companies.

The first section was read and agreed to.

The second section was read.

On the question,

Will the House agree to the section?

Messrs. BROWN and CLARENCE M. SMITH offered the following amendment:

Amend Sec. 2 (Sec. 406.1), page 19, line 10, by inserting after the word "That", "there shall be no restriction placed upon any such real estate, or the use thereof, as to race, creed or color: And provided further, That".

On the question,

Will the House agree to the amendment?

PARLIAMENTARY INQUIRY

Mr. CHUDOFF. Mr. Speaker, I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. CHUDOFF. Mr. Speaker, I also have amendments to section 2 of this bill. Do I wait until we dispose of the other amendments or do I offer them now?

The SPEAKER. Will the gentleman please send his amendments to the desk now? We will proceed first to consider the amendments offered by the gentleman from Allegheny, Mr. Brown, and the gentleman from Philadelphia, Mr. C. M. Smith.

Mr. FISH. Mr. Speaker, I object to these amendments because they seem to me somewhat of a subterfuge to

becloud the issue of these two bills. Senate Bills No. 1 and 2 are companion bills as the Members know, and the subject under discussion is the matter of good housing.

According to the amendments the insurance companies if they were permitted to build under these housing authorities, could not restrict the rental of these houses or these apartments in regard to race, color or creed.

Mr. Speaker, I think the issue is, are we going to allow the insurance companies to invest their funds, and not how those houses are going to be built. I ask any Member of this House if he were investing his money to build an apartment house, would he want to have jurisdiction over the tenants that come in that house? I think we can use the same argument in favor of the investors, the insurance companies. If they are going to invest money, shouldn't they have the same privilege of exercising jurisdiction and the right of choosing tenants for their houses? I believe you will agree with me on that argument.

I ask you to vote down these amendments. The American Legion and the other Veterans' organizations throughout the state of Pennsylvania have asked for this legislation. We realize that unless the legislation does go through as it will be in these bills, it will be not only for the veterans but for the many thousands of civilians of our State who are going to continue to suffer from not having any good housing. I ask you to vote down these amendments.

Mr. UPSHUR. Mr. Speaker, I rise in defense of this amendment. I was informed by reliable information that it was unanimously agreed upon at a conference that this amendment would be accepted and Senate Bill No. 2 would be reported out as amended.

Since that conference something has happened, and I would like to know what has happened. The insurance companies, both foreign and domestic of this Commonwealth, have come to us and asked the Members of this Assembly to give them permission to invest a certain sum of their surplus in new housing projects, and now by implication they want to tell us who can live in them or who can purchase them. I think it is of intrinsic value to the Members of this House to protect the minority groups in Pennsylvania who help by their taxes to make Pennsylvania one of the greatest states of the Union. The money that the insurance companies are investing in these projects is the policyholders' money paid into the insurance companies in the form of premiums. The premiums received on industrial policies reported by all companies in Pennsylvania, according to figures received from the Insurance Department as of 1945, is over one hundred seven million dollars.

These premiums are mostly paid by the minority and low income brackets groups. If this is true I cannot see why the insurance companies object to this amendment. If this amendment is adopted I will be very happy to vote for Senate Bill 2 and hope that the confidence that this House will place in the insurance companies will be justified and that they will invest such premium money in such a way as will redound to the credit of the Commonwealth of Pennsylvania. I again ask you to vote in favor of these amendments.

Mr. LAYER. Mr. Speaker, it hasn't been so long ago that over one million boys of the great state of Pennsylvania were in the armed services.

Many of those boys went out and a great many of them gave everything that it was possible for a man to give. They didn't ask anything in return for just the privilege of going out and fighting for their country and state, which has no equal in the world.

A few weeks ago they had a public hearing on Senate Bills 1 and 2. In the State of Pennsylvania the majority of over a million ex-servicemen and servicewomen are represented by Veterans of Foreign Wars, the American Legion, Disabled War Vets and all the rest of the major veterans' organizations. At that public hearing those veterans' organizations,—remember now, representing over a million men in the State of Pennsylvania, requested that Senate Bills 1 and 2 be passed "as is." That is without any amendments, and, Mr. Speaker, on behalf of those veterans I would like to ask that these amendments be voted down and Senate Bills 1 and 2 be passed "as is."

Mr. CLARENCE M. SMITH. Mr. Speaker, I rise in the defense of this amendment that represents the cry of one of Pennsylvania's largest and most loyal minority groups. Today we are challenged with the task of rendering a decision that shall set a pattern for our future behavior. Your vote against this amendment will voice your desire for a pattern of segregation and discrimination wholly foreign to Pennsylvania's glorious history. It was here in our Commonwealth that Liberty's bell rang out the first sweet tones of an eternally loved independence. It was here that men cheered that ever to be defended document of Thomas Jefferson which declares that all men are created equal and are endowed with certain inalienable rights,—the right to a decent home in which to live as a worthy citizen and to rear children to love America, the land of the free. Your vote against this amendment is an overt endorsement, aimed at keeping alive the fractious fragments of disunity capable of enervating our strong democratic union and reducing it to an emaciated giant with a wounded heel. America is the leading nation of our bewildered world and Pennsylvania is its keystone of support. In statesmanship we are the thinkers, in education we are the creators, in war we are the arsenal of democracy. In social uplift let us be the pioneers.

This amendment is not designed to penalize the insurance companies nor is it a rope to hang or bind their noble efforts. If their real desire is to relieve the housing shortage they should be anxious to build such units in blighted areas, where poor housing and sub-standard conditions now breed vice, crime and immoral conditions. They should be anxious to help us keep our word to the returned veteran whose bravery and sacrifice has preserved for us and them our way of life. Housing projects built in exclusive areas and money made available to already established financially strong corporations will not solve our problem nor help us legislate to keep our word to the folks back home.

This amendment proposes to say that private funds put to public use shall not stink with the foul odor of discrimination, be it racial, religious, or cultural. I know that we cannot legislate righteousness. I know that the gospel of the big stick is not a popular nor too often a successful one. I know that the Master Teacher said that

a bad tree will not bring forth good fruit. But He also said if the tree does not respond to pruning, that it might bear good fruit, then cut it down.

Lest I weary you with too long an appeal, I urge you to vote for the amendment which will make this Senate Bill 2 a strong document for fair dealing in caring for the people who trust us; or else let us consign this whole matter to the archives of dead legislation where not even its ghost shall rise up to plague our future well being.

Mr. GREER. Mr. Speaker, I would like to go on record as having the highest admiration and respect for the sponsor of this amendment. However, I cannot see eye to eye with them in this amendment, and in fact I oppose this amendment with all my heart and soul.

I know it is odious to use the first person singular, but I believe I am as tolerant as any Member of this House; I believe I am as broad-minded as any Member of this House, but I believe also all the Members of this House are tolerant and broad-minded or they wouldn't be sitting here today.

However, there are many of our people who are not so tolerant and are not so broad-minded, and when somebody moves in that is objectionable to them in the neighborhood, they move out. Now, what I want to say in regard to these amendments is not going to be very long, and I hope to make it to the point. These amendments are discriminatory in reverse English, to use a pool-room vernacular. They are discriminating against the insurance companies' right to invest money.

You and I wouldn't make such an investment unless we knew that we had the right to select the tenants who will live in our houses, and I ask that this amendment be voted down. But before doing so I would like to read to you a telegram from the associate counsel of the Metropolitan Life Insurance Company of New York. I know it is burdensome to read too many things in detail, so I will just read a portion of it:

> "There should be no distinction between the management of a redevelopment company and other private landlords in the power to select tenants. Statutory restrictions would deprive management of power to manage property on the basis of prudence and due regard for safety of investment and would keep private capital from aiding in urban rehabilitation, thus hampering the solution of an immediate problem because of an ultimate objective."

That is signed by the associate counsel for the Metropolitan Life Insurance Company of New York.

I would like further to read into the record one more short quotation:

> "If the above-mentioned limitation is included in the bill, any applicant who is rejected may well assert that he is rejected because of his race, creed or color. This assertion could, of course, be plausibly made despite the most earnest efforts of the owner to avoid actual discrimination.
>
> "Assuming that, notwithstanding the owner's bona fide effort to avoid discrimination, one or more persons asserts a discrimination, such persons might individually seek damages or relief in equity against the insurance company maintaining the project. Regardless of the ultimate success of any such litigation, the possibility of its institution represents an obvious hazard to the soundness of an investment in such a project.
>
> "There is in our opinion a substantial possibility that any alleged discriminatory action might be restrained in a negative way by injunction. A proceeding for such injunctive relief would be less likely to be successful if brought by an individual than if brought by a public official such as the Insurance Commissioner, the District Attorney or the Attorney General."
>
> "If it could be established to the satisfaction of a court that discrimination was being practiced in a project, there is a further possibility that the Insurance Commissioner or the Attorney General, acting on behalf of the Commonwealth, might successfully assert that the insurance company, by operating its project in a discriminatory manner, was exceeding its lawful corporate powers with respect to investments, that is to say, that the housing project had ceased to be a lawful investment for the company. If an insurance company were compelled to dispose of the investment because it had ceased to be a legal investment, the officers and directors of the company, under the terms of Section 406.1 (q) of Senate Bill No. 2, might become personally liable for any loss occasioned thereby."

Now, Members of the House, this is purely a question of housing. Do we want housing or don't we want housing? According to an item in the Pittsburgh Post-Gazette, an editorial which I read last Saturday morning, the census was taken, and it was determined that thirty-two per cent of the married veterans are living doubled up with their own parents or in-laws,—thirty-two per cent of the married veterans. That is not only the case in Pittsburgh but in Philadelphia and throughout the Commonwealth of Pennsylvania, and it is not only the veterans' housing; it is most everyone else.

The paramount question is, will we have housing for none or will be have housing for all? There is only one answer, and that is this, vote against these amendments, because I am satisfied that if this bill is passed with this crippling amendment attached to it the insurance companies are not going to invest the moneys of you and me and the other policyholders in a proposition where they might stand to lose that money of you and me as policyholders in the insurance companies. I, therefore, urge and implore you to vote down the amendments.

Mr. BROWN. Mr. Speaker, I have heard a lot of arguments against the bill in this House. I do not believe I ever heard as many arguments against a bill that could be turned around and be for it. The gentleman from Butler, my very good friend, asked this pertinent question, shall we have housing for all? The answer is yes, and the only way we can have housing for all is to vote for the amendments.

Now, if that is the question that he proposes—and I believe he is honest and sincere, for I have the highest regard for the gentleman, the answer to his question is in the amendments, not in a letter from counsel of the Metropolitan Life Insurance Company.

The gentleman from Butler says that he is tolerant, and I believe he is, but tolerance is not speech, tolerance is action. Speech is as the sounding brass and tinkling cymbal if it is not followed by action.

The gentleman from Delaware, Mr. Layer, makes the best argument for our amendments that could be made. He says that veterans are for this bill, and that they will benefit by this bill, although I see nothing in this bill that has one word in it about veterans; and if there is one word about veterans I have been unable to find it.

Nevertheless, I will grant for the sake of the argument that the veterans will be benefited, for I believe the gentleman knows whereof he speaks, although it is not written within the bill. Let us suppose that he is right, that one million veterans fought for Pennsylvania and they are entitled to these houses. Over one hundred thousand of those veterans were Negroes, and by the very argument that he makes, they are entitled to these houses on the same basis as anybody else.

If they are not to have them, then let us say so in the bill, and say that nine hundred thousand veterans will be accommodated by these houses.

I regret that the gentleman from Cumberland said that our efforts here today amounted to a subterfuge to becloud the issue of housing. It is not very nice for a Member of the House to have to couch his terms in caustic language, but sometimes we have no alternative. I say to the gentleman from Cumberland, I have no quarrel with him, if he wishes to vote against these amendments. That is his right and privilege. If I didn't believe in them I would vote against them too, but the gentleman comes in here with unclean hands when he says that because we are fighting here in this General Assembly that men will have the right to the democratic way of life, fighting with everything we have against entrenched wealth and vested interests, we are resorting to subterfuge. I hope the gentleman will retract his remarks from the record so that those who may come in the years that are ahead of us may see that no one, a Member in this assembly of Representatives of the free people of the State of Pennsylvania, would say that men who are fighting for the right to live, fighting for the right to work, fighting for the right to be properly housed, are resorting to a subterfuge in this, the greatest of all commonwealths in the United States.

I did not intend to make a speech, but let me remind the gentleman back some one hundred years, back in Sussex, England, a young man who was born to the manor, who had all the wealth that he could command, whose father was an admiral of the British Fleet, who had left to him inheritances such as no other man in England perhaps had at that time, had a dream, and when he had the dream he came to the shores of Delaware, and there he established a democracy that had more freedom than any other government that had ever been founded on the face of the earth. It is to perpetuate that freedom that I ask you to vote for these amendments.

On the question recurring,

Will the House agree to the amendment?

The years and nays were required by Mr. C. M. Smith and Mr. Upshur.

A verification of the roll was requested by Messrs. Andrews, Bane and Chervenak.

The roll was verified and was as follows:

YEAS—71

Andrews,	Evans,	Mooney,	Smith, C. M.,
Bane,	Feola,	Morrison,	Snider,
Barrett,	Fiss,	Najaka,	Stank,
Bender,	Gallagher,	Naumann,	Swope,
Bentzel,	Corman,	O'Connor,	Thompson,
Bloom,	Griffiths,	O'Dare,	Tittle,
Brice,	Henry,	O'Donnell,	Turner,
Brown,	Kean,	O'Neill,	Upshur,
Bucchin,	Kirley,	Patten,	Verona,
Capano,	Kohl,	Petrosky,	Walton,
Chervenak,	Livingston,	Polaski,	Watson,
Chudoff,	Loftus,	Powers,	Weidner,
Cole,	Lovett,	Readinger,	Weiss,
Cordier,	McCosker,	Reese, R. E.,	Wheeler,
Crowley,	Mihm,	Reilly, W. J.,	Worley,
Dalrymple,	Mills,	Sax,	Yester,
Demech,	Mintess,	Schuster,	Yetzer,
Efenberg,	Mohr,	Smith, C. C.,	

NAYS—108

Baumunk,	Greer,	Lyons,	Rowen,
Bonawitz,	Guthrie,	Madden,	Royer,
Boorse,	Gyger,	Madigan,	Scott,
Bower,	Haller,	Mazza,	Serrill,
Breisch,	Haudenshield,	McCullough,	Shoemaker,
Brunner,	Helm,	McKinney,	Sorg,
Cadwalader,	Hewitt,	McMillen,	Sproul,
Clevenger,	Hocker,	Mikula,	Stimmel,
Cook,	Hoffman,	Miller,	Stockham,
Dague,	Hoopes,	Moore, C. E.,	Stonier,
Davison,	Imbt,	Moore, H. A.,	Stuart,
De Long,	Jennings,	Murray,	Thomassy,
Dennison,	Johnson,	Neff,	Tompkins,
Depuy,	Johnston,	Nelson,	Toomey,
Dix,	Jones,	Orban,	Vaughan,
Dye,	Jump,	Pickens,	Wachhaus,
Elder,	Kelley,	Price,	Wagner,
Erb,	Kemp,	Propert,	Waldron,
Ewing,	Kent,	Ragot,	Waterhouse,
Fish,	Kline,	Reagan,	Watkins,
Flack,	Kratz,	Reese, D. P.,	Wescott,
Fleming,	Krise,	Reilly, J. M.,	West,
Foor	Kurtz,	Richter,	Wolf,
Frost,	Laughner,	Riley,	Wood,
Getchey,	Layer,	Robbins,	Yeakel,
Gibson,	Leisey,	Robertson,	Young,
Goff,	Livingstone,	Rose	Lichtenwalter, Speaker.

NOT VOTING—26

Aaronson,	Goodling,	McDonald,	Scanlon,
Beech,	Graybill,	Myers,	Simons,
Boies,	Greenwood,	Needham,	Sollenberger,
Cassidy,	Hall,	Pichney,	Tahl,
Cochran,	Horan,	Root,	Trout,
Cooper,	Lee,	Sarraf,	Wallin,
Costa,	McCormack,		

So the question was determined in the negative and the amendment was not agreed to.

On the question recurring,

Will the House agree to the section?

Mr. CHUDOFF offered the following amendments:

Amend Sec 2, (Sec. 406), page 15, line 2, by inserting after the word "hotels" the following:

"Providing, however, That no dwelling unit leased, owned or constructed shall rent for a sum exceeding fifty dollars ($50) per month to any tenant thereof".

Amend Sec. 2, (Sec. 406), page 15, lines 3 to 7, inclusive, by striking out all of said lines.

On the question,

Will the House agree to the amendments?

Mr. CHUDOFF. Mr. Speaker, my amendments which I will explain shortly, in my opinion change this bill from a dangerous bill to a good one. I want it clearly understood by the Members of this House, and by the Press of the Commonwealth that I represent no real estate builder, no real estate board and no real estate associations. I am only interested in this bill as a policy holder, and also my interest is in the policy holders of my district. I want to say to you, Members of the House, that there are many, many life insurance policies in Pennsylvania, and when one of the holders of this insurance dies I am sure we are all interested in making sure that—

(Failure of loud speaker system).

The SPEAKER. For the information of the gentleman, the Chair would inform him that this interruption is in no way an attempt to subdue opposition.

Mr. CHUDOFF. Mr. Speaker, I thought I might have said something about a vice-president of some broadcasting company and they might be cutting me off the air.

My amendments,—and I will take the last part of them first,— provide that insurance companies in Pennsylvania would not be allowed to invest in industrial real estate. These amendments will allow insurance companies to construct and maintain and lease dwelling units, but it puts a ceiling on the rentals of those units of fifty dollars per month.

Now, as to the first point, Mr. Speaker, I want to make it clear, and I want the Members of this House to think back to 1932. In those days the banks of America and the banks of Pennsylvania were lending on real estate, not investing in it. They were supposed to have a considerably safe margin of investment; that is, they were investing up to fifty or sixty percent of the land and building value of the real estate. They finally ended up by means of foreclosure proceedings which resulted in seventy-five per cent of the real estate of Pennsylvania being in their hands.

Now, Mr. Speaker, the bill in its present form allows insurance companies to invest in industrial real estate. It is in my mind that if another depression should come along that they would not be able to meet their obligations to the policy holders, that they might tell a beneficiary that he or she was entitled to half of an industrial building in Philadelphia that was vacant.

I am interested in insurance companies being able at all times to pay their beneficiaries, and I think it is dangerous to allow them to invest in one hundred percent of the value of a piece of property. They can loan on mortages, and they can have that safe margin, so that in case of foreclosure there will be a sufficient margin for that investment.

I have heard a lot of arguments that this bill will allow the GI's to have houses,—maybe it will and maybe it won't. I do not think, Mr. Speaker, that the problem is housing—I don't think that is the opinion at all. I think the problem is materials. I say to you, that there are enough funds in Pennsylvania by private investors to invest in real estate if they can only get the materials. If these insurance companies have some materials up their sleeves, then I think they should be allowed to build buildings, and they should be allowed to rent them, but I do not feel that they should go out in the surburbs of the big cities and construct apartment houses and rent them for from one hundred twenty to one hundred twenty-five dollars a month, which no GI can afford to pay.

Now, GI housing in Pennsylvania is in a deplorable condition. If you go into the suburbs of Philadelphia or to Oxford Circle or the Mayfair section of Philadelphia you may find row after row of GI houses, and when you inquire as to the price of the house they will tell you ninety-five hundred dollars, ten thousand dollars or eleven thousand six hundred dollars, which no GI can afford to pay.

The same thing would happen if we allowed the insurance companies to build houses without a ceiling on the rental, and I say to you that if the insurance companies really want to help the GI's, if they are sincere, then let us pass the bill with these amendments with a ceiling of fifty dollars a month, so that the boys who fought for this country will have a place to live.

Mr. GREER. Mr. Speaker, I understood the gentleman was debating this amendment. Mr. Chudoff debated and has taken a great deal of time on the merits of the entire bill. This amendment would limit the rental to fifty dollars a month. I see no reason for this restriction or limitation whatsoever. That question of limitation or restriction is not put on anything else, so why put it on the policy holders, you and me, who are the real owners of the insurance companies?

I hope that apartments can rent for fifty dollars a month, and I hope that they can rent as low as thirty-five dollars a month, but we do not know what the future holds for us. I ask you to vote down these amendments.

Mr. CHUDOFF. Mr. Speaker, I should like to interrogate the gentleman from Butler, Mr. Greer.

The SPEAKER. Will the gentleman from Butler permit himself to be interrogated?

Mr. GREER. I shall, Mr. Speaker.

Mr. CHUDOFF. I would like to know from the gentleman from Butler whether or not the insurance companies if given the right to construct veterans' houses under this bill, how can the material be made available for building them?

Mr. GREER. Mr. Speaker, I am unable to say that at this time. I do not even know the future of the insurance companies. We want them to have that right after this bill passes and when materials are available. They are becoming available more and more.

On the question recurring,

Will the House agree to the amendments?

They were not agreed to.

On the question recurring,

Will the House agree to the section?

It was agreed to.

The title was read and agreed to.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

BILL PASSED OVER

There being no objection

Senate Bill No. 114, Printer's No. 21,

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 221, entitled:

An Act to add section sixteen point one to the act, approved the seventeenth day of June, one thousand nine hundred thirteen (P. L. 507), entitled "An act to provide revenue for State and county purposes, and, in cities coextensive with counties, for city and county purposes; imposing taxes upon certain classes of personal property; providing for the assessment and collection of the same; providing for the duties and compensation of prothonotaries and recorders in connection therewith; and modifying existing legislation which provides for raising revenue for State purposes," by extending the time for payment of the tax without interest in certain cases; staying distraint or execution on such taxes; and requiring counties to make certain refunds.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 255, entitled:

An Act to further amend the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" authorizing second class counties to acquire land for and erect operate and maintain thereon garbage disposal plants.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

TIME EXTENDED ON BILL.

Mr. SORG. Mr. Speaker, I move that the time on House Bill No. 641 Printer's No. 376, entitled:

An Act fixing the salary of county controllers in counties of the second, third, fourth, fifth and sixth classes and repealing parts of acts inconsistent therewith.

on page 19 of today's calendar, bills on Second Reading postponed, be extended five days.

The motion was agreed to.

BILL ON FINAL PASSAGE

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. STOCKHAM

The House resumed the consideration on final passage of House Bill No. 767, entitled:

An Act to amend sections one thousand one hundred five, one thousand one hundred twenty-one, one thousand one hundred twenty-seven, one thousand one hundred thirty-four and one thousand one hundred thirty-seven of the act approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith" by further providing for the term of office and the election of county superintendents, assistant county superintendents, district superintendents, and assistant district superintendents in all second, third and fourth class school districts of the Commonwealth.

On the question,

Shall the bill pass finally?

BILL RECOMMITTED

Mr. STOCKHAM. Mr. Speaker, I move that this bill be recommitted to the Committee on Education for the purpose of further study and possible amendment.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 900, as follows:

An Act to add a new section to be known as section three hundred five point one of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" to provide for leaves of absence of non-professional employes because of illness and other causes in school districts of the first class

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or any parts thereof that are or may be inconsistent therewith" is hereby amended by adding thereto immediately after section three hundred a new section to read as follows

Section 305.1 In schol districts of the first class in any school year whenever a non-professional employe is prevented by illness from following his or her occupation the school district shall pay to said employe the full salary to which the employe would be entitled if said employe were actually engaged in the performance of duty for a period of five days Provided that such leave shall be cumulative from year to year but shall not exceed twenty (20) days' leave with full pay in any one year Provided further that the board of public education may require the employe to furnish a certificate from a physician or other recognized practitioner certifying that said employe was unable to perform his or her duties during the period of absence for which compensation is required to be paid under this section

Whenever an employe shall be absent from duty because of a death in the immediate family of said employe there shall be no deduction in salary of said employe for an absence not in excess of three school days The board of public education may extend the period of absence with pay in its discretion as the exigencies of the case may warrant Members of the immediate family shall be defined as father mother brother sister son daughter husband wife parent-in-law or near relative who resides in the same household or any person with whom the employe has made his or her home

Whenever an employe is absent because of the death of a near relative there shall be no deduction in the salary of said employe for absence on the day of the funeral The board of public education may extend the period of absence with payin its discretion as the exigencies of the case may warrant A near relative shall be defined as first cousin grandfather grandmother aunt uncle niece nephew brother-in-law or sister-in-law

All compensation required to be paid under the provisions of this act shall be paid to the employe in the same manner and at the same time said employe would have received his salary if actually engaged in the performance of his duties

Any board of public education may adopt rules or regulations pertaining to the payment of salaries of employes when absent from duty extending the period of leave with pay in excess of that herein provided or authorizing leaves with pay for other purposes This act is not intended to repeal any rule or regulation of any board of public education now in effect which does provide for such additional compensation or additional period of leave with pay

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to

On the question,

Shall the bill pas finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Frost,	McCosker,	Sax,
Andrews,	Gallagher,	McCullough,	Scanlon,
Bane,	Getchey,	McDonald,	Schuster,
Barrett,	Gibson,	McKinney,	Scott,
Baumunk,	Goff,	McMillen,	Serrill,
Beech,	Goodling,	Mihm,	Shoemaker,
Bender,	Gorman,	Mikula,	Simons,
Bentzel,	Graybill,	Miller,	Smith, C. C.,
Bloom,	Greenwood,	Mills,	Smith, C. M.,
Boles,	Greer,	Mintess,	Snider,
Bonawitz,	Griffiths,	Mohr,	Sollenberger,
Boorse,	Guthrie,	Mooney,	Sorg,
Bower,	Gyger,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenshield,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Bucchin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,
Clevenger,	Jennings,	O'Dare,	Tompkins,
Cochran,	Johnson,	O'Donnell,	Toomey,
Cole,	Johnston,	O'Neill,	Turner,
Cook,	Jones,	Orban,	Upshur,
Cooper,	Jump,	Patten,	Vaughan,
Cordier,	Kean,	Petrosky,	Verona,
Costa,	Kelley,	Pichney,	Wachhaus,
Crowley,	Kemp,	Pickens,	Wagner,
Dague,	Kent,	Polaski,	Waldron,
Dalrymple,	Kirley,	Powers,	Wallin,
Davison,	Kline,	Price,	Walton,
De Long,	Kohl,	Propert,	Waterhouse,
Demech,	Kratz,	Ragot,	Watkins,
Dennison,	Krise,	Readinger,	Watson,
Depuy,	Kurtz,	Reagan,	Weidner,
Dix,	Laughner,	Reese, D. P.,	Weiss,
Dye,	Layer,	Reese, R. E.,	Wescott,
Efenberg,	Lee,	Reilly, J. M.,	West,
Elder,	Leisey,	Reilly, W. J.,	Wheeler,
Erb,	Livingston,	Richter,	Wolf,
Evans,	Livingstone,	Riley,	Wood,
Ewing,	Loftus,	Robbins,	Worley,
Feola,	Lovett,	Robertson,	Yeakel,
Fish,	Lyons,	Root,	Yester,
Fiss,	Madden,	Rose,	Yetzer,
Flack,	Madigan,	Rowen,	Young,
Fleming,	Mazza,	Royer,	Lichtenwalter,
Foor	McCormack,	Sarraf,	Speaker.

NAYS—0

NOT VOTING—2

Hall,	Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 958, entitled:

An Act to amend the act approved the twenty-sixth day of April one thousand nine hundred twenty-nine (P. L. 823) entitled "An act permitting boroughs to provide a method of assesment for borough taxes" by changing the method of compensation and designating the borough council as the board of revision and providing that any tax levied for any borough purpose shall be based on the assessments hereunder and prohibiting the use of borough asessments under this act for county purposes

On the question,

Will the House agree to the bill on third reading?

Mr. LOVETT. Mr. Speaker, I desire to interrogate the sponsor of this bill, the gentleman from Bucks, Mr. Stockham.

The SPEAKER. Will the gentleman from Bucks, Mr. Stockham, permit himself to be interrogated?

Mr. STOCKHAM. I shall, Mr. Speaker.

Mr. LOVETT. May I ask the gentleman to explain why we need additional assessors in boroughs. Will he kindly explain why the bill.

Mr. STOCKHAM. Mr. Speaker, I believe in the first place that this amendment does not interfere in any way with the Municipal Authority Act, which in turn through the county assessors protects and directs the borrowing capacity of any borough.

The second part of it does allow the same as any of the third class cities—the borough council to proceed with the appointment of assessors for the assessing of property directly.

Mr. LOVETT. Mr. Speaker, may I ask the gentleman, by means of allowing council to appoint an additional assessor for the purpose of assessing property, for borough taxation, if in that way assessment will not be raised on the people?

Mr. STOCKHAM. That may happen, Mr. Speaker, yes sir, and in answer to the reason, that that is possible and fair, it is entirely within the municipal bounds of any particular borough, and constantly under the control of the electorate in that respect. The relationship between assessments and taxes is always a constant one as to the needs of local funds derived from taxation for borough use.

Mr. LOVETT. Does the gentleman realize that we passed a bill within the last week or so allowing an increase in millage in the boroughs?

Mr. STOCKHAM. I believe that is a provision of the borough code.

Mr. LOVETT. I want to thank the gentleman.

Mr. Speaker, ever since I have been in Harrisburg I have heard people talk about over-taxation of real estate. We are continually going to reduce the over-burden which everybody admits. We have rent control today; everybody seems to be satisfied that we have rent control. I find no fault with rent control, but now we are passing laws by this bill that will allow an additional burden of local taxation, and for that reason I ask the Membership of this House to vote "no" on this bill.

Mr. STOCKHAM. Mr. Speaker, as to the remarks of Mr. Lovett, I agree as to the burden on real estate. No one is more interested in that than I. In borough government the relationship of the income is always through the assessment. The restrictions that are sometimes placed, or even the changes and reduction through the county authorities of the locally elected assessors impair the income of a borough. Borough government, city government, township government based entirely upon their assessments are directly reflected to the electorate by those officers who are elected to conduct the government. The relationship in other phases that have to do with

schools and county government are not related so directly, and I do not believe that enactment of this bill will impair or change or add to the burden of the tax in the local municipality, and I believe it is fair in that respect.

Mr. ANDREWS. Mr. Speaker, I want a word to the minority group. While I intend to vote against this bill, my vote does not indicate a caucus position. Those Members that represent boroughs and imagine that they need an extra cog in the taxation machine are, of course, at complete liberty to vote for this bill.

To my mind this measure is proceeding in the wrong direction. The proper direction is toward the simplification of our assessment and taxation machinery, a tendency toward uniformity. This simply adds an extra tax on your borough taxpayers that could probably be obviated by an increase in millage. I am in dobut, as I understand, and the gentleman from Bucks can correct me if I am wrong—third class cities can as I understand appeal from the valuation fixed by the city assessors.

Mr. STOCKHAM. Mr. Speaker, I cannot give a definite answer to the gentleman's question.

Mr. ANDREWS. Mr. Speaker, we have a little difference of opinion here. The gentleman from Cambria, Mr. O'Connor, says they can not and I say they can, and I was wondering whether under this bill an appeal would lie with the county court against the assessment as determined by the borough assessors'?

Mr. STOCKHAM. Mr. Speaker, there is no provision—

The SPEAKER. Is the gentleman from Cambria interrogating the gentleman from Bucks?

Mr. ANDREWS. We had a nice little party of our own, Mr. Speaker, and unfortunately my interrogation is interfered with by the fact that the gentleman from Bucks has stolen the lawyer and is in consultation with the Majority Leader.

The SPEAKER. The gentleman will proceed with the interrogation.

Mr. STOCKHAM. Mr. Speaker, I am having a consultation with both the Majority Leader and the Minority Leader, there shouldn't be any complaint about that.

Mr. ANDREWS. Mr. Speaker, unless it is very clearly understood, and I think definitely stated in the bill, that an appeal from the borough assessment will lie in an appeal to the county court, I think this bill should be held over and amended to put in that safety clause, because in a borough the board of revision with final powers on valuation would certainly be a step in the wrong direction.

Mr. STOCKHAM. Mr. Speaker, that is a fair request, and I will accede to it.

BILLS PASSED OVER

The SPEAKER. If there is no objection this bill will be passed over. The Chair hears none and the bill is passed over.

There being no objection

House Bill No. 1043, Printer's No. 433,

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1090, entitled:

An Act to further amend the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing re enue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" providing for medical examiners in lieu of medical inspectors and prescribing their duties making mandatory the employment of a school nurse and repealing provisions relating to medical inspections and reports of medical inspectors.

On the question,

Wil the House agree to the bill on third reading?

BILL COMMITTED

Mr. HELM. Mr. Speaker, I move that this bill be recommitted to the Committee on Education for further study and possible amendment.

The motion was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1163, as follows:

An Act to further amend section seven and amend section ten of the act approved the thirteenth day of May one thousand nine hundred twenty-five (P. L. 644) entitled "An act relating to and regulating the solicitation of moneys and property for charitable religious benevolent humane and patriotic purposes" further regulating the solicitation of money and property conferring powers on courts of equity to issue injunctions in certain cases and prescribing penalties

The General Assembly of the Comonwealth of Pennsylvania hereby enacts as follows

Section 1 Section seven of the act approved the thirteenth day of May one thousand nine hundred twenty-five (P. L. 644) entitled "An act relating to and regulating the solicitation of moneys and property for charitable religious benevolent humane and patriotic purposes" as amended by the act aproved the twentieth day of June one thousand nine hundred thirtv-five (P. L. 358) is hereby further amended to read as follows:

Section 7 [No person shall solicit or collect any contributions in money or other property for any of the purposes set forth in this act without a written authorization from the corporation copartnership or association for which the contribution is made and the authorization must be shown to any person on request. The authorization must be signed by an officer of the corporation or member of the copartnership or association for which the contribution is collected and must set forth the percentage of collection or other compensation for collection to be paid to the persons so soliciting or collecting contributions]

(a) No person corporation copartnership or association wheresoever situate shall solicit or colelct contributions in money or other property for any of the purposes set forth in section one of this act

(1) For or on behalf of any person corporation copartnership or association nor manage direct or supervise such solicitation or collections nor furnish the plan or method therefor all execptions or exemptions contained in section eleven of this act to the contrary notwithstanding

(2) And accept or receive pay bonus or compensation for so doing the amount or value of which in one year shall exceed one hundred fifty dollars ($150) either in money or other thing of value whether as wages salary commission expenses fees for supervision or charges for the use of any plan or method

(3) Unless he or it shal lhave first registered with the Department of Welfare and given to it such information relative to his or its solicitation activity as may be re-

quired from time to time by the said department's rules or regulations

(b) It shall be unlawful for any person corporation copartnership or association so registering to use or exploit the fact of his or its having so registered to lead the public to beileve that such registration in any wise constitutes an endorsement or certification of him or it or of any cause or organization for which he or it is soliciting or collecting

(c) No person corporation copartnership or association may solicit or collect any contributions in money or other property for or on behalf of any charitable corporation copartnership or association as hereinbefore defined without a written authorization from the corporation copartnership or association for which the contribution is made and the authorization must be shown to any person on request. The authorization must be signed by an officer of the corporation or a member of the copartnership or association for which the contribution is colected and must set forth the percentage of collection bonus or other compensation for collection to be paid to the person corporation copartnership or association so soliciting or collecting contributions

(d) No person corporation copartnership or association may accept or receive any bonus or compensation as set forth in subsection (a) hereof the amount or value of which shall exceed fifteen per cent of the gross sum of money or value of property actually collected

(e) Any person corporation copartnership or association which has accepted or received a bonus or compensation for collecting or soliciting as set forth in subsection (a) hereof exceeding fifteen per cent of the amount of money or value of property actually collected shall be obliged to repay or return the excess together with treble damages Any charitable corporation copartnership or association as defined by section one of this act may sue for and recover either in assumpsit or trespass such excess notwithstanding the fact that the officers of such charitable organization may have contracted in its name to pay such excessive compensation or bonus

Section 2 Section ten of said act is hereby amended to read as follows

Section 10 [Any person who or any copartnership association or corporation which violates any of the provisions of this act or any of the rules and regulations made under the authority of this act or fails to file any statement required to be filed within the period fixed by the law shall be guilty of a misdemeanor punishable in case of a corporation copartnership or association by a fine of not less than one hundred dollars or more than one thousand dollars in the case of an individual either by such fine or by imprisonment for not more than one year or both] (a) Any person or any corporation copartnership or association which violates any of the provisions of this act or any rules or regulations made under the authority hereof shall upon summary conviction before any magistrate alderman or justice of the peace be sentenced to pay a fine not to exceed one hundred dollars ($100) and in case of an individual in default of payment thereof to undergo imprisonment not to exceed ten (10) days

(b) Any person who or any corporation copartnership or association which within the period of two (2) years shall commit two (2) or more violations of the provisions of this act or any rules or regulations made under the authority hereof or shall give false or incorrect information to the Department of Welfare in filing statements or reports required by this act or by such rules and regulations whether such report or statement is verified or not shall be guilty of a misdemeanor and punishable by a fine of not less than one hundred dollars ($100) or more than one thousand dollars ($1000) and in the case of an individual in adition to said fine may be punishable by imprisonment of not more than one (1) year

(c) The courts of equity of this Commonwealth are hereby given power upon the application of the Attorney General of this Commonwealth or the district attorney of the proper county to issue injunctions both temporary and permanent to restrain the commission of acts forbidden by the provisions of this act which power is in addition to all other powers conferred by law upon such courts of equity

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. ANDREWS. Mr. Speaker, again I want to say to the minority group that while I intend to vote against this bill, my vote does not represent a caucus position.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—174

Aaronson,	Gibson,	McCormack,	Sax,
Baumunk,	Goff,	McCosker,	Scott,
Beech,	Goodling,	McCullough,	Serrill,
Bender,	Gorman,	McDonald,	Shoemaker,
Bentzel,	Graybill,	McKinney,	Smith, C. C.,
Bloom,	Greenwood,	McMillen,	Smith, C. M.,
Bonawitz,	Greer,	Mikula,	Snider,
Boorse,	Griffiths,	Miller,	Sollenberger,
Bower,	Guthrie,	Mintess,	Sorg,
Breisch,	Gyger,	Mohr,	Sproul,
Brice,	Haller,	Moore, C. E.,	Stank,
Brunner,	Haudenshield,	Moore, H. A.,	Stimmel,
Cadwalader,	Helm,	Morrison,	Stockham,
Cassidy,	Henry,	Murray,	Stonier,
Chudoff,	Hewitt,	Myers,	Stuart,
Clevenger,	Hocker,	Najaka,	Swope,
Cook,	Hoffman,	Naumann,	Thomassy,
Cooper,	Hoopes,	Neff,	Thompson,
Cordier,	Imbt,	Nelson,	Tittle,
Costa,	Jennings,	O'Connor,	Tompkins,
Crowley,	Johnson,	O'Dare,	Toomey,
Dague,	Johnston,	O'Donnell,	Turner,
Dalrymple,	Jones,	O'Neill,	Upshur,
Davison,	Jump,	Orban,	Vaughan,
De Long,	Kean,	Patten,	Verona,
Demech,	Kelley,	Pichney,	Wachhaus,
Depuy,	Kemp,	Pickens,	Wagner,
Dix,	Kent,	Polaski,	Waldron,
Dye,	Kline,	Price,	Walton,
Efenberg,	Kohl,	Propert,	Waterhouse,
Elder,	Kratz,	Ragot,	Watkins,
Erb,	Krise,	Readinger,	Watson,
Evans,	Kurtz,	Reagan,	Weidner,
Ewing,	Laughner,	Reese, D. P.,	Weiss,
Feola,	Layer,	Reese, R. E.,	Wescott,
Fish,	Lee,	Reilly, J. M.,	West,
Fiss,	Leisey,	Reilly, W. J.,	Wolf,
Flack,	Livingston,	Richter,	Wood,
Fleming,	Livingstone,	Riley,	Worley,
Foor,	Loftus,	Robbins,	Yeakel,
Frost,	Lyons,	Robertson,	Yetzer,
Gallagher,	Madden,	Rose,	Young,
Getchey,	Madigan,	Rowen,	Lichtenwalter,
	Mazza,	Royer,	Speaker.

NAYS—15

Andrews,	Capano,	Mihm,	Powers,
Bane,	Chervenak,	Mills,	Wheeler,
Barrett,	Cochran,	Mooney,	Yester,
Bucchin,	Lovett,	Needham,	

NOT VOTING—16

Boles,	Hall,	Root,	Simons,
Brown,	Horan,	Sarraf,	Tahl,
Cole,	Kirley,	Scanlon,	Trout,
Dennison,	Petrosky,	Schuster,	Wallin,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1279, as follows:

An Act to amend subsection (a) of section thirty of the act approved the first day of June one thousand nine hundred thirty-seven (P. L. 1132) entitled "An act to provide for the permanent personal registration of electors in cities of the second class A as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain prrocedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public ptility corporations real estate brokers and rental agents and boards of school directors and imposing penalties" providing that reports of nonresidents' deaths be made to the registration commission of the county or city in which they resided

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (a) of section thirty of the act approved the first day of June one thousand nine hundred thirty-seven (P. L. 1132) entitled "An act to provide for the permanent personal registration of electors in cities of the second class A as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge an dproof of qualifications of eelctors and prescribing the powers and duties of citizens parties poltiical bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors and imposing penalties" is hereby amended to read as follows

Section 30 Reports of Deaths from Registrars of Vital Statistics Cancelling Registration Correction if Person is Falsely Reported Deceased Reports of Removals from Municipal Officers Departments and Bureaus Certain Public Utility Corporations and Real Estate Brokers and Rental Agents Notice

(a) The registrar of vital statistics of every registration district containing constituted by or contained within any city shall report in writing at leas weekly to he registraion commission the deaths of residents of the city except residents less than tewnty years of age and to the registration commission of any other city or county the deaths of residents of such city or county if known who have died within the city and who were twenty years of age or over Said written report shall contain the full name of the decedent has last residence address the date of his birth if available and the date of his death The commission shall forthwith cancel the registration of each registered elector so reported

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. DIX. Mr. Speaker, I have been asked why these bills have remained on the calendar so long, and also what the purpose of these bills is. The reason why these bills remained on the calendar so long is because cities of the first class requested that Members from counties of the first class be allowed to go home and contact some of the authorities there and see how it would affect their respective cities and counties. They have done so and have reported to me that the bills are okay.

The reason why there are five bills is because the change in this law would require a change in the laws regarding cities of the first class, second class, second class A, cities of the third class and boroughs and townships.

Mr. Speaker, the purpose of this bill is very simple; it is to remove deceased persons from the registration rolls. At the present time there is no way whereby the registration commissioner or your registrar of vital statistics, the local registrar of vital statistics can get the information when a person has died in a county in which he is not a resident. If a person should die, for instance, in Dauphin County here, under this law it would be necessary to notify the Registration Commissioner in Wayne County, provided the person was a resident of Wayne County. This is all this bill does; it is simply clarification of the law, a simplification of registration, and will benefit the Registration Commission and your committee-men and committee-women throughout the state.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Frost,	McCosker,	Sax,
Andrews,	Gallagher,	McCullough,	Scanlon,
Bane,	Getchey,	McDonald,	Schuster,
Barrett,	Gibson,	McKinney,	Scott,
Baumunk,	Goff,	McMillen,	Serrill,
Beech,	Goodling,	Mihm,	Shoemaker,
Bender,	Gorman,	Mikula,	Simons,
Bentzel,	Graybill,	Miller,	Smith, C. C.,
Bloom,	Greenwood,	Mills,	Smith, C. M.,
Boies,	Greer,	Minfess,	Snider,
Bonawitz,	Griffiths,	Mohr,	Sollenberger,
Boorse,	Guthrie,	Mooney,	Sorg,
Bower,	Gyger,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenshield,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Bucchin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,
Clevenger,	Jennings,	O'Dare,	Tompkins,
Cochran,	Johnson,	O'Donnell,	Toomey,
Cole,	Johnston,	O'Neill,	Turner,
Cook,	Jones,	Orban,	Upshur,
Cooper,	Jump,	Patten,	Vaughan,
Cordier,	Kean,	Petrosky,	Verona,
Costa,	Kelley,	Pichney,	Wachhaus,
Crowley,	Kemp,	Pickens,	Wagner,
Dague,	Kent,	Polaski,	Waldron,
Dalrymple,	Kirley,	Powers,	Wallin,
Davison,	Kline,	Price,	Walton,
De Long,	Kohl,	Propert,	Waterhouse,
Demech,	Kratz,	Ragot,	Watkins,
Dennison,	Krise,	Readinger,	Watson,
Depuy,	Kurtz,	Reagan,	Weidner,
Dix,	Laughner,	Reese, D. P.,	Weiss,
Dye,	Layer,	Reese, R. E.,	Wescott,
Efenberg,	Lee,	Reilly, J. M.,	West,
Elder,	Leisey,	Reilly, W. J.,	Wheeler,
Erb,	Livingston,	Richter,	Wolf,
Evans,	Livingstone,	Riley,	Wood,

Ewing,	Loftus,	Robbins,	Worley,
Feola,	Lovett,	Robertson,	Yeakel,
Fish,	Lyons,	Root,	Yester,
Fiss,	Madden,	Rose,	Yetzer,
Flack,	Madigan,	Rowen,	Young,
Fleming,	Mazza,	Royer,	Lichtenwalter,
Foor,	McCormack,	Sarraf,	Speaker.

NAYS—0

NOT VOTING—2

Hall, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1280, as follows:

An Act to amend subsection (a) of section thirty of the act approved the twenty-fifth day of May one thousand nine hundred thirty-seven (P. L. 849) entitled "An act to provide for the permanent personal registration of electors in cities of the third class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of regstration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors imposing penalties and repealing existing legislation" providing that reports of nonresidents' deaths be made to the registration commission of the county or city in which they resided

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (a) of section thirty of the act approved the twenty-fifth day of May one thousand nine hundred thiry-seven (P. L. 849) entitled "An act to provide for the permanent personal registration of electors in cities of the third class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties political bodies registration commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureau;s police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors imposing penalties and repealing existing legislation" is hereby amended to read as follows

Section 30 Reports of Deaths from Registrars of Vital Statistics Cancelling Registration Correction if Person is Falsely Reported Deceased Reports of Removals from Municipal Officers Departments and Bureaus Certain Public Utility Corporations and Real Estate Brokers and Rental Agents Notice

(a) The registrar of vital statistics of every registration district containing constituted by or contained within any city shall report in writing at least weekly to the registration commission the deaths of residents of the city except residents less than tewnty years of age and to the registration commission of any other city or county the deaths of residents of such city or county if known who have died within the city and who were twenty years of age or over Said written report shall contain the full name of the decedent his last residence address the date of his birth if available and the date of his death The commission shall forthwith cancel the registration of each registered elector so reported

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Frost,	McCosker,	Sax,
Andrews,	Gallagher,	McCullough,	Scanlon,
Bane,	Getchey,	McDonald,	Schuster,
Barrett,	Gibson,	McKinney,	Scott,
Baumunk,	Goff,	McMillen,	Serrill,
Beech,	Goodling,	Mihm,	Shoemaker,
Bender,	Gorman,	Mikula,	Simons,
Bentzel,	Graybill,	Miller,	Smith, C. C.,
Bloom,	Greenwood,	Mills,	Smith, C. M.,
Boles,	Greer,	Mintess,	Snider,
Bonawitz,	Griffiths,	Mohr,	Sollenberger,
Boorse,	Guthrie,	Mooney,	Sorg,
Bower,	Gyger,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenshield,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Bucchin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,
Clevenger,	Jennings,	O'Dare,	Tompkins,
Cochran,	Johnson,	O'Donnell,	Toomey,
Cole,	Johnston,	O'Neill,	Turner,
Cook,	Jones,	Orban,	Upshur,
Cooper,	Jump,	Patten,	Vaughan,
Cordier,	Kean,	Petrosky,	Verona,
Costa,	Kelley,	Pichney,	Wachhaus,
Crowley,	Kemp,	Pickens,	Wagner,
Dague,	Kent,	Polaski,	Waldron,
Dalrymple,	Kirley,	Powers,	Wallin,
Davison,	Kline,	Price,	Walton,
De Long,	Kohl,	Propert,	Waterhouse,
Demech,	Krise,	Ragot,	Watkins,
Dennison,	Kurtz,	Readinger,	Watson,
Depuy,	Kratz,	Reagan,	Weidner,
Dix,	Laughner,	Reese, D. P.,	Weiss,
Dye,	Layer,	Reese, R. E.,	Wescott,
Efenberg,	Lee,	Reilly, J. M.,	West,
Elder,	Leisey,	Reilly, W. J.,	Wheeler,
Erb,	Livingston,	Richter,	Wolf,
Evans,	Livingstone,	Riley,	Wood,
Ewing,	Loftus,	Robbins,	Worley,
Feola,	Lovett,	Robertson,	Yeakel,
Fish,	Lyons,	Root,	Yester,
Fiss,	Madden,	Rose	Yetzer,
Flack,	Madigan,	Rowen,	Young,
Fleming,	Mazza,	Royer,	Lichtenwalter,
Foor,	McCormack,	Sarraf,	Speaker.

NAYS—0

NOT VOTING—2

Hall, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1281, as follows:

An Act to amend subsection (a) of section twenty-nine of the act approved the twenty-ninth day of April one thousand nine hundred thirty-seven (P. L. 487) entitled "An act to provide for the permanent personal registration of electors in boroughs towns and townships as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors requiring the county commissioners of the various counties to act as a registration commission therefor and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors and imposing penalties" providing that reports of deaths of nonresidents be made to the registration commission of the county or city in which they resided

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (a) of section twenty-nine of the act approved the twenty-ninth day of April one thousand nine hundred thirty-seven (P. L. 487) entitled "An act to provide for the permanent personal registration of electors in boroughs towns and townships as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors requiring the county commissioners of the various counties to act as a registration commission therefor and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors and imposing penalties" is hereby amended to read as follows

Section 29 Reports of Deaths from Registrars of Vital Statistics Cancelling Registration Correction if Person Is Falsely Reported Deceased Reports of Removals from Municipal Officers Departments and Bureaus Certain Public Utility Corporations and Real Estate Brokers and Rental Agents Notice

(a) The registrar of vital statistics of every borough town and township shall report in writing at least weekly to the registration commission the deaths of residents of the borough town or township except residents less than twenty years of age and to the registration commission of any city or any other county the deaths of residents of such city or county if known who have died in the borough town or township and who were twenty years of age or over Said written report shall contain the full name of the decendent his last residence address the date of his birth if available and the date of his death The commission shall forthwith cancel the registration of each registered elector so reported

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Frost,	McCosker,	Sax,
Andrews,	Gallagher,	McCullough,	Scanlon,
Bane,	Getchey,	McDonald,	Schuster,
Barrett,	Gibson,	McKinney,	Scott,
Baumunk,	Goff,	McMillen,	Serrill,
Beech,	Goodling,	Mihm,	Shoemaker,
Bender,	Gorman,	Mikula,	Simons,
Bentzel,	Graybill,	Miller,	Smith, C. C.,
Bloom,	Greenwood,	Mills,	Smith, C. M.,
Boles,	Greer,	Mintess,	Snider,
Bonawitz,	Griffiths,	Mohr,	Sollenberger,
Boorse,	Guthrie,	Mooney,	Sorg,
Bower,	Gyger,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenshield,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Bucchin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,
Clevenger,	Jennings,	O'Dare,	Tompkins,
Cochran,	Johnson,	O'Donnell,	Toomey,
Cole,	Johnston,	O'Neill,	Turner,
Cook,	Jones,	Orban,	Upshur,
Cooper,	Jump,	Patten,	Vaughan,
Cordier,	Kean,	Petrosky,	Verona,
Costa,	Kelley,	Pichney,	Wachhaus,
Crowley,	Kemp,	Pickens,	Wagner,
Dague,	Kent,	Polaski,	Waldron,
Dalrymple,	Kirley,	Powers,	Wallin,
Davison,	Kline,	Price,	Walton,
De Long,	Kohl,	Propert,	Waterhouse,
Demech,	Kratz,	Ragot,	Watkins,
Dennison,	Krise,	Readinger,	Watson,
Depuy,	Kurtz,	Reagan,	Weidner,
Dix,	Laughner,	Reese, D. P.,	Weiss,
Dye,	Layer,	Reese, R. E.,	Wescott,
Efenberg,	Lee,	Reilly, J. M.,	West,
Elder,	Leisey,	Reilly, W. J.,	Wheeler,
Erb,	Livingston,	Richter,	Wolf,
Evans,	Livingstone,	Riley,	Wood,
Ewing,	Loftus,	Robbins,	Worley,
Feola,	Lovett,	Robertson,	Yeakel,
Fish,	Lyons,	Root,	Yester,
Fiss,	Madden,	Rose	Yetzer,
Flack,	Madigan,	Rowen,	Young,
Fleming,	Mazza,	Royer,	Lichtenwalter,
Foor,	McCormack,	Sarraf,	Speaker.

NAYS—0

NOT VOTING—2

Hall,	Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1282, as follows:

An Act to amend subsection (a) of section thirty-one of the act approved the thirtieth day of March one thousand nine hundred thirty-seven (P. L. 115) entitled "An act to provide for the permanent personal registration of electors in cities of the first class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries

prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties bodies of electors registration commissions commissioners registrars inspectors of registration and other appointees of registration commission election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics real estate brokers rental agents certain public service companies persons firms and corporations operating vehicles for moving furniture and household goods and boards of school directors and imposing penalties" providing that reports of deaths of nonresidents be made to the registration commission of the county or city in which they resided

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (a) of section thirty-one of the act approved the thirtieth day of March one thousand nine hundred thirty-seven (P. L. 115) entitled "An act to provide for the permanent personal registration of electors in cities of the first class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties bodies of euectors registration commissions commissioners registrars inspectors or registration and other appointees of registration commission election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics real estate brokers rental agents certain public service companies persons firms and corporations operating vehicles for moving furniture and household goods and boards of school directors and imposing penal ties" is hereby amended to read as follows

Section 31 Report of Deaths from Registrars of Vital Statistics Cancelling Registration Correction if Person is Falsely Reported Deceased Reports of Removals from Certain Public Service Companies Real Estate Brokers Rental Agents Persons Firms and Corporations Operating Vehicles for Moving Furniture and Household Goods (a) The registrar of vital statistics of every registration district containing constituted by or contained within any city shall report in writing at least weekly to the registration commission the deaths of residents of the city except residents less than twenty years of age and to the registration commission of any other city or county the deaths of residents of such city or county if known who have died within the city and who were twenty years of age or over Said written report shall contain the full name of the decendent his residence address the date of his birth if available and the date of his death The commission shall forthwith cancel the registration of each registered elector so reported

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Frost,	McCosker,	Sax,
Andrews,	Gallagher,	McCullough,	Scanlon,
Bane,	Getchey,	McDonald,	Schuster,
Barrett,	Gibson,	McKinney,	Scott,
Baumunk,	Goff,	McMillen,	Serrill,
Beech,	Goodling,	Mihm,	Shoemaker,
Bender,	Gorman,	Mikula,	Simons,
Bentzel,	Graybill,	Miller,	Smith, C. C.,
Bloom,	Greenwood,	Mills,	Smith, C. M.,
Boies,	Greer,	Mintess,	Snider,
Bonawitz,	Griffiths,	Mohr,	Sollenberger,
Boorse,	Guthrie,	Mooney,	Sorg,
Bower,	Gyger,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenshield,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Bucchin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,
Clevenger,	Jennings,	O'Dare,	Tompkins,
Cochran,	Johnson,	O'Donnell,	Toomey,
Cole,	Johnston,	O'Neill,	Turner,
Cook,	Jones,	Orban,	Upshur,
Cooper,	Jump,	Patten,	Vaughan,
Cordier,	Kean,	Petrosky,	Verona,
Costa,	Kelley,	Pichney,	Wachhaus,
Crowley,	Kemp,	Pickens,	Wagner,
Dague,	Kent,	Polaski,	Waldron,
Dalrymple,	Kirley,	Powers,	Wallin,
Davison,	Kline,	Price,	Walton,
De Long,	Kohl,	Propert,	Waterhouse,
Demech,	Kratz,	Ragot,	Watkins,
Dennison,	Krise,	Readinger,	Watson,
Depuy,	Kurtz,	Reagan,	Weidner,
Dix,	Laughner,	Reese, D. P.,	Weiss,
Dye,	Layer,	Reese, R. E.,	Wescott,
Efenberg,	Lee,	Reilly, J. M.,	West,
Elder,	Leisey,	Reilly, W. J.,	Wheeler,
Erb,	Livingston,	Richter,	Wolf,
Evans,	Livingstone,	Raley,	Wood,
Ewing,	Loftus,	Robbins,	Worley,
Feola,	Lovett,	Robertson,	Yeakel,
Fish,	Lyons,	Root,	Yester,
Fiss,	Madden,	Rose	Yetzer,
Flack,	Madigan,	Rowen,	Young,
Fleming,	Mazza,	Royer,	Lichtenwalter,
Foor,	McCormack,	Sarraf,	Speaker.

NAYS—0

NOT VOTING—2

Hall, Trout,

The majority required by the Constitution having voted in thte affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1298, as follows:

An Act to amend subsection (a) of section thirty of the act approved the twenty-fifth day of May one thousand nine hundred thirty-seven (P. L. 814) entitled "An act to provide for the permanent personal registration of electors in cities of the second class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and profo of qualifications of electors and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors and imposing penalties" providing that reports of nonresi-

dents' deaths be made to the registration commission of the county or city in which they resided

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Seciton 1 Subsection (a) of section thirty of the act approved the twenty-fifth day of May one thousand nine hundred thirty-seven (P. L. 814) entitled "An act to provide for the permanent personal registration of electors in cities of the second class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors and imposing penalties" is hereby amended to read as follows

Section 30 Reports of Deaths from Registrars of Vital Statistics Cancelling Registration Correction if Person is Falsely Reported Deceased Reports of Removals from Municipal Officers Departments and Bureaus Certain Public Utility Corporations and Real Estate Brokers and Rental Agents Notice

(a) The registrar of vital statistics of every registration district containing constituted by or contained within any city shall report in writing at least weekly to the registration commission the deaths of residents of the city except residents less than twenty years of age and to the registration commission of any other city or county the deaths of residents of such city or county if known who have died within the city and who were twenty years of age or over Said written report shall contain the full name of the decedent his last residence address the date of his birth if available and the date of his death The commission shall forthwith cancel the registration of each registered elector so reported

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Frost,	McCosker,	Sax,
Andrews,	Gallagher,	McCullough,	Scanlon,
Bane,	Getchey,	McDonald,	Schuster,
Barrett,	Gibson,	McKinney,	Scott,
Baumunk,	Goff,	McMillen,	Serrill,
Beech,	Goodling,	Mihm,	Shoemaker,
Bender,	Gorman,	Mikula,	Simons,
Bentzel,	Graybill,	Miller,	Smith, C. C.,
Bloom,	Greenwood,	Mills,	Smith, C. M.,
Boles,	Greer,	Mintess,	Snider,
Bonawitz,	Griffiths,	Mohr,	Sollenberger,
Boorse,	Guthrie,	Mooney,	Sorg,
Bower,	Gyger,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenshield,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Bucchin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,
Clevenger,	Jennings,	O'Dare,	Tompkins,
Cochran,	Johnson,	O'Donnell,	Toomey,
Cole,	Johnston,	O'Neill,	Turner,
Cook,	Jones,	Orban,	Ueshur,
Cooper,	Jump,	Patten,	Vaughan,
Cordier,	Kean,	Petrosky,	Verona,
Costa,	Kelley,	Pichney,	Wachhaus,
Crowley,	Kemp,	Pickens,	Wagner,
Dague,	Kent,	Polaski,	Waldron,
Dalrymple,	Kirley,	Powers,	Wallin,
Davisor,	Kline,	Price,	Walton,
De Long,	Kohl,	Propert,	Waterhouse,
Demech,	Kratz,	Ragot,	Watkins,
Dennison,	Krise,	Readinger,	Watson,
Depuy,	Kurtz,	Reagan,	Weidner,
Dix,	Laughner,	Reese, D. P.,	Weiss,
Dye,	Layer,	Reese, R. E.,	Wescott,
Efenberg,	Lee,	Reilly, J. M.,	West,
Elder,	Leisey,	Reilly, W. J.,	Wheeler,
Erb,	Livingston,	Richter,	Wolf,
Evans,	Livingstone,	Riley,	Wood,
Ewing,	Loftus,	Robbins,	Worley,
Feola,	Lovett,	Robertson,	Yeakel,
Fish,	Lyons,	Root,	Yester,
Fiss,	Madden,	Rose	Yetzer,
Flack,	Madigan,	Rowen,	Young,
Fleming	Mazza,	Royer,	Lichtenwalter,
Foor	McCormack,	Sarraf,	Speaker.

NAYS—0

NOT VOTING—2

Hall, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

TIME EXTENDED ON BILL

Mrs. DYE. Mr. Speaker, I move that the time on House Bill No. 839, Printer's No. 389, entitled:

An Act to amend the title and to further amend the act, approved the thirteenth day of May, one thousand nine hundred twenty-seven (P. L. 988), entitled "An act providing for and regulating the State registration of nurses and licensed attendants, the annual recording of registration certificates; and regulating the profession of nursing; and repealing certain existing laws," providing for the registration and licensing of practical nurses and the biennial recording of certificates.

on page 26 of today's calendar, Bills on Third Reading Postponed, be extended five days.

The motion was agreed to.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. WATKINS asked and obtained permission for the Committee on State Government to meet during the session of the House.

FORMER MEMBERS WELCOMED

The SPEAKER. The Chair welcomes a former Member from Allegheny County, Honorable Thomas Gallagher.

The SPEAKER. The Chair also welcomes another former Member of the House, Honorable E. Washington Rhodes, publisher of the Philadelphia Tribune of Philadelphia.

MEMBER CONGRATULATED

The SPEAKER. The Chair is informed that today is the birthday of The Honorable Paul Naumann of the Nineteenth District of Philadelphia.

The Chair is very pleased to wish the gentleman a very happy birthday and wish for him many, many more years of happiness.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 361.

An Act to further amend section two hundred twenty of the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" providing for free fishing licenses to certain disabled war veterans.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 3, line 6, by inserting after the word "limbs" the following: "or the loss of the use of one or more limbs or a veteran who is totally blind".

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Frost,	McCosker,	Sax,
Andrews,	Gallagher,	McCullough,	Scanlon,
Bane,	Getchey,	McDonald,	Schuster,
Barrett,	Gibson,	McKinney,	Scott,
Baumunk,	Goff,	McMillen,	Serrill,
Beech,	Goodling,	Mihm,	Shoemaker,
Bender,	Gorman,	Mikula,	Simons,
Bentzel,	Graybill,	Miller,	Smith, C. C.,
Bloom,	Greenwood,	Mills,	Smith, C. M.,
Boles,	Greer,	Mintess,	Snider,
Bonawitz,	Griffiths,	Mohr,	Sollenberger,
Boorse,	Guthrie,	Mooney,	Sorg,
Bower,	Gyger,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenshield,	Murray,	Stimmel,
Brown,	Helm,	Morrison,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Bucchin,	Hewitt,	Nejaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,
Clevenger,	Jennings,	O'Dare,	Tompkins,
Cochran,	Johnson,	O'Donnell,	Toomey,
Cole,	Johnston,	O'Neill,	Turner,
Cook,	Jones,	Orban,	Upshur,
Cooper,	Jump,	Patten,	Vaughan,
Cordier,	Kean,	Petrosky,	Verona,
Costa,	Kelley,	Pichney,	Wachhaus,
Crowley,	Kemp,	Pickens,	Wagner,
Dague,	Kent,	Polaski,	Waldron,
Dalrymple,	Kirley,	Powers,	Wallin,
Davison,	Kline,	Price,	Walton,
De Long,	Kohl,	Propert,	Waterhouse,
Demech,	Kratz,	Ragot,	Watkins,
Dennison,	Krise,	Readinger,	Watson,
Depuy,	Kurtz,	Reagan,	Weidner,
Dix,	Laughner,	Reese, D. F.,	Weiss,
Dye,	Layer,	Reese, R. E.,	Wescott,
Efenberg,	Lee,	Reilly, J. M.,	West,
Elder,	Leisey,	Reilly, W. J.,	Wheeler,
Erb,	Livingston,	Richter,	Wolf,
Evans,	Livingstone,	Riley,	Wood,
Ewing,	Loftus,	Robbins,	Worley,
Feola,	Lovett,	Robertson,	Yeakel,
Fish,	Lyons,	Root,	Yester,
Fiss,	Madden,	Rose,	Yetzer,
Flack,	Madigan,	Rowen,	Young,
Fleming,	Mazza,	Royer,	Lichtenwalter,
Foor,	McCormack,	Sarraf,	Speaker.

NAYS—0

NOT VOTING—2

Hall, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

MEMBER CONGRATULATED

The SPEAKER. The Chair is also informed that we are today celebrating the birthday of the gentleman from Lycoming, Mr. Riley. The Chair is informed that the gentleman will not state how many years.

The Chair recognizes the gentleman from Lycoming, Mr. Riley.

Mr. RILEY. Mr. Speaker, I admit that I am growing old. In my declining years it has always been my ambition to grow old gracefully. If I have succeeded to any degree in achieving that ambition it has only been because of the inspiration that I have received from this House. I mean that sincerely. I think that once having the privilege of coming to Harrisburg you make acquaintances that ripen into friendships that you cherish ever after.

I thank you very kindly for this opportunity to tell you how I feel about it.

The SPEAKER. The Chair thanks the gentleman. From the applause the gentleman knows that it is the wish of every Member that he have many, many more birthdays.

MR. HAROLD RUSSELL INTRODUCED

The SPEAKER. We are singularly honored this afternoon to have with us in the House a very distinguished visitor, Mr. Harold Russell, who received the movie "Oscar" for his acting in the "The Best Years of Our Lives." He appeared here today as the guest of Governor Duff.

The Chair is pleased to appoint as a special committee to escort the gentleman to the rostrum Messrs. Scott, Neff, and Fish. The committee will proceed in the performance of its duties.

The Chair is very pleased to present Mr. Harold Russell.

Mr. HAROLD RUSSELL. Mr. Speaker and Members of the House of Representatives, it is indeed a great honor to be able to appear before you today.

I guess I was a very lucky guy the last few months, not because I had a part to play in the picture or because I had an opportunity to win the Academy Award, but because I happen to have had the opportunity of traveling over the country speaking in behalf of Veterans, visiting Veterans' hospitals, Army and Navy hospitals throughout this great land of ours.

I would just like to say to you that those men in the hospitals are very grateful for the fine care, enthusiasm and good will that has been bestowed upon all the members of the Veterans' organizations which have been actively interested in these men. The morale has been very, very fine, and if I had my wish one thing I would like to see would be a great series of rehabilitation centers throughout this great country of ours in the major cities which would do the same type of work for the civilians as well as for us.

The great program of rehabilitation in the Army and Navy hospitals is in most cases not available to the average civilian, and I am sure if this program is put into force it will be more and more a great aid to everyone, not only to disabled Veterans but to everyone else as well.

I realize how busy you are. I thank you very much for the privilege and honor of appearing before you and for your wonderful welcome. I thank you.

REPORTS FROM COMMITTEES

Mr. CLEVENGER from the Committee on Townships, reported as amended, House Bill No. 266, entitled:

An Act to amend section five hundred ten of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-one (P. L. 1206), entitled "An act concerning townships of the first class; amending, revising, consolidating, and changing the law relating thereto," by providing for the appointment of a deputy treasurer when treasurer is unable to perform the duties of his office.

Mr. WOOD from the Committee on State Government, reported as amended, House Bill No. 590, entitled:

An Act to further amend subsection nine of section eight of the act, approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing State employes; defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon the heads of departments in which State employes serve; excepting annuities, allowances, returns, benefits and rights from taxation and judicial process; and providing penalties," permitting contributors to change from the one one-hundred-sixtieth (1-160) to the one one-hundredth (1-100) class.

Mr. GOFF from the Committee on Municipal Corporations, reported as amended, House Bill No. 759, entitled:

An Act to amend section one of the act, approved the twenty-first day of May, one thousand nine hundred forty-three (P. L. 492), entitled "An act providing for the temporary appointment of policemen in boroughs, incorporated towns and townships of the first class, for a limited period, without conferring civil service status upon the appointees," permitting the conferring of civil status on appointees in certain cases.

Mr. STONIER from the Committee on State Government, reported as amended, House Bill No. 1062, entitled:

An Act to amend the act approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions, defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions and officers; fixing the salaries of the Governor, Lieutenant-Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards, and commissions shall be determined," by further reorganizing the Department of Welfare, and its boards and officers; creating the Department of Mental Health; prescribing its functions, powers, and duties; and fixing salaries.

Mr. GIBSON from the Committee on Public Utilities, reported as amended, Senate Bill No. 152, entitled:

An Act to reenact clauses six, seven, twenty and twenty-three of section two of the act approved the twenty-eighth day of May, one thousand nine hundred thirty-seven (P. L. 1053), entitled "An act relating to the regulation of public utilities; defining as public utilities certain corporations, companies, associations, and persons; providng for the regulation of public utilities, including, to a limited extent, municipalities engaging in public utility business, by prescribing, defining, and limiting their duties, powers, and liabilities, and regulating the exercise, surrender, or abandonment of their powers, privileges, and franchises; defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle; conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons, associations, companies, and corporations, including, to a limited extent municipal corporations subject to this act, and administering the provisions of this act; authorizing the commission to fix temporary rates; placing the burden of proof on public utilities to sustain their rates and certain other matters; authorizing a permissive or mandatory sliding scale method of regulating rates; providing for the supervision of financial and contractual relations between public utilities and affiliated interests, and supervision and regulation of accounts and securities or obligations issued, assumed or kept by persons, associations, companies, corporations, or municipal corporations subject to this act; conferring upon the commission power to vary, reform, or revise certain contracts; conferring upon the commission the exclusive power to regulate or order the construction, alteration, relocation, protection, or abolition of crossings of facilities of public utilities, and of such facilities by or over public highways, to appropriate property for the construction or improvement of such crossings, and to award or apportion resultant costs and damages; authorizing owners of such property to sue the Commonwealth for such damages; providing for ejectment proceedings in connection with the appropriation of property for crossings; conferring upon the commission power to control and regulate budgets of public utilities; imposing upon persons, associations, companies and corporations (except municipal corporations) subject to regulation, the cost of administering this act; prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action; giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings; prescribing penalties, fines, and imprisonment for violations of the provisions of this act and regulations and orders of the commission, and the procedure for enforcing such fines and penalties; and repealing legislation supplied and superseded by or inconsistent with this act," as amended, exempting from the provisions thereof motor vehicles engaged in the transportation of logs, pulpwood, or wood used in the manufacture of charcoal and wood chemicals.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 353.

An Act to further amend the act approved the nineteenth day of July one thousand nine hundred thirty-five (P. L. 1356) entitled "An act to regulate the sale and delivery of solid fuel as herein defined providing for appointment of licensed weightmasters prescribing their powers and duties authorizing substitutes licensed weighmasters imposing certain duties on the Department of Internal Affairs and providing penalties" providing for transportation of solid fuel over a public highway making exceptions to the necessity of a weighmaster's certificate and designating certain acts as prima-facie evidence of short weight

HOUSE BILL No. 746.

An Act to further amend sections two and four of the act approved the thirtieth day of April one thousand nine hundred forty-three (P. L. 145) entitled as amended "An act providing for and regulating the assumulation investment and expenditure by counties cities boroughs incorporated towns townships and school districts of funds for post war period and the purchase or replacement of school buses

HOUSE BILL No. 917.

An Act to repeal the act approved the nineteenth day of March one thousand nine hundred forty-three (P. L. 19) entitled "An act reducing for a limited period of time the training period of medical internship in hospitals in order to qualify for examination for license to practice medicine and surgery and suspending inconsistent laws"

HOUSE BILL No. 921.

An Act to repeal the act approved the twenty-second day of April one thousand nine hundred forty-three (P. L. 71) entitled "An act authorizing the State Board of Medical Education and Licensure to issue temporary permits to doctors of medicine legally licensed in other states to practice medicine and surgery in this State under certain conditions for a limited period of time"

HOUSE BILL No. 936.

An Act to further amend section one of the act approved the twenty-sixth day of May one thousand nine hundred forty-three (P. L. 607) entitled "An act authorizing administrative boards within the Department of Public Instruction for the duration of the present War to admit to examination and grant licenses or registration to certain applicants who are less than twenty-one but not less than twenty years of age" further regulating the professional examination licensure or registration of persons who are less than twenty-one but over twenty years of age

HOUSE BILL No. 1215.

A Joint Resolution ratifying the proposed amendment to the Constitution of the United States relative to the terms of the President of the United States.

SENATE BILL No. 66.

An Act making a deficiency appropriation to the Pennsylvania Institution for the Deaf at Mount Airy Philadelphia Pennsylvania

SENATE BILL No. 385.

An Act to amend subsection (b) of section four of the act approved the twenty-fifth day of May one thousand nine hundred forty-five (P. L. 1050) entitled "An act relating to the collection of taxes levied by counties county institution districts cities of the third class boroughs towns townships certain school districts and vocational school districts conferring powers and imposing duties on tax collectors and various officers of said political subdivisions and prescribing penalties" by providing that where borough taxes are collected by an appointee of council the council may prescribe the bond that may be required for the borough taxes

SENATE BILL No. 447.

An Act to amend the act approved the fourth day of June one thousand nine hundred forty-five (Appropriation Acts page 106) entitled "An act making an appropriation for the preparation of the Eightieth Division History and creating a commission for such purposes" continuing the commission and reappropriating the unexpended balance

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

PERMISSION TO ADD ADDITIONAL SPONSORS

Mr. WEISS asked and obtained unanimous consent to add the names of Messrs. MILLS, LOVETT and CAPANO to a resolution he was about to introduce.

CONGRATULATORY RESOLUTIONS

Messrs. WEISS, MILLS, LOVETT and CAPANO offered a resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was read, considered and adopted as follows:

In the House of Representatives, April 30, 1947.

Whereas, The wife of a fellow member of the House of Representatives yesterday presented her husband with a nine and one-half pound baby girl; and

Whereas, The birth of this baby girl, while in itself not unusual, takes on great significance since our fellow member is already the father of three additional daughters; and

Whereas, Now having four daughters, our fellow member constitutes a serious threat to the national laurels claimed by Eddie Cantor; therefore be it

Resolved, That the House of Representatives extends its heartiest congratulations to our amiable fellow member, Anthony J. Petrosky, and Mrs. Petrosky and best wishes for the continued happiness of so charming a family; and be it further

Resolved, That the Chief Clerk of the House of Representatives transmit a certified copy of this resolution to the Honorable and Mrs. Anthony J. Petrosky.

Messrs. CHUDOFF and SCANLON offered a resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was read, considered and adopted as follows:

In the House of Representatives, April 30, 1947.

Whereas, On January 3, 1944, former Representative and Mrs. Joseph Skale of Philadelphia became the parents of a daughter, Gloria Louise, and were duly congratulated by this House of Representatives by resolution dated May 2, 1944; and

Whereas, On March 3, 1946, the said Joe and Kate Skale became the proud parents of another daughter, Eleanor Joan; and

Whereas, Due to circumstances beyond his control, Joe Skale is no longer a Member of the House of Representa-

tives, but he and his spouse remain, nonetheless, fine people and worthy of congratulations; and

Whereas, It is very probable that if this House of Representatives fails to adopt Eleanor Joan Skale as a legislative daughter—in the manner accorded her sister—serious family difficulties in an otherwise peaceful Skale household may arise; and

Whereas, It must never be said that this House of Representatives has not done all in its power to preserve family peace and tranquility; therefore, be it

Resolved, That this House of Representatives congratulates their former colleague and his wife, Mr. and Mrs. Joseph Skale of Philadelphia, on the birth of their daughter, Eleanor Joan, March 3, 1946, and that it hereby officially adopts said Eleanor Joan Skale as a legislative daughter; and be it further

Resolved, That the Chief Clerk of the House of Representatives shall transmit a copy hereof to Mr. and Mrs. Joseph Skale in trust, to preserve and maintain the same until Eleanor Joan Skale attains her majority when it shall pass to her absolutely.

Mr. ANDREWS. Mr. Speaker, I desire to offer a non-privileged resolution, and before I offer the resolution I desire permission of the House to make a brief statement.

PERMISSION TO ADDRESS HOUSE

Mr. ANDREWS asked and obtained permission to address the House.

Mr. Speaker, we have just had the unusual experience of having a disabled veteran make a telling plea for a program of rehabilitation for disabled civilians. You haven't often heard anything like that, and I would like to call the attention of the Education Committee that there is pending in their committee a bill which would establish training centers that would accomplish the end referred to by Mr. Russell in his brief address before this body. I would request that the Education Committee give some consideration to that bill.

Second, on April 6, I introduced a resolution requesting the chairman of the Education Committee to proceed to obtain for the benefit of the Members of this House information as to the salaries paid teachers in other states, the methods by which those salaries were financed and the pupil-teacher ratio in this and other states.

As I understand, nothing was done except yesterday the committee went around to ask the Governor whether they could do it or not, and as I understand by the papers the Governor told the Chairman of the Education Committee to proceed to do exactly what we have asked him to do in the resolution filed in this House on April 6th. So, if we cannot get the results by way of a resolution in the House, fortunately there is a round-about way of getting action through the Governor's office.

Third, there are beginning to trickle onto our calendar appropriation bills, there will soon come a flood of them, and in the midst of that flood there will be practically none of us who know what the people who are asking for the money are actually going to do with it. Many appropriations that have been reduced from department requests by the budget office have been reduced arbitrarily. They have taken a figure simply out of the air, and when asked to substantiate their findings by filing figures upon which they made the departmental reductions they have been unable to do so and have had to admit they were submitting a purely arbitrary figure.

Further than that, we will have a seventy or eighty or ninety million dollar building program. What is it going to be, and where? How much is going to be spent during the next two years? Counting the funds already appropriated and subject to allocation and the funds likely to be appropriated, the Forestry and Waters Department will have somewhere between twenty-five and thirty million dollars to spend during the next biennium.

How much is it going to spend and when; and where is it going to spend it? I think all those things are matters with which the Members of this House should be acquainted.

I am, therefore, offering a resolution requesting the Departments that are asking for appropriations other than the appropriations that are needed for routine administration expenses, to submit to the Membership of this House, particularly the Welfare Department and the Department of Forests and Waters, a detailed statement of what they are going to do with the money, and when and where. I offer the following resolution:

RESOLUTION

Mr. ANDREWS offered a resolution which was laid over under the Rules.

LEAVES OF ABSENCE

Mr. GYGER for members of the Committee on Welfare for the purpose of visiting mental institutions in the western part of the State, Messrs. BRICE, MILLER, MAZZA, POWERS, SNIDER, SHOEMAKER and GRAYBILL.

COMMITTEE MEETING

Aeronautics, Room No. 331, Wednesday, April 30, 1947, immediately following the session of the House.

ADJOURNMENT

Mr. WORLEY. Mr. Speaker, I move that this House do now adjourn until Thursday, May 1, 1947 at 10:00 a. m. Eastern Standard Time.

The motion was agreed to, and (at 2:35 p. m. E. S. T.) the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1947. 137th of the General Assembly.

Vol. 30. HARRISBURG, PA., THURSDAY, MAY 1, 1947. No. 49.

SENATE

THURSDAY, May 1, 1947

The Senate met at 1:30 o'clock, p. m., Eastern Standard Time.

The PRESIDENT (Lieutenant-Governor Daniel B. Strickler) in the Chair.

PRAYER

In the absence of the Chaplain prayer was offered by the Senator from Berks, Dr. RUTH:

Almighty God, our Heavenly Father, we praise Thee for the opportunity to meet again to serve Thee and our fellowmen and, as we look around and see the beauty and fragrance that have been brought out of nature by the blessed rain, so we pray that Thy Holy Spirit may fall upon our hearts and minds, that they may help bring about more beautiful, more fragrant and more glorious lives for Thee and our country.

We ask it in Thy Holy Name. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. TALLMAN and Mr. WADE, further reading was dispensed with, and the Journal was approved.

HOUSE MESSAGES

HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives being introduced presented for concurrence bills of the House, as follows:

House Bill No. 612, entitled:

An Act to further amend subsections (a) and (b) of section four hundred eleven and section five hundred six of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "Vehicle Code," providing for the transfer of motor vehicles, trailers, and semi-trailers from a husband to his wife, and from a wife to her husband.

Which was committed to the Committee on Highways.

House Bill No. 900, entitled:

An Act to add a new section to be known as section three hundred five point one to the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309), entitled "Public School Code," to provide for leaves of absence for non-professional employes because of illness and other causes in school districts of the first class.

Which was committed to the Committee on Education.

House Bill No. 1109, entitled:

An Act to further amend the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 1005), entitled "Tractor Code," by further providing for the classificatinon, registration and regulation of tractors and the licensing of their operators.

Which was committed to the Committee on Highways.

House Bill No. 1163, entitled:

An Act to further amend section seven and amend section ten of the act, approved the thirteenth day of May, one thousand nine hundred twenty-five (P. L. 644), entitled "An act relating to and regulating the solicitation of moneys and property for charitable, religious, benevolent, humane, and patriotic purposes," further regulating the solicitation of money and property.

Which was committed to the Committee on Public Health and Welfare.

House Bill No. 1279, entitled:

An Act to amend subsection (a) of section thirty of the act, approved the first day of June, one thousand nine hundred thirty-seven (P. L. 1132), entitled "The Permanent Registration Act in Cities of the Second Class A," providing that reports of nonresidents' deaths be made to the registration commission of the county or city in which they resided.

Which was committed to the Committee on Elections.

House Bill No. 1280, entitled:

An Act to amend subsection (a) of section thirty of the act, approved the twenty-fifth day of May, one thousand nine hundred thirty-seven (P. L. 849), entitled "The Permanent Registration Act in cities of the third class," providing that reports of nonresidents' deaths be made to the registration commission of the county or city in which they resided.

Which was committed to the Committee on Elections.

House Bill No. 1281, entitled:

An Act to amend subsection (a) of section twenty-nine of the act, approved the twenty-ninth day of April, one thousand nine hundred thirty-seven (P. L. 487), entitled "The Permanent Registration Act for Boroughs, Towns and Townships," providing that reports of deaths of nonresidents be made to the registration commission of the county or city in which they resided.

Which was committed to the Committee on Elections.

House Bill No. 1282, entitled:

An Act to amend subsection (a) of section thirty-one of the act, approved the thirtieth day of March, one thousand nine hundred thirty-seven (P. L. 115), entitled "The First Class City Permanent Registration Act," providing that reports of deaths of nonresidents be made to the registration commission of the county or city in which they resided.

Which was committed to the Committee on Elections.

House Bill No. 1286, entitled:

An Act validating certain conveyances of real property made by a county home or by the directors of the poor.

Which was committed to the Committee on Judiciary General.

House Bill No. 1298, entitled:

An Act to amend subsection (a) or section thirty of the act, approved the twenty-fifth day of May, one thousand nine hundred thirty-seven (P. L. 814), entitled: "The Permanent Registration Act in Cities of the Second Class," providing that reports of nonresidents' deaths be made to the registration commission of the county or city in which they reside.

Which was committed to the Committee on Elections.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 7

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 7, entitled:

An Act to amend section one of the act, approved the twenty-eighth day of May, one thousand nine hundred forty-three (Pamphlet Laws, 793), entitled "An act authorizing counties of the second class to regulate the production of smoke from chimneys, smokestacks or other source, including provisions for the payment of inspection and certificates of compliance fees incident thereto; authorizing the expenditure of money for the employment of persons, and the acquisition of property for effectuating such regulations; and providing penalties for the violation thereof," removing exemption regarding railroad locomotives.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 361

He also presented communications from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 361, entitled:

An Act to further amend section two hundred twenty of the act approved the second day of May, one thousand nine hundred twenty-five (P. L. 448), entitled "Fish Law of 1925," providing for free fishing licenses to certain disabled war veterans.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 390

He also presented communications from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 390, entitled:

An Act to amend section nine hundred six of the act approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "The Game Law," authorizing the granting of railroad rights of way and the right to maintain radio stations or radio towers on lands acquired for the use of the Pennsylvania Game Commission.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 772

He also presented comunication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 772, entitled:

An Act to further amend the act, approved the ninth day of April, one thousand nine hundred twenty-one (P. L. 177), entitled "Administrative Code of 1929," by changing the name of the Thaddeus Stevens Industrial School.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 863

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 863, entitled:

An Act to further amend section three of the act, approved the thirteenth day of May, one thousand nine hundred twenty-seven (P. L. 988), entitled "Nurses Registration Law," further providing for emergency registration of nurses.

HOUSE CONCURS IN SENATE BILL No. 255

He also returned to the Senate, Senate Bill No. 255, entitled:

An Act to further amend the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," authorizing second class counties to acquire land for and erect, operate and maintain thereon garbage disposal plants.

with the information that the House has passed the same without amendments.

HOUSE ADOPTS REPORT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 104

He also informed the Senate that the House has adopted the report of Committee of Conference on Senate Bill No. 104, entitled:

An Act to amend section three of the act approved the fifteenth day of May, one thousand nine hundred forty-five (P. L. 526) entitled "An act relating to the use of trailing cables on portable electric machinery in coal mines; providing for the health and safety of persons employed therein, and for the protection and preservation of property connected therewith, and for the inspection of such equipment by the Department of Mines," providing for additional grant of time within which to conform to the requirements thereof; and validating actions of the Secretary of Mines and the Department of Mines.

BILLS SIGNED

The PRESIDENT (Lieutenant-Governor Daniel B. Strickler) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 7, entitled:

An Act to amend section one of the act, approved the twenty-eighth day of May, one thousand nine hundred forty-three (P. L. 793), entitled "An act authorizing counties of the second class to regulate the production of smoke from chimneys, smokestacks or other source, including provisions for the payment of inspection and certificates of compliance fees incident thereto; authorizing the expenditure of money for the employment of persons, and the acquisition of property for effectuating such regulations; and providing penalties for the violation thereof," removing exemption regarding railroad locomotives.

Senate Bill No. 104, entitled:

An Act to amend section three of the act approved the fifteenth day of May, one thousand nine hundred forty-five (P. L. 526) entitled "An act relating to the use of trailing cables on portable electric machinery in coal mines; providing for the health and safety of persons employed therein, and for the protection and preservation of property connected therewith, and for the inspection of such equipment by the Department of Mines," providing for additional grant of time within which to conform to the requirements thereof; and validating actions of the Secretary of Mines and the Department of Mines.

Senate Bill No. 342, entitled:

An Act making an appropriation to the Senate, and the House of Representatives to pay the expenses of their committees directed to visit State institutions under the supervision of the Department of Welfare.

House Bill No. 361, entitled:

An Act to further amend section two hundred twenty of the act, approved the second day of May, one thousand nine hundred twenty-five (P. L. 448), entitled "Fish Law of 1925," providing for free fishing licenses to certain disabled war veterans.

House Bill No. 390, entitled:

An Act to amend section nine hundred six of the act approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "The Game Law," authorizing the granting of railroad rights of ways and the right to maintain radio stations or radio towers on lands acquired for the use of the Pennsylvania Game Commission.

House Bill No. 772, entitled:

An Act to further amend the act, approved the ninth day of April, one thousand nine hundred twenty-one (P. L. 177), entitled "Administrative Code of 1929," by changing the name of the Thaddeus Stevens Industrial School.

House Bill No. 863, entitled:

An Act to further amend section three of the act, approved the thirteenth day of May, one thousand nine hundred twenty-seven (P. L. 988), entitled "Nurses Registration Law," further providing for emergency registration of nurses.

Whereupon,

The PRESIDENT (Lieutenant-Governor, Daniel B. Strickler) in the presence of the Senate signed the same.

REPORTS FROM COMMITTEES

Mr. STEVENSON, from the Committee on Local Government, reported as amended, House Bill No. 273, entitled:

An Act to amend clauses one and two of section one thousand seven hundred nine, of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-one (P. L. 1206), entitled, "An act concerning townships of the first class; amending, revising, consolidating, and changing the law relating thereto," by further providing for certain tax levies.

He also, from the Committee on Local Government, reported as amended, House Bill No. 48, entitled:

An Act to add clause XLIX to section one thousand five hundred two of the act approved the twenty-fourth day of June, one thousand nine hundred thirty-one, (P. L. 1206), entitled "An act concerning townships of the first class, amending, revising, consolidating; and changing the law relating thereto," authorizing acquisition of property for, and establishment and maintenance of, parking lots.

He also, from the Committee on Local Government, reported as amended, Senate Bill No. 578, entitled:

An Act amending, revising and consolidating the laws relating to delinquent county, city, except of the first and second class, borough, town, township, school district, except of the first class, and institution district taxes; providing when, how, and upon what property, and to what extent liens shall be allowed for such taxes; the return and entering of claims therefor, the collection and adjudication of such claims; sales of real property, including seated and unseated lands, subject to the lien of such tax claims; the disposition of the proceeds thereof, including State taxes and municipal claims recovered, and the redemption of property; providing for the discharge and divestiture by certain tax sales of all estates in property, and of mortgages and liens on such property, and the proceedings therefor; creating a Tax Claim Bureau in each county, except a county of the first class, to act as agent for taxing districts defining its powers and duties, including sales of property, the management of property taken in sequestration, and the management, sale and disposition of property heretofore sold to the county commissioners, taxing districts and trustees at tax sales; providing a method for the service of process, and notices; imposing duties on taxing districts, and their officers, and on tax collectors, and certain expenses on counties, and for their reimbursement by taxing districts; and repealing existing laws.

Mr. BECKER, from the Committee on Finance reported as committed, House Bill No. 586, entitled:

An Act relating to the public practice of certified public accountants providing for the certification of persons desiring to practice, and the listing of persons engaged in practicing, as certified public accountants; and for the suspension and revocation of such certificates, subject to appeal, and for their reinstatement; prescribing the powers and duties of the State Board of Examiners of Public Accountants and the Department of Public Instruction; providing for ownership of working papers; defining unlawful acts and acts not unlawful providing penalties and repealing existing laws.

BILL ON FIRST READING

Mr. BECKER. Mr. President, for the purpose of recommitting House Bill 586, I now move that the Senate do now proceed to the first reading of the bill reported from committee for the first time at today's session.

Mr. TALLMAN. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 586, entitled:

An Act relating to the public practice of certified public accountants; providing for the certification of persons desiring to practice, and the listing of persons engaged in practicing, as certified public accountants; and for the suspension and revocation of such certificates, subject to appeal, and for their reinstatement; prescribing the powers and duties of the State Board of Examiners of Public Accountants and the Department of Public Instruction; providing for ownership of working papers; defining unlawful acts and acts not unlawful; providing penalties; and repealing existing laws.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

BILL RECOMMITTED

Mr. BECKER. Mr. President, I move that House Bill No. 586, the bill just read, be recommitted to the Committee on Education.

Mr. TALLMAN. Mr. President, I second the motion.

The motion was agreed to.

BILL INTRODUCED

Mr. LETZLER read in his place and presented to the Chair Senate Bill No. 696, entitled:

An Act to further amend section eight hundred twenty-eight of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including, liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof; upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that the records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees and miscellaneous receipts; making an appropriation and providing for refunds," temporarily extending the suspension of the provisions thereof.

Which was committed to the Committee on Highways.

CALENDAR

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 313, on concurrence in House amendments entitled:

An Act to reenact amend and revise the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103), as amended entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto."

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING CALENDAR

BILLS OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 50, on third reading, entitled:

An Act to further amend the act, approved the twenty-fifth day of May, one thousand nine hundred thirty-seven (P. L. 849), entitled "An act to provide for the permanent personal registration of electors in cities of the third class as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration, and other appointees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; imposing penalties; and repealing existing legislation," by changing the provisions of said act relating to removal notices, transfer of registration, checkup of registers and street lists

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 60, on third reading, entitled:

An Act to further amend section thirty-nine of the act, approved the twenty-fifth day of May, one thousand nine hundred thirty-seven (P. L. 849), entitled "An act to provide for the permanent personal registration of electors in cities of the third class as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers rental agents and boards of school directors; imposing penalties; and repealing existing legislation," by further regulating and changing the provisions of the act relating to cancellation of registration upon the failure to vote within two years by giving removal notice same effect as request for reinstatement

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 275, on third reading, entitled:

An Act to amend section twenty-seven and subsection (a) of section twenty-eight of the act approved the first day of June one thousand nine hundred thirty-seven (P. L. 1132) entitled "An act to provide for the permanent personal registration of electors in cities of the second class A

as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors and imposing penalties" increasing the period of time in which removal notices and registration transfers must be made

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 372, on third reading, entitled:

An Act to further amend section one thousand twelve and subsection C of section one thousand two hundred ten of the act approved the fifteenth day of May one thousand nine hundred and thirty-three (P. L. 624) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engaged in banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employes of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deed and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" by further providing for the powers and duties and limitations upon powers of corporations and persons authorized to engage in a banking or fiduciary business or both

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 387, as follows:

An Act to further amend section one of the act approved the eighth day of April one thousand eight hundred sixty-eight (P. L. 73) entitled "An act to authorize the recorder of deeds in the several counties of this Commonwealth to record the discharges of all honorably discharged officers and soldiers" providing for the recording of certificates of service issued commissioned officers

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one of the act approved the eighth day of April one thousand eight hundred sixty-eight (P. L. 73) entitled "An act to authorize the recorder of deeds in the several counties of this commonwealth to record the discharges of all honorably discharged officers and soldiers" as last amended by the act approved the nineteenth day of February one thousand nine hundred forty-five (P. L. 4) is hereby further amended to read as follows

Section 1 Be it enacted &c That the recorders of deeds in the several counties of this Commonwealth are hereby authorized and required to record all final discharges of all honorably discharged [commissioned and] non-commissioned officers and persons who were duly enlisted and mustered into the armed forces of the United States or in any womens organization officially connected therewith and all certificates of service issued to commissioned officers upon termination of active service as aforesaid upon application being made to them by the holders thereof their agents attorneys or legal representatives for which the recorder shall be allowed a fee of fifty cents for recording the same which fee shall be paid by the county where such discharge is recorded upon the presentation to the county commissioners of proper vouchers by the recorder recording the same and the recording of the same shall not be subject to the payment of the usual State tax Provided That the provisions of this act relating to the fees of the recorder and the State tax shall not apply to holders of discharges who are not residents of this Commonwealth at the time of making their applications to the recorder for placing the same of record

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constiution, and were as follows, viz:

YEAS—31

Barr,	Farrell,	Letzler,	Taylor,
Becker,	Frazier,	Lord,	Tyler,
Berger,	Geltz,	Mallery,	Wade,
Blass,	Holland,	Ruth,	Watson,
Carr,	Homsher	Scarlett,	Wilson,
Chapman,	Kephart,	Snowden,	Wolfe,
Crider,	Lane,	Stevenson,	Wood, L. H.,
Crowe,	Leader,	Tallman,	

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILLS OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 415, on third reading, entitled:

An Act to amend sections 501 and 502 of the Act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 1053) entitled "An act relating to the regulation of public utilities defining as public utilities certain corporations companies associations and persons providing for the regulation of public utilities including to a limited extent municipalities engaging in public utility business by prescribing defining and limiting their duties powers and liabilities and regulating the exercise surrender or abandonment of their powers privileges and franchises defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle conferring upon the Pennsylvania Public Utility Commission the

power and duty of supervising and regulating persons associations companies and corporations including to a limited extent municipal corporations subject to this act and administering the provisions of this act authorizing the commission to fix temporary rates placing the burden of proof on public utilities to sustain their rates and certain other matters authorizing a permissive or mandatory sliding scale method of regulating rates providing for the supervision of financial and contractual relations between public utilities and affiliated interests and supervision and regulation of accounts and securities or obligations issued assumed or kept by persons associations companies corporations or municipal corporations subject to this act conferring upon the commission power to vary reform or revise certain contracts conferring upon the commission the exclusive power to regulate or order the construction alteration relocation protection or abolition of crossings of facilities of public utilities and of such facilities by or over public highways to appropriate property for the construction or improvement of such crossings and to award or apportion resultant costs and damages authorizing owners of such property to sue the Commonwealth for such damages providing for ejectment proceedings in connection with the appropriation of property for crossings conferring upon the commission power to control and regulate budgets of public utilities imposing upon persons associations companies and corporations (except municipal corporations) subject to regulation the cost of administering this act prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings prescribing penalties fines and imprisonment for violations of the provisions of this act and regulations and orders of the commission and the procedure for enforcing such fines and penalties and repealing legislation supplied and superseded by or inconsistent with this act" by excluding water supply companies from the requirements of original cost accounting

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 422, on third reading, entitled:

An Act to amend the title and sections one two and three of the act approved the thirty-first day of July one thousand nine hundred forty-one (P. L. 606) entitled "An act relating to the sale transfer assignment and pledge of accounts receivable" by further defining the term "accounts receivable" and further providing for notation of assignments upon the books of the assignor and for giving notice of assignments to account debtors and the effects thereof respectively

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 459, as follows:

An Act to amend subsection B of section one thousand one of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 457) entitled "An act relating to the business of building and loan associations providing for the organization and voluntary dissolution of such associations defining the rights powers duties liabilities and immunities of such associations and of their officers directors shareholders solicitors and other employes prohibiting the transaction of business in this Commonwealth by foreign building and loan associations conferring powers and imposing duties upon the courts recorders of deeds and certain State departments commissions and officers establishing limitations of actions imposing penalties and repealing certain acts and parts of acts" further limiting the merger consolidation or conversion of building and loan associations in certain cases

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection B, of section one thousand one of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 457) entitled "An act relating to the business of building and loan associations providing for the organization and voluntary dissolution of such associations defining the rights powers duties liabilities and immunities of such associations and of their officers directors shareholders solicitors and other employes prohibiting the transaction of business in this Commonwealth by foreign building and loan associations conferring powers and imposing duties upon the courts recorders of deeds and certain State departments commissions and officers establishing limitations of actions imposing penalties and repealing certain acts and parts of acts" as added by the act approved the fifteenth day of March one thousand nine hundred thirty-seven (P. L. 63) is hereby amended to read as follows

Section 1001 Merger consolidation and conversion authorized

* * * * *

B One or more associations and one or more federal savings and loan associations operating under the laws of the United States may in the manner hereinafter provided in this act and pursuant to the laws of the United States be merged into an association hereinafter designated as the surviving association or into a Federal Savings and Loan Association or consolidated into a new association to be formed under this act or into a new Federal savings and loan association and an association may in the manner hereinafter provided in this act and pursuant to the laws of the United States be converted into a federal savings and loan association and any federal savings and loan association may in the manner hereinafter provided in this act and pursuant to the laws of the United States be converted into an association hereinafter designated as the converted association [no merger consolidation or conversion authorized by this subsection shall become effective until the federal home loan bank board shall have given its written approval] no conversion of an association into a federal savings and loan association or merger or consolidation of one or more associations with one or more federal savings and loan associations to form a federal savings and loan association shall be effected pursuant to this subsection unless at the time of such merger consolidation or conversion the laws of the United States shall authorize a federal savings and loan association to merge into consolidate with or convert into an association with all the property and rights of such federal savings and loan association vesting in such association in the same manner as is prescribed by this act in the merger consolidation or conversion of federal savings and loan associations into building and loan associations

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—31

Barr,	Farrell,	Letzler,	Taylor,

Becker,	Frazier,	Lord,	Tyler,
Berger,	Geltz,	Mallery,	Wade,
Blass,	Holland,	Ruth,	Watson,
Carr,	Homsher	Scarlett,	Wilson,
Chapman,	Kephart,	Snowden,	Wolfe,
Crider,	Lane,	Stevenson,	Wood, L. H.,
Crowe,	Leader,	Tallman,	

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 491, on third reading, entitled:

An Act to further amend Subsection C of Section two hundred four of the act approved the fifteenth day of May one thousand nine hundred thirty-three (P. L. 624) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employes of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" by further providing for the establishment of branch offices and sub-agencies and for the approval thereof by the Department of Banking and the Banking Board

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 496, as follows:

An Act making an appropriation to the Pennsylvania Museum and School of Industrial Art Philadelphia for the support of research and investigation of basic problems affecting the textile industry and providing for the making of a report thereon to the Department of Commerce

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of eighty thousand dollars ($80,000) or as much thereof as may be necessary is hereby appropriated to the Pennsylvania Museum and School of Industrial Art Philadelphia for the support of research and investigation of basic problems affecting the textile industry

A report of the results of such research and investigation that may be of interest to the industry or to the people of this Commonwealth shall be made and submitted to the Department of Commerce

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—31

Barr,	Farrell,	Letzler,	Taylor,
Becker,	Frazier,	Lord,	Tyler,
Berger,	Geltz,	Mallery,	Wade,
Blass,	Holland,	Ruth,	Watson,
Carr,	Homsher	Scarlett,	Wilson,
Chapman,	Kephart,	Snowden,	Wolfe,
Crider,	Lane,	Stevenson,	Wood, L. H.,
Crowe,	Leader,	Tallman,	

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 523, as follows:

An Act to further amend paragraph four of Subsection A of Section one thousand one of the act approved the fifteenth day of May one thousand nine hundred thirty-three (P. L. 624) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employes of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" by further regulating the making of installment loans

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Paragraph four of Subsection A of Section one thousand one of the act approved the fifteenth day of May one thousand nine hundred thirty-three (P. L. 624) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employes of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries record-

ers of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" as last amended by the act approved the sixth day of April one thousand nine hundred forty-five (P. L. 155) is hereby further amended to read as follows

Section 1001 Powers of Banks Bank and Trust Companies or Trust Companies A

* * * * *

(4) (a) To lend money either upon the security of real or personal property or otherwise to charge or to receive in advance interest therefor to contract for a charge for a secured or unsecured installment loan which in principal amount shall not exceed thirty-five hundred dollars and which under its terms shall be repayable in substantially equal installments over a period not exceeding three years which charge shall be at a rate not exceeding six dollars per one hundred dollars per annum upon the original face amount of the instrument or instruments evidencing the loan for the entire period of the loan and which such charge may be collected in advance Provided That if the entire unpaid balance outstanding on the loan is paid by cash renewal or otherwise at any time prior to maturity the bank or bank and trust company shall give a refund or credit of the unearned portion of such charge calculated at the original contract rate of charge on the total amount of installments to become due for the term of all subsequent full installment periods but no refund or credit of the unearned portion of such charge may be required in the event said refund or credit is less than one dollar ($1) for each note paid prior to the maturity date No additional amount shall be charged or contracted for directly or indirectly on or in connection with any such installment loan except the following (a) Delinquency charges not to exceed five cents for each dollar of each installment more than fifteen days in arrears. Provided That the total of delinquency charges on any such installment loan shall not exceed fifteen dollars and only one delinquency charge shall be made on any one installment (b) Premiums paid by the bank or bank and trust company for insurance required or obtained as security for or by reason of such installment loan (c) Such amounts as are necessary to reimburse the bank or bank and trust company for fees paid to a public officer for filing recording or releasing any instrument or lien and the actual expenditures including reasonable attorneys' fees for legal process or proceedings to secure or collect any such installment loan Any advertising concerning such installment loans which contains a statement of an amount or rate of charge shall also contain the percentage rate either per month or per year computed on declining balances of the face amount of the loan instrument to which such charge would be equivalent if the loan were repaid according to contract Provided That this requirement may be complied with by stating the equivalent percentage rate which would earn the charge for such a loan repayable in twelve equal consecutive monthly installments and such stated rate may be closely approximate rather than exact if the statement so indicates And provided further That this requirement shall not apply to an advertisement in which an amount or rate of charge is indicated only by a table which contains and is confined to examples of the face amount of the loan instrument the proceeds to the borrower exclusive of the charge and the amount number and intervals of the required payments

(b) The aggregate amount of unpaid principal due from any one borrower on one or more loans granted pursuant to the provisions of this paragraph shall not at any time exceed thirty-five hundred dollars

Section 2 This act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—31

Barr,	Farrell,	Letzler,	Taylor,
Becker,	Frazier,	Lord,	Tyler,
Berger,	Geltz,	Mallery,	Wade,
Blass,	Holland,	Ruth,	Watson,
Carr,	Homsher	Scarlett,	Wilson,
Chapman,	Kephart,	Snowden,	Wolfe,
Crider,	Lane,	Stevenson,	Wood, L. H.,
Crowe,	Leader,	Tallman,	

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 526, as follows:

An Act to reenact section four hundred one of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" providing for the election and term of judges and inspectors of elections

Whereas section fourteen article eight of the Constitution of the Commonwealth was amended to provide that district election officers shall be chosen at municipal elections for such terms as may be provided by law therefore

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section four hundred one of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nominations of candidates primary and election expenses and electon contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" is hereby reenacted to read as follows

Section 401 District Election Boards Election All primaries and elections shall be conducted in each election district by a district election board consisting of a judge of election a majority inspector of election and a minority inspector of election assisted by clerks and machine inspectors in certain cases as hereinafter provided The judge and inspectors of election of each election district shall be elected by the electors thereof at the municipal election and shall hold office for a term of two years from the first Monday of January next succeeding their election Each elector may vote for one person as judge and for one person as inspector and the person receiving the highest number of votes for judge shall be declared elected judge of election the person receiving the highest number of votes for inspector shall be declared elected majority inspector of election and the person receiving the second highest number of votes for inspector shall be declared minority inspector of election

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—31

Barr,	Farrell,	Letzler,	Taylor,
Becker,	Frazier,	Lord,	Tyler,
Berger,	Geltz	Mallery,	Wade,
Blass,	Holland	Ruth,	Watson,
Carr,	Homsher	Scarlett,	Wilson,
Chapman,	Kephart,	Snowden,	Wolfe,
Crider,	Lane,	Stevenson,	Wood, L. H.,
Crowe,	Leader,	Tallman,	

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILLS OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 554, on third reading, entitled:

An Act providing that in cities of the first class in all cases where taxes are due and unpaid upon a single tract of land and it is desired to divide such tract into separate parcels the Board of Revision of Taxes may apportion such taxes ratably between or among the parcels so divided and providing that upon payment of the taxes and proper costs on any such parcel it shall be released from the lien

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 556, on third reading, entitled:

An Act to further amend the act approved the fifteenth day of May one thousand nine hundred thirty-three (P. L. 624) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employes of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" further providing for authorized investments and limitations upon loans and discounts of savings banks

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 561, on third reading, entitled:

An Act to amend sections eight hundred sixty-eight and eight hundred sixty-nine of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" further regulating the use and possession of certain containers

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 570, on third reading, entitled:

An Act to further amend sections one four five and six of the act approved the seventh day of May one thousand nine hundred twenty-three (P. L. 151) entitled "An act defining and regulating the business of dry cleaning and dyeing providing for the maintenance construction and inspection of dry cleaning and dyeing buildings and establishments providing for enforcing the act and penalties for violation thereof" by repealing exemptions from certain provisions of said act and providing for regulation of Class I and Class II dry cleaning and dyeing plants

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 577, as follow:

An Act to amend section one thousand one hundred five of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 457) entitled "An act relating to the business of building and loan associations providing for the organization and voluntary dissolution of such associations defining the rights powers duties liabilities and immunities of such associations and of their officers directors shareholders solicitors and other employes prohibiting the transaction of business in this Commonwealth by foreign building and loan associations conferring powers and imposing duties upon the courts recorders of deeds and certain State departments commissions and officers establishing limitations of actions imposing penalties and repealing certain acts and parts of acts" providing for the transaction of business by a majority of the liquidating trustees

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one thousand one hundred five of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 457) entitled "An act relating to the business of building and loan associations providing for the organization and voluntary dissolution of such associations defining the rights powers duties liabilities and immunities of such associations and of their officers directors shareholders solicitors and other employes prohibiting the transaction of business in this Commonwealth by foreign building and loan associations conferring powers and imposing duties upon the courts recorders of deeds and certain State departments commissions and officers establishing limitations of actions imposing penalties and repealing certain acts and parts of acts" is hereby amended to read as follows

Section 1105 Approval by Department of Banking of Certificate of Election to Dissolve Voluntarily Filing Commencing of Liquidation If the Department of Banking shall approve the certificate of election to dissolve it shall endorse its approval thereon and shall send it to the Department of State for filing The Department of State shall forthwith send a copy of the certificate to the Department of Banking and a copy to the association or its repre-

sentative Upon the filing by the Department of State of the certificate of election to dissolve the association shall cease to transact its business and the liquidating trustee or trustees as the case may be shall commence the liquidation of the association The liquidating trustee or trustees shall thereafter be authorized to carry out in his own name or in their own names as liquidating trustee or trustees of the association the powers granted to him or to them by the plan of voluntary liquidation A majority of the whole number of liquidating trustees provided by the plan of voluntary dissolution shall be necessary to constitute a quorum for the transaction of business and the acts of majority of such whole number of the liquidating trustees shall be the acts of the association

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—31

Barr,	Farrell,	Letzler,	Taylor,
Becker,	Frazier,	Lord,	Tyler,
Berger,	Geltz,	Mallery,	Wade,
Blass,	Holland,	Ruth,	Watson,
Carr.	Homsher,	Scarlett,	Wilson,
Chapman,	Kephart,	Snowden,	Wolfe,
Crider,	Lane,	Stevenson,	Wood, L. H.,
Crowe,	Leader,	Tallman,	

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 587, as follows:

An Act to further amend subsection (b) of section thirty of the act approved the thirtieth day of March one thousand nine hundred thirty-seven (P. L. 115) entitled "An act to provide for the permanent personal registration of electors in cities of the first class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties bodies of electors registration commissions commissioners registrars inspectors of registration and other appointees of registration commission election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics real estate brokers rental agents certain public service companies persons firms and corporations operating vehicles for moving furniture and household goods and boards of school directors and imposing penalties" clerifying the provisions relating to the time for giving change of party enrollment notice

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (b) of section thirty of the act approved the thirtieth day of March one thousand nine hundred thirty-seven (P. L. 115) entitled "An act to provide for the permanent personal registration of electors in cities of the first class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties bodies of electors registration commissions commissioners registrars inspectors of registration and other appointees of registration commission election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics real estate brokers rental agents certain public service companies persons firms and corporations operating vehicles for moving furniture and household goods and boards of school directors and imposing penalties" as last amended by the act approved the thirty-first day of July one thousand nine hundred forty-one (P. L. 710) is hereby further amended to read as follows

Section 30 Change of Party Enrollment Notice Change of Enrollment of Political Party Cancellation of Party Enrollment Persons Suffering Disability after Registration to Have Fact Recorded Cancellation

* * * *

(b) At any time [prior to the thirtieth day next preceding the primary election in the year one thousand nine hundred and forty-one and the fiftieth day] except the fifty days next preceding the primary election [in any subsequent year excepting] and except the thirty days next following an election any person who desires to change his party enrollment or who although registered has not hitherto enrolled as member of a party shall appear at any office of the commission or before the registrars in his ward or district and sign the change of party enrollment notice containing the information required by subsection (a) of this section stating the designation of the political party in which he desires to be enrolled Provided however That no registered elector shall be permitted to change his party enrollment between any primary and the following general or municipal election nor more than once between any November election and the following primary election The commission shall cause the signature thereon to be compared with the signature on the general and district registers and if the signatures appear authentic shall enter the change of enrollment of political party in the registers unless such elector is prohibited from changing his party enrollment as aforesaid

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—31

Barr,	Farrell,	Letzler,	Taylor,
Becker,	Frazier,	Lord,	Tyler,
Berger,	Geltz,	Mallery,	Wade,
Blass,	Holland,	Ruth,	Watson,
Carr,	Homsher,	Scarlett,	Wilson,
Chapman,	Kephart,	Snowden,	Wolfe,
Crider,	Lane,	Stevenson,	Wood, L. H.,
Crowe,	Leader,	Tallman,	

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 613, on third reading, entitled:

An Act to authorize counties cities boroughs incorporated towns townships school districts poor districts and county institution districts to file tax and municipal claims not filed within the time specified by law and to amend such claims where the property affected is not sufficiently described and to file suggestions of nonpayment and averments of default or to sue out writs of scire facias on certain tax or municipal claims and to revive judgments where the lien of such claims or the judgment thereon have been lost and providing for the reinstatement of the liens of such claims and judgments

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 617, as follows:

An Act to reenact and amend sections four hundred ninety-six four hundred ninety-six point one four hundred ninety-six point two four hundred ninety-six point three and four hundred ninety-six point four of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" authorizing eighth class counties to acquire operate and lease aviation landing fields and airdromes conferring power of eminent domain for such purposes authorizing the appropriation of certain lands purchased at tax sales for such purposes and joint action with other political subdivisions in the operation and maintenance of such airfields and providing for the expenditure of funds for such purposes in cooperation with State Federal or other public agencies

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections four hundred ninety-six four hundred ninety-six point one four hundred ninety-six point two four hundred ninety-six point three and four hundred ninety-six point four of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" as added by the act approved the eleventh day of July one thousand nine hundred forty-one (P. L. 360) are hereby reenacted and amended to read as follows

Section 496 Any county of the second third fourth fifth sixth [or] seventh or eighth classes may acquire by lease purchase or condemnation proceedings any land lying within its territorial limits or the territorial limits of any adjoining county which in the judgment of the county commissioners may be necessary and desirable for the purpose of establishing and maintaining airdromes or landing fields but no such land shall be so acquired in any adjoining county without the assent of the county commissioners thereof Any such county may also appropriate for such purposes any lands heretofore or hereafter purchased by it at any tax sale and which have not been redeemed within the period provided by law

Section 496.1 The proceedings for the condemnation of lands under the provisions of this act and for the assessment of damages for property taken injured or destroyed shall be conducted in the same manner as now provided by law for the condemnation of land or buildings for county purposes in the county in which the land is situated

The title acquired by virtue of any such condemnation shall be a title in fee simple

Section 496.2 Any such county acquiring land for any aeronautical purposes may lease the same or part thereof for an adequate consideration after due public notice and with the consent and approval of the taxing authorities of the county acquiring such land to any individual or corporation desiring to use the same for the purposes of landing or starting an airplane therefrom or for other aeronautical purposes on such terms and subject to such conditions and regulations as may be provided Any such county may enter into a contract in the form of a lease providing for the use of said land or any part thereof by the Government of the United States for air mail delivery or other aeronautical purposes upon nominal rental or without consideration

Section 496.3 Any such county acquiring land for any aviation purpose may operate and maintain said airdromes or aviation landing fields jointly with any such city county borough town or township or other political subdivision upon such terms and conditions as may be agreed upon between the corporate authorities thereof and the county commissioners of such county

Section 496.4 Any such county acquiring any land for such purpose may by resolution of the board of commissioners appropriate such funds as are necessary for the engineering design surveys and construction of such an airport either wholly by themselves or in cooperation with State Federal or other public agencies supplying a portion of the necessary funds for said work

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—30

Barr,	Frazier,	Lord,	Taylor,
Becker,	Geltz,	Mallery,	Tyler,
Berger,	Holland,	Ruth,	Wade,
Blass,	Homsher,	Scarlett,	Watson,
Carr,	Kephart,	Snowden,	Wilson,
Crider,	Lane,	Stevenson,	Wolfe,
Crowe,	Leader,	Tallman,	Wood, L. H.,
Farrell,	Letzler,		

NAYS—1

Chapman,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 651, as follows:

An Act making an additional deficiency appropriation to the Department of Public Assistance and providing for certain allocations therefrom for the purpose of carrying out the Public Assistance Law for the two fiscal years beginning June first one thousand nine hundred forty-five and for the payment of assistance and expenses accrued or incurred prior to and remaining unpaid on May thirty-first one thousand nine hundred forty-five

Whereas The support of public assistance in part in Pennsylvania is cooperatively financed by the Commonwealth and by the U. S. Government and

Whereas The uninterrupted flow of assistance to those in need depends upon the regular receipt of funds from the U. S. Government particularly toward the end of the Commonwealth's fiscal period and

Whereas The Commonwealth has provided its full share of assistance for its fiscal period ending May 31, 1947 but the share of the U. S. Government has not been received for the month of April 1947 nor the month of May 1947 and no assurance by the U. S. Government is forthcoming as to when its share will be paid and

Whereas The whole financial burden of public assistance has currently been thrown on the Commonwealth whose appropriated funds will thereby be exhausted by May 6, 1947

Now Therefore Be It Resolved That

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of six million one hundred thousand dollars ($6,100,000) or as much thereof as may be necessary is hereby specifically appropriated to the Department of Public Assistance for the payment of assistance and administrative expenses as provided by the Public Assistance Law and for the payment of attorney's fees and court costs necessary for the proper conduct of the work of the Department of Public Assistance for the two fiscal years beginning June first one thousand nine hundred forty-five and for the payment of assistance and administrative expenses attorneys' fees and court costs accrued or incurred prior to and remaining unpaid on May thirty-first one thousand nine hundred forty-five

Section 2 Out of the moneys appropriated by section one of this act the Department of Public Assistance shall allocate funds from time to time for the several assistance programs (old age assistance aid to dependent children pensions for the blind general assistance and other programs provided by the Public Assistance Law) for administrative expenses of the several county boards of assistance for such administrative expenses incurred by the department which are chargeable to such boards and for the payment of attorneys' fees and court costs necessary for the proper conduct of the work of the department

Section 3 Out of the moneys appropriated by section one of this act quarterly allocations shall be made to the Department of the Auditor General and the Treasury Department respectively in such amounts as may be deemed necessary to pay the administrative expenses of such departments in auditing and disbursing appropriations for or relating to public assistance including any Federal sums supplementing such appropriations In the case of the Department of the Auditor General said allocations shall be made by the Governor President pro tempore of the Senate Speaker of the House of Representatives and the Auditor General or a majority thereof and in the case of allocations made to the Treasury Department such allocations shall be made by the Governor President pro tempore of the Senate Speaker of the House of Representatives and the State Treasurer or a majority thereof

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—31

Barr,	Farrell,	Letzler,	Taylor,
Becker,	Frazier,	Lord,	Tyler,
Berger,	Geltz,	Mallery,	Wade,
Blass,	Holland,	Ruth,	Watson,
Carr,	Homsher,	Scarlett,	Wilson,
Chapman,	Kephart,	Snowden,	Wolfe,
Crider,	Lane,	Stevenson,	Wood, L. H.,
Crowe,	Leader,	Tallman,	

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 785, on third reading, entitled:

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by creating the Public Service Institute Board in the Department of Public Instruction and defining its powers and duties

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 803, on third reading, entitled:

An Act to further amend the act approved the twenty-ninth day of April one thousand nine hundred thirty-seven (P. L. 487) entitled "An act to provide for the permanent personal registration of electors in boroughs towns and townships as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors requiring the county commissioners of the various counties to act as a registration commission therefor and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school districts and imposing penalties" changing the provisions of said act relating to removal notices transfer of registration checkup of registers and street lists

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 875, on third reading, entitled:

An Act to further amend section one of the act approved the seventh day of June one thousand nine hundred eleven (P. L. 680) entitled "An act providing for the examination licensure and registration of persons firms or corporations engaged or engaging in the business or work of plumbing or house drainage and prescribing certain rules regulations and requirements for the construction of

plumbing house drainage and cesspools in cities of the first class and imposing fines penalties and forfeitures for violation thereof" by exempting therefrom the construction of sewers and water lines

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 882, on third reading, entitled:

An Act to further amend section thirty-eight of the act approved the twenty-ninth day of April one thousand nine hundred thirty-seven (P. L. 487) entitled "An act to provide for the permanent personal registration of electors in boroughs towns and townships as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors requiring the county commissioners of the various counties to act as a registration commission therefor and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of schools directors and imposing penalties" further regulating and changing the provisions of the act relating to cancellation of registration upon failure to vote within two years by giving removal notice same effect as request for reinstatement

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1046, entitled:

An Act to amend section two of the act approved the twenty-sixth day of May one thousand nine hundred twenty-one (P. L. 1172) entitled A Supplement to the act approved the seventeenth day of May one thousand nine hundred seventeen (P. L. 208) entitled "An act to regulate the practice of pharmacy and sale of poisons and drugs and providing penalties for the violation thereof defining the words "drug" and "poison" and providing for the appointment of a board which shall have in charge the enforcement of said law and the power to make rules and regulations for the enforcement of said law and providing for the purchase of samples of drugs for determining their quality strength and purity requiring permits to conduct pharmacies providing for the revocation thereof and prescribing penalties" regulating the use of a corporate title in applying for a pharmacy permit and its use on labels signs and advertisements

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. TALLMAN. Mr. President, I ask unanimous consent to offer an amendment at this time.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendment as follows:

Amend Title, page 2, last line of title, by striking out the word "signs"

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

It was agreed to.

Ordered, That the bill as amended, lie over for printing on final passage.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1148, as follows:

An Act to further amend section one thousand four of the act approved the fifteenth day of May one thousand nine hundred thirty-three (P. L. 624) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employes of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" further regulating the pledge of assets for deposits

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one thousand four of the act approved the fifteenth day of May one thousand nine hundred thirty-three (P. L. 624) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organizations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employes of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" as amended by the act approved the twenty-first day of June one thousand nine hundred thirty-five (P. L. 369) is hereby further amended to read as follows

Section 1004 Pledge of Assets for Deposits A bank or a bank and trust company shall not have the power to pledge or hypothecate any of its assets as security for deposits made with it except for the following

(1) Federal State municipal school district or other public funds including monies deposited by any pension fund in which the members are or have been employes of any political subdivision within the Commonwealth

(2) Funds deposited by the Secretary of Banking as receiver of a corporation or person of which he has pursuant to the provisions of law taken possession

(3) Funds deposited by a bank and trust company in its own commercial department which funds are being held by such bank and trust company in a fiduciary capacity and are being deposited by it pending investment or distribution

(4) Funds deposited by a corporation or person which are required to be secured by law or an order of a court having jurisdiction

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—31

Barr,	Farrell,	Letzler,	Taylor,
Becker,	Frazier,	Lord,	Tyler,
Berger,	Geltz,	Mallery,	Wade,
Blass,	Holland,	Ruth,	Watson,
Carr,	Homsher,	Scarlett,	Wilson,
Chapman,	Kephart,	Snowden,	Wolfe,
Crider,	Lane,	Stevenson,	Wood, L. H.,
Crowe,	Leader,	Tallman,	

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

SENATE BILL No. 337 CALLED UP FROM POSTPONED CALENDAR

Mr. BECKER. Mr. President, I call from the Calendar, of Bills on Third Reading Postponed, at the top of page 18 of the Calendar, Senate Bill No. 337, Printer's No. 97.

BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 337, entitled:

An Act to further amend the act approved the seventh day of June one thousand nine hundred seventeen (P. L. 447) entitled as amended "An act relating to the administration and distribution of the estates of decedents and of minors and of trust estates including the appointment bonds rights powers duties diabilities accounts discharge and removal of executors administrators guardians and trustees herein designated as fiduciaries the administration ad distribution of the estates of presumed decedents widow's and children's exemptions debts of decedents rents of real estate as assets for payment thereof the lien thereof sales and mortgages of real estate for the payment thereof judgments and executions therefor and the discharge of real estate legacies including legacies charged on land the discharge of residuary estates and of real estate from the lien of legacies and other charges and appraisement of real estate devised at a valuation the ascertainment of the curtilage of dwelling houses or other buildings devised the abatement and survival of actions and the substitution of executors and administrators therein the survival of causes of action and suits thereupon by or against firuciaries investments by fiduciaries the organization of corporations to carry on the business of decedents the audit and review of accounts of fiduciaries refunding bonds transcripts to the court of common pleas of balances due by fiduciaries the rights powers and liabilities of nonresident and foreign fiduciaries the appointment bonds rights powers duties and liabilities of trustees durante absentia the recording and registration of decrees reports and other proceedings and the fees therefor appeals in certain cases and also generally dealing with the jurisdiction powers and procedure of the orphan's court in all matters relating to fiduciaries concerned with the estates of decedents" by permitting the investment of trust funds by fiduciaries in municipality authority bonds

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. BECKER. Mr. President, I ask unanimous consent to offer amendments.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend title, page 3, last line of title, by inserting after the word "bonds" the following: "meeting certain requirements"; amend sec. 1 (Subsec. 18.1), page 5, lines 4, 5 and 6, by striking out the words "if the authority shall show an earning" in line 4, and all of lines 5 and 6, and inserting in lieu thereof "if such bonds are not in default and if for the period of five fiscal years next preceding the date of investment the income of such authority available for fixed charges shall have averaged not less than one and one-fifth (1-1/5 times its average annual fixed charges of such bonds over the life of such bonds. As used in this subsection, the term "Income available for fixed charges" shall mean income after deducting operating and maintenance expenses and, unless the bonds are payable in serial annual maturities or are supported by annual sinking fund payments, depreciation, but excluding extraordinary non-recurring items of income or expenses, and the term "fixed charges" shall include principal, both maturity and sinking fund, and interest on bonded debt. In computing such income available for fixed charges for the purposes of this section, the income so available of any corporation acquired by any municipality authority may be included, such income to be calculated as though such corporation had been operated by a municipality authority and an equivalent amount of bonded debt were outstanding.

The eligibilty for investment purposes of bonds of each project of a municipality authority shall be separately considered hereunder."

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

It was agreed to.

Ordered, That the bill as amended, lie over for printing on final passage.

BILLS ON SECOND READING CALENDAR

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 190, on second reading, entitled:

An Act to repeal certain statutes relating to oleomargine, butterine or similar substances manufactured wholly or partly from fats, oils or oleaginous substances.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 383, entitled:

An Act to amend the title and the act approved the eighth day of April one thousand nine hundred thirty-seven (P. L. 262) entitled "An act relating to consumer credit in amounts of one thousand dollars ($1000) or less requiring licenses from the Secretary of Banking restricting licenses to domestic business corporations fixing minimum capital requirements conferring certain powers on the Secretary of Banking limiting interest and other charges providing certain exemptions and imposing penalties" by further prescribing the powers of said licensees and the Secretary of Banking and further regulating the granting of said licenses and the loans charges interest and refunds to be made or collected by such licensees

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 439, on second reading, entitled:

An Act to add section five point one to the act approved the nineteenth day of June one thousand nine hundred thirty-one (P. L. 589) entitled as amended "An act to promote the public health and safety by providing for the examination and licensure of those who desire to engage in the occupation of barbering regulating barber shops and barber schools and apprentices and students therein regulating compensation for service rendered conferring certain powers and duties on the Department of Public Instruction and providing penalties" further regulating apprentices and students and their registration in such occupation in certain cases.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 494, on second reading, entitled:

An Act to further amend the act approved the nineteenth day of June one thousand nine hundred thirty-one (P. L. 589) entitled as amended "An act to promote the public health and safety by providing for the examination and licensure of those who desire to engage in the occupation of barbering regulating barber shops and barber schools and apprentices and students therein regulating compensation for service rendered conferring certain powers and duties on the Department of Public ‘ruction and providing penalties" by further regulating the practice of barbering the annual renewal of certificates and the eligibility reqiurements for examinations

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 498, entitled:

An Act lapsing all unexpended or unencumbered balances of appropriations from all funds made by the General Assembly at its session of one thousand nine hundred and thirty-nine and prior sessions and at its regular sessions of one thousand nine hundred and forty-one and one thousand nine hundred and forty-three and the Special Sessions of one thousand nine hundred and forty and one thousand nine hundred and forty-two

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. TALLMAN. Mr President, I ask unanimous consent that House Bill No. 503, on second reading, entitled:

An Act to amend or further amend Sections eight hundred six eight hundred eight and eight hundred thirty of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by making it unlawful for certain persons to disturb wild birds or wild animals within safety zones during the open hunting or trapping season clarifying the law with reference to shooting within safety zones prohibiting the conveyance of certain firearms without being wrapped or in a case and clarifying the law with reference to hunting accident reports

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 537, on second reading, entitled:

An Act requiring owners of hotels restaurants and places of amusement and entertainment to give notice to patrons thereof that concessions for certain services have been granted to other persons and that gratuities received by the employes of such concessions are the property of the owner thereof

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 538, on second reading, entitled:

An Act to further amend the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" creating a County Transit and Traffic Commission in counties of the second class providing for its membership and defining its powers and duties

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING, AMENDMENTS OFFERED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 593, entitled:

An Act to amend sections three hundred two and seven hundred one of the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 571) entitled "An act relating to assessment for taxation in counties of the fourth fifth sixth seventh and eighth classes designating the subjects property and persons subject to and exempt from taxation for county borough town township school except in cities and county institution district purposes and providing for and regulating the assessment and valuation thereof for such purposes creating in each such county a board for the assessment and revision of taxes defining the powers and duties of such boards providing for the acceptance of this act by cities regulating the office of ward borough town and township assessors abolishing the office of assistant triennial assessor in townships of the first class providing for the appointment of a chief assessor assistant assessor and other employes providing for their compensation payable by such counties prescribing certain duties of and certain fees to be collected by the recorder of deeds and eliminating the triennial assessment" enlarging the powers of boards of assessment and revision of taxes as to the revision of assessments and valuations

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. STEVENSON offered amendments to the first section.

(During the reading of the amendments the following occurred:)

(The Senate was at ease.)

AMENDMENTS WITHDRAWN

Mr. STEVENSON. Mr. President, because of a typographical error, I wish to withdraw the amendments.

The PRESIDENT. There being no objection the amendments are withdrawn.

And the question recurring,

Will the Senate agree to the section?

BILL OVER IN ORDER

Mr. STEVENSON. Mr. President, I ask unanimous consent that Senate Bill No. 593, on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 639, entitled:

A Further Supplement to the act approved the twenty-ninth day of April one thousand eight hundred seventy-four (P. L. 73) entitled "An act to provide for the incorporation and regulation of certain corporations" granting to every corporation heretofore or hereafter incorporated for the purpose of engaging in the telephone or telegraph business the power to appropriate private property in certain cases and subject to approval by the Public Utility Commission for the construction maintenance and operation of its lines and facilities and providing for the assessment of damages arising from such appropriation and the method of appropriation

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 788, on second reading, entitled:

An Act to add clause XXVI to section seven hundred two of the act, approved the first day of May, one thousand nine hundred thirty-three (P. L. 103), entitled "An act concerning townships of the second class; and amending, revising, consolidating, and changing the law relating thereto," authorizing the establishment of districts for police protection and providing for an equal assessment on all property benefited by such protection.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. PRESIDENT, I ask unanimous consent that House Bill No. 1313, on second reading, entitled:

An Act to amend section one of the act approved the twenty-ninth day of May one thousand nine hundred forty-five (Appropriation Acts page 20 Act No. 26-A) entitled "An act making an appropriation to the Elwyn Training School at Elwyn in the County of Delaware Commonwealth of Pennsylvania and prescribing certain conditions upon which the appropriation will be available to the school" increasing the per capita annual maintenance rate of wards of the State and the amount of the total appropriation

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON FIRST READING CALENDAR

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 659, entitled:

An Act to further amend section twenty-three of the act approved the first day of June, one thousand eight hundred eighty-nine (P. L. 420), entitled "A further supplement to an act entitled 'An act to provide revenue by taxation,' approved the seventh day of June, Anno Domini, one thousand eight hundred and seventy-nine," by increasing for a further limited period of time the rate of tax imposed upon the gross receipts of certain companies, limited partnerships, associations, joint-stock associations, copartnerships and persons by making further provision for the report and payment of the tax and by further defining gross receipts.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 661, entitled:

An Act to reenact and amend the title and the act approved the ninth day of June one thousand nine hundred thirty-six (Special Session of 1936 P. L. 13) entitled "An act imposing emergency State tax for a limited period of time on liquor as herein defined sold by the Pennsylvania Liquor Control Board providing for the collection and payment of such tax and imposing duties upon the Department of Revenue and the Pennsylvania Liquor Control Board" as previously reenacted and amended by extending the provisions thereof for a further limited period of time.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 662, entitled:

An Act to reenact and amend the title and the act approved the fourteenth day of June one thousand nine hundred thirty-five (P. L. 341) entitled as amended "An act to provide revenue by imposing a State tax upon sales of cigarettes by dealers as herein defined requiring persons engaged in the sale of cigarettes at wholesale and retail to secure permits prescribing the method and manner of collecting such tax conferring powers and imposing duties on the Department of Revenue and persons as herein defined engaged in the sale of cigarettes at retail or wholesale and providing penalties" as previously reenacted and amended by inreasing the rate of tax by reducing the rate of commission for affixing stamps and extending the provisions of the act for a further limited period of time

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 663, entitled:

An Act to further amend section three of the act approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 284), entitled, as amended, "An act imposing a State tax, payable by those herein defined as manufacturers and by others, on malt or brewed beverages used, sold, transported, or delivered within the Commonwealth; prescribing the method and manner of evidencing the payment and collection of such tax; conferring powers and imposing duties on the Department of Revenue and those using or engaged in the sale, at retail or wholesale, or in the transportation of malt or brewed beverages taxable hereunder; and providing penalties," by temporarily increasing the rates of certain taxes.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 664, entitled:

An Act to provide revenue by imposing a state tax payable by those herein defined as manufacturers and bottlers and by others of syrups and bottled soft drinks prepared used sold transported or delivered within the Commonwealth requiring persons as herein defined engaged in the manufacture bottling distribution sale and transportation of syrup and bottled soft drinks to secure permits prescribing the method and manner of evidencing the payment and collection of such tax or assessing the tax conferring powers and imposing duties on the Department of Revenue and those manufacturing bottling distributing selling and transporting syrup or bottled soft drinks taxable hereunder and providing penalties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 665, entitled:

An Act to reenact and amend the title and the act approved the sixteenth day of May, one thousand nine hundred thirty-five (P. L. 208), entitled, as amended, "An act to provide revenue for State purposes by imposing an excise tax, for a limited period of time, on the net incomes of certain corporations, joint-stock associations, and limited partnerships; providing for the assessment, collection, settlement and resettlement of taxes, and reviews and appeal therefrom; conferring powers and imposing dutis on certain persons, corporations, joint-stock associations, limited partnerships, State and county officers, boards, and departments; making an appropriation; and providing penalties," as previously reenacted and amended, by extending the provisions of the act for a further limited period of time; and by disallowing any deduction for not operating losses.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 666, entitled:

An Act to further amend section twenty-one of the act approved the first day of June, one thousand eight hundred eighty-nine (P. L. 420), entitled "A further supplement to an act entitled 'An act to provide revenue by taxation,' approved the seventh day of June, Anno Domini one thousand eight hundred and seventy-nine," removing the manufacturing exemption with regard to capital stock tax and the franchise tax on domestic and foreign corporations, joint-stock associations, limited partnerships and companies.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

BILLS ON FIRST READING

Mr. TALLMAN. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. BECKER. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 48, entitled:

An Act to add clause XLIX to section one thousand five hundred two of the act approved the twenty-fourth day of June, one thousand nine hundred thirty-one, (P. L. 1206), entitled "An act concerning townships of the first class; amending, revising, consolidating, and changing the law relating thereto," authorizing acquisition of property for, and establishment and maintenance of parking lots.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 273, entitled:

An Act to amend clauses one and two of section one thousand seven hundred nine, of the act, approved the twenty-fourth day of June, one thousand nine hundred

thirty-one (P. L. 1206), entitled "An act concerning townships of the first class; amending, revising, consolidating, and changing the law relating thereto," by further providing for certain tax levies.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 578, entitled:

An Act amending revising and consolidating the laws relating to delinquent county city except of the first and second class borough town township school district except of the first class and institution district taxes providing when how and upon what property and to what extent liens shall be allowed for such taxes the return and entering of claims therefor the collection and adjudication of such claims sales of real property including seated and unseated lands subject to the lien of such tax claims the disposition of the proceeds thereof including State taxes and municipal claims recovered and the redemption of property providing for the discharge and divestiture by certain tax sales of all estates in property and of mortgages and liens on such property and the proceedings therefor creating a Tax Claim Bureau in each county except a county of the first class to act as agent for taxing districts defining its powers and duties including sales of property the management of property taken in sequestration and the management sale and disposition of property heretofore sold to the county commissioners taxing districts and trustees at tax sales providing a method for the service of process and notices imposing duties on taxing districts and their officers and on tax collectors and certain expenses on counties and for their reimbursement by taxing districts and repealing existing laws.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

ADJOURNMENT

Mr. TALLMAN. Mr. President, I move that the Senate do now adjourn until Monday, May 5, 1947, at 3:00 o'clock, p. m., Eastern Standard Time.

Mr. WATSON. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 2:08 o'clock, p. m., Eastern Standard Time until Monday, May 5, 1947, at 3:00 o'clock, p. m., Eastern Standard Time.

HOUSE OF REPRESENTATIVES

THURSDAY, May 1, 1947

The House met at 10:00 a. m., Eastern Standard Time.

The SPEAKER (Franklin H. Lichtenwalter) in the Chair.

PRAYER

The Chaplain, Rev. Lester C. Updegrove offered the following prayer:

Our blessed Lord God, we do not come to Thee in fear nor in the spirit of distress, but with a psalm of human thanksgiving, for Thy mercies are ever with us. May every officer and member of this chamber have a place in Thy infinite heart which is coextensive with the needs and being of man. Continue to preside over the life and destiny of our state and country. Ennoble every citizen with the unselfish spirit that delights to serve. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of Wednesday, April 30, 1947.

The Clerk proceeded to read the Journal of Wednesday, April 30, 1947, when, on motion of Mr. JONES unanimously agreed to, the further reading was dispensed with and the Journal approved.

BILLS INTRODUCED AND REFERRED

By Mr. MURRAY. HOUSE BILL No. 1321.

An Act making an appropriation to the Lancaster Heart Association to be used for carrying on its purposes of research, study, prevention, and care of rheumatic fever and diseases of the heart.

Referred to the Committee on Appropriations.

By Mr. MADIGAN. HOUSE BILL No. 1322.

An Act making an appropriation to the Trustees of the Pennsylvania State College for the erection of a building or buildings, the installation of facilities and the purchase of equipment to be used for conducting a research program relating to the artificial insemination of cattle and livestock.

Referred to the Committee on Appropriations.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence, bills numbered and entitled as follows:

SENATE BILL No. 474.

An Act to add clause (1) to section one thousand three hundred four of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," authorizing the Department of Public Instruction to fix the fees to be charged by professional examining boards.

Referred to the Committee on Professional Licensure.

SENATE BILL No. 506.

An Act to further amend the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eight classes and revising amending and consolidating the laws relating

thereto" providing for fixing the number and compensation of all appointed officers deputies assistants clerks and other persons whose compensation is paid out of the county treasury whether employed by the county the courts or by any judge thereof creating a salary board in each county defining its powers and duties providing for appeals and repealing inconsistent acts

Referred to the Committee on Counties.

SENATE BILL No. 507.

An Act abolishing all existing county salary boards and providing for the transfer of their books records and property

Referred to the Committee on Counties.

SENATE BILL No. 601.

An Act to further amend section five of article three of the act, approved the ninth day of June, one thousand nine hundred eleven (P. L. 756), entitled "An act to provide for the health and safety of persons employed in and about the bituminous coal mines of Pennsylvania, and for the protection and preservation of property connected therewith," by further regulating barrier pillars.

Referred to the Committee on Mines and Mining.

SENATE BILL No. 612.

An Act to further amend sections twenty-seven and forty-five and to add a new section to the act, approved the seventh day of June, one thousand nine hundred one (P. L. 493), entitled as amended "An act providing for the examination, licensure and registration of persons, firms or corporations engaged or engaging in the business or work of plumbing or house drainage, and prescribing certain rules, regulations and requirements for the construction of plumbing, house drainage and cesspools, in cities of the second class, second class A and third class and imposing fines, penalties and forfeiture for violation thereof," prescribing further rules, regulations and requirements for the construction of plumbing, house drainage and cesspools.

Referred to the Committee on Professional Licensure.

RESOLUTION INTRODUCED AND REFERRED

By Mr. ANDREWS. RESOLUTION No. 45.

In the House of Representatives, April 30, 1947.

Whereas, the present trickle of appropriation bills which find a place upon the calendar of this House will shortly become a flood, and

Whereas, this flood will submerge members of the General Assembly in a stream of demands for increased appropriations concerning which they have little or no specific knowledge, and

Whereas, it is inconsistent with sound procedure to authorize the issuance of blank checks to the various departments of our state government, irrespective of their competence, therefore be it

Resolved, that this House in the case of all requests for substantial appropriations other than those desired for purely routine administration, hereby notifies all department heads that in every instance this House will ask just exactly what do you propose doing with the moneys, and be it further

Resolved, that the various departments, particularly the Department of Welfare and the Department of Forests and Waters be requested to compile statements outlining in detail their proposed schedule of expenditures during the 1947-49 biennium to the end that the membership of this House may with at least some degree of informed intelligence pass upon the requests for substantial appropriations which this House believes should be understood by the members of the General Assembly before they are authorized.

Referred to Committee on Rules.

BILL SIGNED BY SPEAKER

Bill numbered and entitled as follows having been prepared for presentation to the Governor and the same being correct, the title was publicly read as follows:

HOUSE BILL No. 361.

An Act to further amend section two hundred twenty of the act approved the second day of May, one thousand nine hundred twenty-five (P. L. 448), entitled "An act relating to fish; and amending, revising, consolidating, and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth," providing for free fishing licenses to certain disabled war veterans.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

The SPEAKER. The Chair requests the gentleman from Montgomery, Mr. Brunner, to preside during the first reading calendar.

Mr. BRUNNER IN THE CHAIR

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 83, entitled:

An Act to further amend subsection (a) of section six hundred fourteen of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of the Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehiles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by providing for the compulsory permanent revocation of operator's license on second conviction of operating a motor vehicle while under the influence of intoxicating liquor or narcotic or habit producing drug

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 146, entitled:

An Act to add subsection (a) to section twelve of the act approved the third day of May one thousand nine

hundred thirty-three (P. L. 252) entitled as amended "An act to regulate and restrain the traffic in malt and brewed beverages as herein defined providing for the licensing of the manufacture transportation sale and distribution of such beverages imposing license and permit fees and providing for collection and distribution thereof restricting ownership and interest in licensed places permitting municipalities and townships by vote of the electors to prevent the licensing therein of places where such beverages may be sold for consumption on the premises and regulating elections for this purpose imposing duties upon the Pennsylvania Liquor Control Board quarter sessions courts district attorneys the Department of Justice proper authorities of political subdivisions of the State and election officers providing penalties and repealing existing acts" limiting the number of distributors' and importing distributors' licenses to be issued.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 207, entitled:

An Act to authorize cities boroughs incorporated towns townships and school districts to file suggestions of nonpayment and averments of default or to sue out writs of scire facias on certain tax or municipal claims and to revive judgments where the lien of such claims or the judgments thereon have been lost and providing for the reinstatement of the liens of such claims and judgments

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 266, entitled:

An Act to amend section five hundred ten of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" by providing for the appointment of a deputy treasurer when treasurer is unable to perform the duties of his office

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 344, entitled:

An Act to amend section four of the act approved the thirty-first day of May one thousand nine hundred twenty-three (P. L. 481) entitled "An act providing for the appointment of boards of examiners to examine applicants ofr certificates of qualification as mine foremen assistant mine foremen and fire bosses in the bituminous coal mines of this Commonwealth prescribing the qualifications defining the powers and duties and fixing the compensation of such examiners authorizing the Chief of the Department of Mines to determine the district in which boards of examiners shall hold examinations and to designate the boards before whom applicants in the various inspection districts shall appear providing for the issuance of certificates of qualification to successful applicants fixing the fees to be paid by applicants and providing for their disposition forbidding the employment of unqualified persons as mine foremen assistant mine foremen and fire bosses providing a penalty for forging or making false statements regarding certificates" changing compensation of board members

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 541, entitled:

An Act to further amend paragraph six of section one of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employes' defining the uses and purposes thereof and the manner of payments therefrom and providing for the guarantly by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by further definding State employe to include employes of the Interstate Commission on the Delaware River Basin

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 590, entitled:

An Act to further amend subsection nine of section eight of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" permitting contributors to change from the one one-hundred-sixtieth (1-160) to the one one-hundredth (1-100) class

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 593, entitled:

An Act to further amend subsection nine of section eight of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" permitting contributors to change from the one one-hundred-sixtieth (1-160) to the one one-hundredth (1-100) class and providing for obtaining of full benefits by contributors heretofore or hereafter making such change

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 714, entitled:

An Act to repeal the act approved the nineteenth day of June one thousand nine hundred thirty-nine (P. L. 430) entitled "An act providing a method of annexation of parts of townships of the first class in counties of the second class not in excess of twenty per centum of the assessed value of any such township in counties of the second class to contiguous cities of the second class boroughs or other contiguous townships of the first class and regulating the proceedings pertaining thereto"

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 759, entitled:

An Act to amend section one of the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 492) entitled "An act providing for the temporary appointment of policement in boroughs incorporated towns and townships of the first class for a limited period without conferring civil service status upon the appointees" permitting the conferring of civil service status on appointees in certain cases

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 782, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Pennsylvania Historical and Museum Commission to acquire on behalf of the Commonwealth certain land at the recognized site of William Penn's first landing in Pennsylvania in the city of Chester Delaware County as a historical site providing for the control management supervision improvement and maintenance thereof authorizing the Pennsylvania Historical and Museum Commission to make and enforce rules and regulations for the preservation and visitation thereof and making an appropriation

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 892, entitled:

An Act to add section four hundred eleven point one to the act approved the twenty-ninth day of November one thousand nine hundred thirty-three (1933-34 P. L. 15) entitled as amended "An act to regulate and restrain the sale manufacture possession transportation importation traffic in and use of alcohol and alcoholic and malt or brewed beverages conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents the Department of Public Instruction other officers of the State government courts and district attorneys authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises and the granting of licenses subject to local option to sell such beverages for consumption on and off the premises forbidding importation or bringing of such beverages into the State except as herein provided prohibiting certain sales or practices in connection with and transactions in such beverages by licensees and others providing for the forefeiture of certain property making disposition of the receipts from State stores and of fees and imposing penalties" relating to the capacity and deceptive appearance of glasses and other containers used for sale of liquor for consumption on the premises

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 961, entitled:

An Act to amend section one thousand five hundred two of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" providing for the furnishing and installation of ornamental standards for street lighting with fittings and underground wiring therefor and the assessment and collection of the cost thereof from property benefited thereby

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 982, entitled:

An Act to amend section one of the act approved the twenty-first day of March one thousand nine hundred forty-five (P. L. 51) entitled "An act defining and regulating the practice of chiropody and providing penalties by further defining chiropody

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1010, entitled:

An Act to aid in alleviating the acute housing shortage by authorizing housing authorities to provide housing for veterans and families of servicemen and to cooperate with the Federal Government for such purpose

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1011, entitled:

An Act to declare valid and legal the development and administration of housing projects for veterans and servicemen of World War II and their families and to declare valid and legal all contracts agreements obligations undertakings indebetedness appropriations and all proceedings acts and things heretofore undertaken performed or done with reference thereto

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1017, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1216) entitled "An act to define real estate brokers and real estate salesmen and providing for the licensing regulation and supervision of resident and nonresident real estate brokers and real estate salesmen and their

business" by further defining real estate brokers and real estate salesmen and further regulating the licensing and supervision of such persons and their business.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1035, entitled:

An Act to amend section forty of the act approved the twenty-fifth day of May one thousand nine hundred forty-five (P. L. 1050) entitled "An act relating to the collection of taxes levied by counties county institution districts cities of the third class boroughs towns townships certain school districts and vocational school districts conferring powers and imposing duties on tax collectors courts and various officers of said political subdivisions and prescribing penalties" by providing that the surety on the bond or bonds of a deceased collector for whose estate no executor or administrator has been appointed shall have the sole right and power to take over the tax duplicates in which said surety is interested and to proceed to make collections thereon in accordance with the provisions of this section.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1062, entitled:

An Act to amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by further reorganizing the Department of Welfare and its boards and officers creating the Department of Mental Health prescribing its functions powers and duties and fixing salaries.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1111, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates alderman justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by further defining "Dealers" and "Owner" changing certain fees further regulating the registration titling equipment license plates and size of certain vehicles and the licensing of operators prescribing additional enforcement and penal provisions.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1180, entitled:

An Act to further amend section one thousand one of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" increasing the compensation of township auditors.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1185, entitled:

An Act to further amend section one of the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 844) entitled as amended "An act authorizing the Commonwealth of Pennsylvania or any department or division thereof and counties cities boroughs incorporated towns townships school districts and poor districts to make contracts of life health and accident policies for the benefit of employes thereof and contracts for pensions for such employes and providing for the payment of the cost thereof" by extending the provisions of this act to elected and appointed officers.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1214, entitled:

An Act to amend the title and to further amend section two of the act approved the twenty-eighth day of June one thousand eight hundred ninety-five (P. L. 408) entitled "A supplement to the twenty-fourth section of an act entitled 'An act to provide revenue by taxation approved the seventh day of June one thousand eight hundred and seventy-nine approved the first day of June one thousand eight hundred and eighty-nine amending the twenty-fourth section by providing for the payment by the State Treasurer of one-half of the two per centum tax on premiums paid by foreign fire insurance companies to the treasurers of the several cities and boroughs within this Commonwealth" including towns and townships within its provisions providing for proportionate distribution of the tax receipts according to the amount of insurance written on property in the respective cities townships towns and boroughs and requiring agents to be

instructed to place on the fire insurance policy the name of the locality wherein the insured premises are located.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1308, entitled:

An Act providing for the acquisition by the Department of Forests and Waters in the name of the Commonwealth of certain lands in Carbon County for use as a State Park and recreation area providing for the management of said property by said department and defining the uses to which the property shall be put and making an appropriation.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1320, entitled:

An Act to amend the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 955) entitled "An act to promote public health safety morals and welfare by declaring the necessity of creating public bodies corporate and politic to be known as housing authorities to engage in slum clearance and to undertake projects to provide dwelling accommodations for persons of low income providing for the organization of such husing authorities defining their powers and duties providing for the exercise of such powers including the acquisition of property by purchase gift or eminent domain the renting and selling of property and including borrowing money issuing bonds and other obligations and giving security therefor prescribing the remedies of obligees of housing authorities authorizing housing authorities to enter into agreements including agreements with the United States the Commonwealth and political subdivisions and municipalities thereof defining the application of zoning sanitary and building laws and regulations to projects built or maintained by such housing authorities exempting the property and securities of such housing authorities from taxation and imposing duties and conferring powers upon the State Board of Housing and certain other State officers and departments" authorizing authorities to undertake housing research and studies and to enter into agreements to secure Federal contributions and providing for the creation of regional housing authorities and rural housing.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 49, entitled:

An Act providing that the statement of registration issued to electors shall be sufficient proof of age for the purchase of alcoholic beverages prohibiting transfers thereof; imposing penalties and saving from prosecution licensees serving holders of such statements.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 87, entitled:

A Supplement to the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employes' retirement system and creating a retirement boardf or the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upo the heads of departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" permitting certain State employes who during the war were loaned to the United States Government and who have now returned to State employment to pay into the retirement fund the amount of the contributions they would have made during such period with interest and prescribing how the Commonwealth shall build up the necessary State annuity reserves

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 152, entitled.

An Act to reenact clauses six, seven, twenty and twenty-three of section two of the act approved the twenty-eighth day of May, one thousand nine hundred thirty-seven (P. L. 1053), entitled "An act relating to the regulation of public utilities; defining as public utilities certain corporations, companies, associations, and persons; providing for the regulation of public utilities, including, to a limited extent, municipalities engaging in public utility business, by prescribing, defining, and limiting their duties, powers and liabilities, and regulating the exercises, surrender, or abandonment of their powers, privileges, and franchises; defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicles; conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons, associations, companies, and corporations, including, to a limited extent municipal corporations subject to this act, and administering the provisions of this act; authorizing the commission to fix temporary rates; placing the burden of proof on public utilities to sustain their rates and certain other matters; authorizing a permissive or mandatory sliding scale method of regulating rates; providing for the supervision of financial and contractual relations between public utilities and affiliated interests, and supervision and regulation of accounts and securities or obligations issued, assumed or kept by persons, associations, companies, corporations or municipal corporations subject to this act; conferring upon the commission power to vary, reform, or revise certain contracts; conferring upon the commission the exclusive power to regulate or order the construction, alteration, relocation, protection, or abolition of crossings of facilities of public utilities, and of such facilities by or over public highways, to appropriate property for the construction or improvement of such crossings, and to award or apportion resultant costs and damages; authorizing owners of such property to sue the Commonwealth for such damages; providing for ejectment proceedings in connection with the appropriation of property for crossings; conferring upon the commission power to control and regulate budgets of public utilities; imposing upon persons, associations, companies, and corporations (except municipal corporations) subject to regulation, the cost of administering this act; prescribing and regulating practice and procedure before the commission and procedure for review by the courts of a commission action; giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings; prescribing penalties, fines, and imprisonment for violations of the provisions of this act and regulations and orders of the commission, and the procedure for enforcing such fines and penalties; and repealing legislation

supplied and superseded by or inconsistent with this act," as amended, exempting from the provisions thereof motor vehicles engaged in the transportation of logs, pulpwood, or wood used in the manufacture of charcoal and wood chemicals.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 381, entitled:

An Act to further amend subsection (f) of section four hundred forty-eight of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," increasing the number of members of The Advisory Health Board, requiring one of such members to be a licensed dentist, and one to be a licensed pharmacist.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 408, entitled:

An Act authorizing the Pennsylvania Historical and Museum Commission to accept, on behalf of the Commonwealth, certain real estate comprising the Crispin Cemetery in Philadelphia; and providing for its restoration and maintenance as an historic shrine.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 419, entitled:

An Act validating county treasurers' sales for delinquent taxes where the reports and returns of such sales were not made to the court of common pleas and such sales were not confirmed by the court.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 433, entitled:

An Act authorizing the Secretary of Property and Supplies to sell and convey a tract of land in Limerick Township, Montgomery County, Pennsylvania, with the approval of the Governor.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 478, entitled:

An Act to further amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, board and commissions shall be determined," by extending the wartime purchasing powers of the Department of Property and Supplies for a period of not longer than two years after the state of war ceases; and by further prescribing the methods of making purchases and entering into contracts by the Department of Property and Supplies.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 487, entitled:

An Act to amend the act, approved the twenty-fifth day of May, one thousand nine hundred forty-five (P. L. 1050), entitled "An act relating to the collection of taxes levied by counties county institution districts, cities of the third class, boroughs, towns, townships, certain school districts and vocational school districts; conferring powers and imposing duties on tax collectors, courts and various officers of said political subdivisions; and prescribing penalties," changing the method of furnishing notices of taxes.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

PERMISSION TO ADDRESS HOUSE

Mr. ANDREWS asked and obtained unanimous consent to address the House.

Mr. Speaker, I have a resolution which I believe would properly be brought up for consideration, now, and I would ask unanimous consent to present the resolution and make a brief statement concerning it.

The SPEAKER pro tempore. The gentleman from Cambria, Mr. Andrews, asks unanimous consent to present a resolution and also to have it read. The Chair hears no objection. Will the gentleman please send the resolution to the desk?

Mr. ANDREWS. Mr. Speaker, there is on the statute books of this Commonwealth a law known as the Brunner Bill, a very excellent piece of Legislation, a piece of

Legislation in which I was very much concerned at the time it was adopted.

By reading one of our major papers in the State of Pennsylvania, the Philadelphia Inquirer, a reputable paper and of general circulation, I saw very distressing news. This paper says that as far as this Brunner Bill is concerned it is a combination of indifference, bad planning, shortage of equipment and plain flouting of the law.

Now, I could pardon indifference and I could pardon a lack of planning because there has been a lot of that, but it is hard to pardon flouting the law. As you see our Speaker in the Chair would you want to flout a law to which he had attached his name? Could you imagine that a Speaker of his commanding presence and his prestige in this House would tolerate the flouting of the Brunner Bill? And can we be silent and acquiescent while this excellent law upon the testimony of this very reputable newspaper, has been flouted?

I think something should be done about it, and therefore, Mr. Speaker, I am presenting a resolution which recites the accusation which has been carried in the Philadelphia newspaper and suggesting that the Speaker of this House appoint a committee of three, of which the gentleman from Montgomery, Mr. Brunner, be the Chairman, to seek to find out whether this law is being flouted.

I present the resolution and ask that it be read for the information of the members.

RESOLUTION

Mr. ANDREWS asked and obtained unanimous consent for a resolution he was about to introduce to be read for the information of the House.

The resolution was read as follows:

In the House of Representatives, May 1, 1947.

Whereas, in a recent issue the Philadelphia Inquirer, a reputable newspaper of general circulation specifically alleged that:

"as The Inquirer survey discloses, silt is still moving into the river. Blamed for this condition is a combination of indifference, bad planning, shortage of equipment and plain flouting of the law. Many operators are described as blatant in their indifference to the anti-pollution act; only a few have taken concrete steps to comply with its provisions." and

Whereas, as the Philadelphia Inquirer points out "no one can expect the Schuylkill to be cleaned up over night as if by magic" it is nevertheless a matter of proper legislative concern if any group evidences "a blatant indifference to the anti-pollution act" and because of hostility to it evades and declines to cooperate in the enforcement of this act, therefore be it

Resolved, that this House requests the Speaker to appoint a committee of three, of which the gentleman from Montgomery, Mr. Brunner shall be chairman, to make a survey for the purpose of determining the degree of compliance with the anti-pollution act and to summarize the evidence which led the Philadelphia Inquirer to allege that in connection with enforcement of the anti-pollution act there was a combination of indifference, bad planning, shortage of equipment and plain flouting of the law, and be it further

Resolved, that this committee be requested to report to this House not later than Thursday, May 22, 1947.

The SPEAKER pro tempore. The gentleman from Cambria, Mr. Andrews, has presented a resolution and the members have noted its contents.

We can appreciate the spirit in which the resolution was introduced.

As you all know, the Schuylkill is quite clogged with silt, the State authorities say some thirty-three million tons of it, and in the language of the newspaper men, slightly edited, that is a lot of silt.

The resolution will be filed with the Clerk under the Rules.

THE SPEAKER (Franklin H. Lichtenwalter) IN THE CHAIR

The SPEAKER. The Chair thanks the gentleman from Montgomery, Mr. Brunner, for presiding.

REPORT FROM COMMITTEE

Mr. IMBT from the Committee on Aeronautics, reported as committed, House Bill No. 1225, entitled:

An Act to further amend the fifth paragraph of section four hundred seven of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing of certain administrative departments, boards, commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards, and commissions shall be determined," by further providing for the terms of legislative members of the Pennsylvania Aeronautics Commission.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 9, entitled:

An Act abating certain tax penalties and interest on unpaid county city borough town township school district poor district and county institution district taxes with certain exceptions prohibiting the sale of real property for the nonpayment of any such taxes for a certain period and preserving certain tax liens and providing for the extension thereof

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. SORG. Mr. Speaker, I move that this bill be recommitted to the Committee on Municipal Corporations for further study and possible amendment.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 429, entitled:

An Act to further amend section eleven of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 748) entitled as amended "An act relating to and regulating the purchase and sale of securities providing for the registration and regulation of certain individuals and entities sellng contractng to sell or dspose of attempting or offering to dispose of soliciting offers to buy or including holders thereof to exchange securities defined herein including securities issued by them or engaging in the business of inducing holders of securities to effect the sale thereof in order to produce funds to pay for other investments sold by them or in the business of buying securities directly from individuals who are not registered hereunder or in the business of advising others as to the value or investment qualifications of securities and the management of investment accounts and the solicitors of such investments advisers providing for the revocation and suspension of registrations conferring powers and imposing duties on the Pennsylvania Securities Commission and otherwise providing for the administration of this act providing for appeals to the Court of Common Pleas of Dauphin County and to the Supreme Court of Pennsylvania conferring jurisdiction upon the several courts of common pleas to issue injunctions against violations of this act and to appoint receivers and prescribing fees and penalties" changing provisions relating to display or advertisement of fact of registration

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 535, entitled:

An Act to amend section one thousand nine of Article Ten of the act approved the fifteenth day of May one thousand nine hundred and thirty-three (P. L. 624) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into tate banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employes of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain tate departm ts commissions and officers imposing penalties and repealing certain acts and parts of acts" as amended to permit certain Banks and Trust Companies to acquire and hold additional shares of stock of certain Title Insurance Companies

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 542, entitled:

An Act creating as bodies corporate and politic "Parking Authorities" in cities of the second ciass prescribing the rights powers and duties of such authorities authorizing such authorities to acquire construct improve maintain and operate parking projects to conduct research of the parking problem and to establish a permanent corordinated system of parking facilities and to borrow money and issue bonds therefor providing for the payment of such bonds and prescrbing the rights of the holders thereof conferring the right of emminent domain on such authorities empowering such authorities to enter into contracts with and to accept grants from the Federal Goverment State political subdivisions of the State or any agency thereof exempting the property and securities of such parking authorities from taxation and conferring exclusive jurisdiction on certain courts over rates

PARLIAMENTARY INQUIRY

Mr. BROWN. Mr. Speaker, I rise to a parliamentary inquiry.

The SPEAKER. The gentleman from Allegheny will state it.

Mr. BROWN. Mr. Speaker, may I be permitted to make a statement on these amendments before we agree to the title?

The SPEAKER. The gentleman will be recognized at that time.

The first section was read and agreed to.

The second section was read.

On the question,

Will the House agree to the section?

Mr. BROWN offered the following amendments:

Amend Sec. 2, page 4, lines 1 to 5 inclusive, by striking out all of said lines.

Amend Sec. 2, page 4, line 6, by striking out the letter "(k)" and inserting in lieu thereof "(i)."

Amend Sec. 2, page 4, by inserting between lines 7 and 8 the folowing: "(j) That it is intended that the authority cooperate with all existing parking facilities so that private enterprise and government may mutually provide adequate parking services for the convenience of the public."

They were agreed to.

The Section was agreed to as amended.

The third section was read.

On the question,

Will the House agree to the section?

Mr. BROWN offered the following amendment:

Amend Sec. 3, page 6, line 8, by inserting after the word "mean" the following "lot or lots."

It was agreed to.

The Section was agreed to as amended.

The fourth section was read and agreed it.

The fifth section was read.

On the question,

Will the House agree to the section?

Mr. BROWN offered the following amendments:

Amend Sec. 5, page 10, line 2, by striking out the word "regularly."

Amend Sec. 5, page 10, line 4, by inserting after the word "service" the following "and shall not engage in the sale of any commodity of trade or commerce."

Amend Sec. 5, page 13, line 7, by striking out the words "or convenient."

They were agreed to.

The Section was agreed to as amended.

The sixth, seventh and eighth sections were separately read and agreed to.

The ninth section was read.

On the question,

Will the House agree to the section?

Mr. BROWN offered the following amendment:

Amend Sec. 9, page 23, line 13, by inserting after the word "class" the following "Provided. That the viewers

may take into consideration and may assess damages for expenses incurred for the removal of fixtures, equipment and merchandise."

It was agreed to.

The Section was agreed to as amended.

The tenth to nineteenth sections inclusive were separately read and agreed to.

The title was read.

On the question,

Will the House agree to the title?

Mr. BROWN. Mr. Speaker, on Tuesday of this week the cosponsor of this bill, the gentleman from Allegheny, Mr. Richter, made the statement in presenting amendments to this bill that the amendments presented at that time had been agreed upon by the Allegheny Conference on Community Development in Pittsburgh, the party vitally interested in sponsoring this legislation. It developed afterwards that the gentleman had been misinformed; the Conference had not agreed upon the amendments the gentleman had offered. However it was a usual mistake, and so that the record may be corrected, the gentleman from Allegheny, Mr. Richter, who is not here today, asked that I make this statement so that the record would clearly show that what he said was said honestly but that he was mistaken.

These amendments now offered have been agreed to by the parties who are vitally interested in this legislation.

The gentleman from Allegheny, Mr. Richter, helped in the preparation of these amendments, and they meet with his approval. The only thing that is lacking is that he is not here today to sign them, but they were agreed upon yesterday before he left.

Mr. FLEMING. Mr. Speaker, I simply wish for the purpose of the record to say that all the statements of the previous speaker, the gentleman from Allegheny, Mr. Brown, are correct and that we are in accord with all of his statements.

I would further state for the purpose of the record that Mr. Richter was misinformed as to the position taken by the Allegheny County Conference but, I would like it distinctly known that he was not misinformed by any Member of this House of Representatives.

I would also like the record to clearly show that Mr. Richter acted in perfectly good faith and thought that he had the approval of the people most vitally interested back home.

As Mr. Brown has stated, all interested parties yesterday spent hours in preparing these amendments and getting them in position where we will have a workable bill, and I join with my colleague from Allegheny, Mr. Brown, in urging that we adopt these amendments and pass this bill.

On the question recurring,

Will the House agree to the title?

It was agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 651, entitled:

An Act to further amend section four thousand three hundred four of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by providing that the right to participate in the police pension fund after having been established shall not be forfeited

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 735, entitled:

An Act to amend sections four thousand three hundred twenty four thousand three hundred twenty-one four thousand three hundred twenty-two four thousand three hundred twenty-three four thousand three hundred twenty-four and four thousand three hundred twenty-five of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by requiring cities to establish a Firemen's Pension Fund and to make contributions to such fund and providing for and regulating the management and operation of such fund

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

BILL NOT ON FILE

The SPEAKER. House Bill 771, Printer's No. 502, on page 20 of today's calendar, bills on second reading, is not on file, and will be passed over.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill 817, entitled:

An Act defining and regulating certain installment sales of motor vehicles prescribing the conditions under which such sales may be made and regulating the financing thereof regulating and licensing persons engaged in the business of making or financing such sales prescribing the form contents and effect of instruments used in connection with such sales and the financing thereof prescribing certain rights and obligations of buyers sellers persons financing such sales and others limiting incidental charges in connection with such instruments and fixing maximum interest rates for delinquencies extensions and loans regulating insurance in connection with such sales regulating repossessions redemptions resales and deficiency judgments and the rights of parties with respect thereto authorizing extensions loans and forbearances related to such sales authorizing investigations and examinations of persons engaged in the business of making or financing such sales prescribing penalties and repealing certain acts

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 818, entitled:

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of

State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by creating the Pennsylvania Consumer Credit Commission as a departmental administrative commission within the Department of Banking fixing the compensation of the members thereof defining its powers and duties and eliminating provisions relating to the non-existent Board to License Private Bankers

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 819, entitled:

An Act to further amend section one of the act approved the seventeenth day of June one thousand nine hundred fifteen (P. L. 1012) entitled "An act regulating the business of loaning money in sums of three hundred ($300) dollars or less either with or without security to individuals pressed by lack of funds to meet immediate necessities fixing the rates of interest and charges therefor requiring the licensing of lenders and prescribing penalties for the violation of this act" by transferring the powers and duties heretofore imposed upon the Secretary of Banking and the Department of Banking to the Pennsylvania Consumer Credit Commission providing for the receipt of certain license fees by and their deposit in a fund for the use of the commission and relieving licensees from payment of cost of examinations of their businesses

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 820, entitled:

An Act to amend the title of and the act approved the eighth day of April one thousand nine hundred thirty-seven (P. L. 262) entitled "An act relating to consumer credit in amounts of one thousand dollars ($1,000) or less requiring licenses from the Secretary of aBnking restricting licenses to domestic business corporations fixing minimum capital requirements conferring certain powers on the Secretary of Banking limiting interest and other charges providing certain exemptions and imposing penalties" by defining the term "commission" transferring the powers and duties heretofore imposed upon the Secretary of Banking to the Pennsylvania Consumer Credit Commission providing for the use by the said commission of certain funds and relieving licensees from payment of cost of examinations of their businesses

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 821, entitled:

An Act to amend the title of and the act approved the sixth day of April one thousand nine hundred thirty-seven (P. L. 200) entitled "An act licensing and regulating the business of pawnbrokers providing for the issuance of licenses by the Secretary of Banking authorizing the Secretary of Banking to make examinations and issue regulations limiting the interest and charges on loans and prescribing penalties for the violation of this act" by defining the term "commission" transferring the powers and duties heretofore imposed upon the Secretary of Banking to the Pennsylvania Consumer Credit Commission providing for the use by the said commission of certain funds and relieving licensees from payment of cost of examinations of their businesses

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 822, entitled:

An Act to add section four point one to the act approved the first day of June one thousand nine hundred forty-five (P. L. 1358) entitled "An act relating to chattel mortgages on any chattel or chattels of any kind or description including but not limited to livestock poultry farm machinery farm equipment and crops grown growing or to be grown designating the operation and effect of the lien of such mortgages providing for the filing indexing and docketing of such mortgages and related instruments in prothonotaries' offices and prescribing prothonotaries' fees providing for the filing in Pennsylvania of similar lien instruments originally filed or recorded in other states regulating the assignment release satisfaction and extension of the lien of such mortgages prescribing methods of foreclosure defining defaults and violations and fixing penalties" limiting and regulating the liability of chattels for subsequent purchases

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 823, entitled:

An Act to add section eleven point one to the act approved the twelfth day of May one thousand nine hundred twenty-five (P. L. 603) entitled "An act concerning conditional sales and to make uniform the law relating thereto" limiting and regulating liability of good for subsequent purchases

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 824, entitled:

An Act limiting and regulating liability of goods wares and merchandise purchased under bailment lease contracts for subsequent purchases and limiting the rights of bailors in certain cases

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 869, entitled:

An Act to further amend section twenty-five of the act approved the twenty-fifth day of July one thousand nine hundred thirteen (P. L. 1311) entitled "An act providing for the establishment of a State Industrial Home for Women authorizing the purchase of a site and the erection thereon and equipment of necessary buildings providing for the commitment to said State Industrial Home for Women of females between the ages of sixteen and thirty years convicted of or pleading guilty to the commission of any criminal offense and providing for the government and management of said institution and making an appropriation to carry out the purposes of this act" providing for payment of certain salaries by the State without including the same in computing cost of maintaining inmates

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1232, entitled:

An Act authorizing the Secretary of Highways with the approval of the Governor to take over as State Highways public roads which connect existing State Highway routes with free interstate bridges and providing for construction reconstruction and maintenance at the expense of the Commonwealth

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 47, entitled:

An Act to amend Section 8 of the act approved the first day of June one thousand nine hundred and forty-five (P. L. 1358) entitled "An act relating to chattel mortgages on any chattel or chattels of any kind or description including but not limited to livestock poultry farm machinery, farm equipment and crops grown, growing or to be grown designating the operation and effect of the lien of such mortgages providing for the filing indexing and docketing of such mortgages and related instruments in prothonotaries' offices and prescribing prothonotaries' fees providing for the filing in Pennsylvania of similar lien instruments originally filed or recorded in other states regulating the assignment, release, satisfaction and extension of the lien of such mortgages prescribing methods of foreclosure defining defaults and violations and fixing penalties" by making further provision respecting the filing of chattel mortgages in prothonotaries' offices.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 109, entitled:

An Act to amend section one of the act approved the tenth day of April one thousand nine hundred forty-five (P. L. 187) entitled "An act to provide for the receiving as evidence in any court office or other place in this State official findings records reports or certified copies thereof of death presumed death missing or other status issued by the Secretaries of War and Navy and other Federal officers and employees" providing that official statements of missing in action shall be prima facie evidence of death of the person therein named

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

BILLS PASSED OVER

There being no objection,

Senate Bill No. 114, Printer's No. 21,
Senate Bill No. 231, Printer's No. 221,
Senate Bill No. 232, Printer's No. 56,
Senate Bill No. 241, Printer's No. 76,
Senate Bill No. 282, Printer's No. 69 and
Senate Bill No. 335, Printer's No. 55

were passed over at the request of the SPEAKER.

BILLS ON THIRD READING

BILL PASSED OVER

There being no objection

House Bill No. 106, Printer's No. 462,

was passed over at the request of Mr. YOUNG.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 612, as follows:

An Act to further amend subsection (a) and (b) of section four hundred eleven and section five hundred six of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" providing for the transfer of motor vehicles trailers and semi-trailers from a husband to his wife and from a wife to her husband

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsections (a) and (b) of section four hundred eleven of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties

cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as last amended by the act approved the twenty-sixth day of April one thousand nine hundred forty-three (P. L. 74) are hereby further amended to read as follows

Section 411 Transfer of Registration Temporary Registration Cards (a) Upon transfer of ownership [or] except a transfer from a husband to his wife or from a wife to her husband and upon the destruction of any motor vehicle trailer or semi-trailer the registration shall expire

(b) When transfer or registration plates is made from one motor vehicle to another owned by the same person or from a husband to his wife or from a wife to her husband application shall be made immediately to the department upon a form furnished by the department accompanied by the transfer fee provided in this act when the motor vehicle trailer or semi-trailer is of equal or less horsepower or classification than that originally registered or accompanied by the transfer fee provided in this act and the difference between the fee originally paid and that due if the motor vehicle trailer or semi-trailer to which the registration plates are transferred be properly registered in a higher class Such application shall also be accompanied by the owner's registration card or the registration card of the husband or wife making such transfer

Section 2 Section five hundred six of said act is hereby amended to read as follows

Section 506 Transfer of Registration Plates (a) Upon the transfer of ownership except a transfer from a husband to his wife or from a wife to her husband or upon the destruction of any motor vehicle trailer or semi-trailer the owner shall remove the registration plate or plates therefrom immediately

(b) In the event of the transfer of registration plate or plates to a vehicle of the same vehicle classification as that originally registered the owner shall be assigned the registration plate or plates previously issued to him unless such registration plate or plates have been lost or destroyed

(c) If transfer of registration plate or plates is from one vehicle classification to another vehicle classification new registration plate or plates shall be issued to the owner Upon receipt of new registration plate or plates the registration plate or plates previously issued shall be returned to the department immediately for cancellation unless such registration plate or plates have been lost or destroyed

(d) Upon the transfer of ownership from a husband to his wife or from a wife to her husband the new owner shall be assigned the registration plate or plates which are then on the vehicle being transferred and such plate or plates need not be removed pending the receipt of the new registration card.

Penalty Any person violating any of the provisions of subsection (a) of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of ten ($10) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than five (5) days

Section 3 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—198

Andrews,	Foor,	McCormack,	Sax,
Aaronson,	Frost,	McCosker,	Scanlon,
Bane,	Gallagher,	McCullough,	Schuster,
Barrett,	Getchey,	McDonald,	Scott,
Baumunk,	Gibson,	McKinney,	Serrill,
Beech,	Goff,	McMillen,	Simons,
Bender,	Goodling,	Mihm,	Smith, C. C.,
Bentzel,	Gorman,	Mikula,	Smith, C. M.,
Bloom,	Greenwood,	Mills,	Sollenberger,
Boles,	Greer,	Mintess,	Sorg,
Bonawitz,	Griffiths,	Mohr,	Sproul,
Boorse,	Guthrie,	Mooney,	Stank,
Bower,	Gyger,	Moore, C. E.,	Stimmel,
Breisch,	Haller,	Moore, H. A.,	Stockham,
Brice,	Haudenshield,	Morrison,	Stonier,
Brown,	Helm,	Murray,	Stuart,
Brunner,	Henry,	Myers,	Swope,
Bucchin,	Hewitt,	Najaka,	Tahl,
Cadwalader,	Hocker,	Naumann,	Thomassy,
Capano,	Hoffman,	Needham,	Thompson,
Cassidy,	Hoopes,	Neff,	Tittle,
Chervenak,	Horan,	Nelson,	Tompkins,
Chudoff,	Imbt,	O'Connor,	Toomey,
Clevenger,	Jennings,	O'Dare,	Turner,
Cochran,	Johnson,	O'Donnell,	Upshur,
Cole,	Johnston,	O'Neill,	Vaughan,
Cook,	Jones,	Orban,	Verona,
Cooper,	Jump,	Patten,	Wachhaus,
Cordier,	Kean,	Petrosky,	Wagner,
Costa,	Kelley,	Pichney,	Waldron,
Crowley,	Kemp,	Pickens,	Wallin,
Dague,	Kent,	Polaski,	Walton,
Dalrymple,	Kirley,	Price,	Waterhouse,
Davison,	Kline,	Propert,	Watkins,
De Long,	Kohl,	Ragot,	Watson,
Demech,	Kratz,	Readinger,	Weidner,
Dennison,	Krise,	Reagan,	Weiss,
Depuy,	Kurtz,	Reese, D. P.,	Wescott,
Dix,	Laughner,	Reese, R. E.,	West,
Dye,	Layer,	Reilly, J. M.,	Wheeler,
Efenberg,	Lee,	Reilly, W. J.,	Wolf,
Elder,	Leisey,	Richter,	Wood,
Erb,	Livingston,	Riley,	Worley,
Evans,	Livingstone,	Robbins,	Yeakel,
Ewing,	Loftus,	Robertson,	Yester,
Feola,	Lovett,	Root,	Yetzer,
Fish,	Lyons,	Rose,	Young,
Fiss,	Madden,	Rowen,	Lichtenwalter, Speaker.
Flack,	Madigan,	Royer,	
Fleming,	Mazza,	Sarraf,	

NAYS—0

NOT VOTING—7

Graybill,	Miller,	Shoemaker,	Trout,
Hall,	Powers,	Snider,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS PASSED OVER

There being no objection,

House Bill No. 958, Printer's No. 432,

House Bill No. 1040, Printer's No. 397 and

House Bill No. 1043, Printer's No. 433

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1109, as follows:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1005) entitled "An act relating to and regulating tractors and trailers and their operation providing for their registration and the licensing of certain operators by the Department of Rvenue upon payment of prescribed fees prescribing and limiting the powers

of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of tractors and trailers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns and townships within the Commonwealth liability for damages caused by the negligent operation of tractors and trailers imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by further providing for the classification registration and regulation of tractors and the licensing of their operators

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two hundred three of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1005) entitled "An act relating to and regulating tractors and trailers and their operation providing for their registration and the licensing of certain operators by the Department of Revenue upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of tractors and trailers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns and townships within the Commonwealth liability for damages caused by the negligent operation of tractors and trailers imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as last amended by the act approved the fifth day of August one thousand nine hundred forty-one (P. L. 851) is hereby further amended to read as follows

Section 203 Classification Tractors for the purposes of this act shall be divided into [two] three classes

(a) First class Tractors used exclusively for agricultural purposes road grading well drilling and production and transportation of supplementary machinery and appliances and also any motor vehicle as defined in the Vehicle Code upon which machinery has been permanently mounted and used exclusively for agricultural purposes road grading well drilling and production and transportation of supplementary machinery and appliances and determined by the secretary to be of the tractor type

(b) Second class Tractors used for industrial purposes and for all hauling on any highway except such hauling as is specified in subsection (a) of this section and also any motor vehicle as defined in the Vehicle Code upon which machinery has been permanently mounted and used for industrial purposes and for all hauling on any highway except such hauling as is specified in subsection (a) of this section and determined by the secretary to be of the tractor type

(c) Third class Odd type vehicle having a weight in excess of thirty thousand (30,000) pounds determined by the secretary to be of the tractor type

Section 2 Subsection (b) of section four hundred two of said act as amended by the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 815) is hereby further amended to read as follows

Section 402 Persons Exempt from License

* * * *

(b) Every person operating a tractor not required to have registration under this act shall be exempt from operator's license under this act unless the operating privilege has been suspended or revoked under the provisions of the Vehicle Code

Section 3 Section five hundred one of said act is hereby amended to read as follows

Section 501 Tractors The fee for the annual registration of a tractor of the first class shall be five ($5) dollars [and] for the annual registration of a tractor of the second class shall be fifty ($50) dollars and for the annual registration of a tractor of the third class shall be one hundred ($100) dollars

Section 4 Subsection (a) of section six hundred eight of said act as last amended by the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 815) is hereby further amended to read as follows

Section 608 Weight of Tractor Trailer and Load

(a) Tractors shall not be operated or moved upon any highway with gross weight in excess of [twenty-eight thousand (28,000)] thirty thousand (30,000) pounds if of the two axle type and forty thousand (40,000) pounds if of the three axle type

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—198

Aaronson,	Foor,	McCormack,	Sax,
Andrews,	Frost,	McCosker,	Scanlon,
Bane,	Gallagher,	McCullough,	Schuster,
Barrett,	Getchey,	McDonald,	Scott,
Baumunk,	Gibson,	McKinney,	Serrill,
Beech,	Goff,	McMillen,	Simons,
Bender,	Goodling,	Mihm,	Smith, C. C.,
Bentzel,	Gorman,	Mikula,	Smith, C. M.,
Bloom,	Greenwood,	Mills,	Sollenberger,
Boles,	Greer,	Mi.tess,	Sorg,
Bonawitz,	Griffiths,	Mohr,	Sproul,
Boorse,	Guthrie,	Mooney,	Stank,
Bower,	Gyger,	Moore, C. E.,	Stimmel,
Breisch,	Haller,	Moore, H. A.,	Stockham,
Brice,	Haudenshield,	Morrison,	Stonier,
Brown,	Helm,	Murray,	Stuart,
Brunner,	Henry,	Myers,	Swope,
Bucchin,	Hewitt,	Nejaka,	Tahl,
Cadwalader,	Hocker,	Naumann,	Thomassy,
Capano,	Hoffman,	Needham,	Thompson,
Cassidy,	Hoopes,	Neff,	Tittle,
Chervenak,	Horan,	Nelson,	Tompkins,
Chudoff,	Imbt,	O'Connor,	Toomey,
Clevenger,	Jennings,	O'Dare,	Turner,
Cochran,	Johnson,	O'Donnell,	Upshur,
Cole,	Johnston,	O'Neill,	Vaughan,
Cook,	Jones,	Orban,	Verona,
Cooper,	Jump,	Patten,	Wachhaus,
Cordier,	Kean,	Petrosky,	Wagner,
Costa,	Kelley,	Pichney,	Waldron,
Crowley,	Kemp,	Pickens,	Wallin,
Dague,	Kent,	Polaski,	Walton,
Dalrymple,	Kirley,	Price,	Waterhouse,
Davison,	Kline,	Propert,	Watkins,
De Long,	Kohl,	Ragot,	Watson,
Demech,	Kratz,	Readinger,	Weidner,
Dennison,	Krise,	Reagan,	Weiss,
Depuy,	Kurtz,	Reese, D. P.,	Wescott,
Dix,	Laughner,	Reese, R. E.,	West,
Dye,	Layer,	Reilly, J. M.,	Wheeler,
Efenberg,	Lee,	Reilly, W. J.,	Wolf,
Elder,	Leisey,	Richter,	Wood,
Erb,	Livingston,	Riley,	Worley,
Evans,	Livingstone,	Robbins,	Yeakel,
Ewing,	Loftus,	Robertson,	Yester,
Feola,	Lovett,	Root,	Yetzer,
Fish,	Lyons,	Rose,	Young,
Fiss,	Madden,	Rowen,	Lichtenwalter,
Flack,	Madigan,	Royer,	Speaker.
Fleming,	Mazza,	Sarraf,	

NAYS—0

NOT VOTING—7

Graybill,	Miller,	Shoemaker,	Trout,
Hall,	Powers,	Snider,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1286, as follows:

An Act validating certain conveyances of real property made by a county home or by the directors of the poor

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 All conveyances of real property made or entered into by any county home or by the directors of the poor in any county city borough township or poor district prior to the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2017) entitled "An act creating in each county (except of the first class) as a separate corporation and in each city of the first and second class as a part of the city government an institution district for the care and maintenance of certain indigent persons and children prescribing the powers and duties of county commissioners county treasurers city departments of public welfare the State Department of Welfare and the State Department of Public Assistance in respect thereto abolishing certain poor districts and terminating the terms of directors overseers guardians and managers of the poor and poor district auditors and providing for the temporary employment of certain of them providing for the transfer vesting sale and disposition of the property of poor districts and the payment of their obligations imposing certain existing obligations on institution districts and on the Commonwealth regulating the affairs of poor districts until abolished revising amending changing and consolidating the law relating to the care of the poor and repealing existing laws" are hereby ratified and confirmed whether or not such conveyances were approved by the court of common pleas as required by the provisions of the act approved the twenty-eighth day of April one thousand eight hundred eighty-seven (P. L. 75)

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—198

Aaronson,	Foor,	McCormack,	Sax,
Andrews,	Frost,	McCosker,	Scanlon,
Bane,	Gallagher,	McCullough,	Schuster,
Barrett,	Getchey,	McDonald,	Scott,
Baumunk,	Gibson,	McKinney,	Serrill,
Beech,	Goff,	McMillen,	Simons,
Bender,	Goodling,	Mihm,	Smith, C. C.,
Bentzel,	Gorman,	Mikula,	Smith, C. M.,
Bloom,	Greenwood,	Mills,	Sollenberger,
Boles,	Greer,	Mintess,	Sorg,
Bonawitz,	Griffiths,	Mohr,	Sproul,
Boorse,	Guthrie,	Mooney,	Stank,
Bower,	Gyger,	Moore, C. E.,	Stimmel,
Breisch,	Haller,	Moore, H. A.,	Stockham,
Brice,	Haudenshield,	Morrison,	Stonier,
Brown,	Helm,	Murray,	Stuart,
Brunner,	Henry,	Myers,	Swope,
Bucchin,	Hewitt,	Najaka,	Tahl,
Cadwalader,	Hocker,	Naumann,	Thomassy,
Capano,	Hoffman,	Needham,	Thompson,
Cassidy,	Hoopes,	Neff,	Tittle,
Chervenak,	Horan,	Nelson,	Tompkins,
Chudoff,	Imbt,	O'Connor,	Toomey,
Clevenger,	Jennings,	O'Dare,	Turner,
Cochran,	Johnson,	O'Donnell,	Upshur,
Cole,	Johnston,	O'Neill,	Vaughan,
Cook,	Jones,	Orban,	Verona,
Cooper,	Jump,	Patten,	Wachhaus,
Cordier,	Kean,	Petrosky,	Wagner,
Costa,	Kelley,	Pichney,	Waldron,
Crowley,	Kemp,	Pickens,	Wallin,
Dague,	Kent,	Polaski,	Walton,
Dalrymple,	Kirley,	Price,	Waterhouse,
Davison,	Kline,	Propert,	Watkins,
De Long,	Kohl,	Ragot,	Watson,
Demech,	Kratz,	Readinger,	Weidner,
Dennison,	Krise,	Reagan,	Weiss,
Depuy,	Kurtz,	Reese, D. P.,	Wescott,
Dix,	Laughner,	Reese, R. E.,	West,
Dye,	Layer,	Reilly, J. M.,	Wheeler,
Efenberg,	Lee,	Reilly, W. J.,	Wolf,
Elder,	Leisey,	Richter,	Wood,
Erb,	Livingston,	Riley,	Worley,
Evans,	Livingstone,	Robbins,	Yeakel,
Ewing,	Loftus,	Robertson	Yester,
Feola,	Lovett,	Root,	Yetzer,
Fish,	Lyons,	Rose,	Young,
Fiss,	Madden,	Rowen,	Lichtenwalter,
Flack,	Madigan,	Royer,	Speaker.
Fleming,	Mazza,	Sarraf,	

NAYS—0

NOT VOTING—7

Graybill,	Miller,	Shoemaker,	Trout,
Hall,	Powers,	Snider,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS PASSED OVER

There being no objection,

Senate Bill No. 1, Printer's No. 18,

Senate Bill No. 2, Printer's No. 62 and

Senate Bill No. 221. Printer's No. 49

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 255, as follows:

An Act to further amend the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" authorizing second class counties to acquire land for and erect operate and maintain thereon garbage disposal plants

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Article five of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" as last amended by the act approved the eleventh day of July one thousand nine hundred forty-one (P. L. 360) is hereby further amended by adding at the end thereof a new subdivision to read as follows

(m) Refuse Disposal

Section 497 Any county of the second class may acquire

by gift lease purchase or eminent domain real property within said county for the purpose of erecting thereon garbage disposal plants and shall have power to erect operate and maintain suitable buildings for garbage and incinerating furnaces In every case of taking private property by eminent domain the county shall acquire the entire title either in fee or otherwise held by the owner or owners of the property or of any interest therein

Section 497.1 The county commissioners of any county of the second class shall have the power to enter into agreements or contracts with any person corporation or political subdivision for the disopsal of garbage and refuse in such plants and to charge and receive fees for such service

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—196

Aaronson,	Foor,	McCormack,	Sarraf,
Andrews,	Frost,	McCosker,	Sax,
Bane,	Gallagher,	McCullough,	Scanlon,
Barrett,	Getchey,	McDonald,	Schuster,
Baumunk,	Gibson,	McKinney,	Scott,
Beech,	Goff,	McMillen,	Serrill,
Bender,	Goodling,	Mihm,	Simons,
Bentzel,	Gorman,	Mikula,	Smith, C. C.,
Bloom,	Greenwood,	Mills,	Smith, C. M.,
Boles,	Greer,	Mintess,	Sollenberger,
Bonawitz,	Griffiths,	Mohr,	Sorg,
Boorse,	Guthrie,	Mooney,	Sproul,
Bower,	Gyger,	Moore, C. E.,	Stank,
Breisch,	Haller,	Moore, H. A.,	Stimmel,
Brice,	Helm,	Morrison,	Stockham,
Brown,	Henry,	Murray,	Stonier,
Brunner,	Hewitt,	Myers,	Stuart,
Bucchin,	Hocker,	Najaka,	Swope,
Cadwalader,	Hoffman,	Naumann,	Tahl,
Capano,	Hoopes,	Needham,	Thomassy,
Cassidy,	Horan,	Neff,	Thompson,
Chervenak,	Imbt,	Nelson,	Tittle,
Chudoff,	Jennings,	O'Connor,	Tompkins,
Clevenger,	Johnson,	O'Dare,	Toomey,
Cochran,	Johnston,	O'Donnell,	Turner,
Cole,	Jones,	O'Neill,	Upshur,
Cook,	Jump,	Orban,	Vaughan,
Cooper,	Kean,	Patten,	Verona,
Cordier,	Kelley,	Petrosky,	Wachhaus,
Costa,	Kemp,	Pichney,	Wagner,
Crowley,	Kent,	Pickens,	Waldron,
Dague,	Kirley,	Polaski,	Wallin,
Dalrymple,	Kline,	Price,	Walton,
Davison,	Kohl,	Propert,	Waterhouse,
De Long,	Kratz,	Ragot,	Watkins,
Demech,	Krise,	Readinger,	Watson,
Dennison,	Kurtz,	Reagan,	Weidner,
Depuy,	Laughner,	Reese, D. P.,	Weiss,
Dix,	Layer,	Reese, R. E.,	Wescott,
Dye,	Lee,	Reilly, J. M.,	West,
Efenberg,	Leisey,	Reilly, W. J.,	Wheeler,
Elder,	Livingston,	Richter,	Wolf,
Erb,	Livingstone,	Riley,	Wood,
Evans,	Loftus,	Robbins,	Worley,
Feola,	Lovett,	Robertson,	Yeakel,
Fish,	Lyons,	Root,	Yester,
Fiss,	Madden,	Rose,	Yetzer,
Flack,	Madigan,	Rowen,	Young,
Fleming,	Mazza,	Royer,	Lichtenwalter, Speaker.

NAYS—2

Ewing, Haudenshield,

NOT VOTING—7

Graybill,	Miller,	Shoemaker,	Trout,
Hall,	Powers,	Snider,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

SENATE MESSAGES

RESOLUTION CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives, as follows:

In the House of Representatives, April 30, 1947.

Resolved (if the Senate concur), that House Bill No. 838, Printer's No. 214, entitled "An act to further amend the definition of 'Extension education' in section one of the act approved the second day of May one thousand nine hundred twenty-five (P. L. 492) entitled 'An act to provide for the equalization of educational opportunity and the encouragement of the study of citizenship by recognition of extension education for boys and girls who are employed and for adults as a function of the public schools of this Commonwealth and to facilitate the proper organization and administration of such extension education' including recreational or social service for youth and children within the meaning of the term 'extension education,'" be recalled from the Governor for the purpose of amendment.

AMENDED SENATE BILL CONCURRED IN BY SENATE

The Clerk of the Senate being introduced informed that the Senate has concurred in the amendments made by the House of Representatives to Senate Bill numbered and entitled as follows:

SENATE BILL No. 342.

An Act making an appropriation to the Senate and the House of Representatives to pay the expenses of their committees directed to visit State institutions under the supervision of the Department of Welfare

The Clerk of the Senate being introduced, presented extracts from the Journal of the Senate:

Senate Bills for concurrence 542 and 609.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

SENATE BILL No. 254.

An Act to amend the act, approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 289) entitled "An act relating to nonprofit corporations; defining and providing for the organization, merger, consolidation, and dissolution of such corporations; conferring certain rights, powers, duties, and immunities upon them and their officers and members; prescribing the conditions on which such corporations may exercise their powers; providing for the inclusion of certain existing corporations of the first class within the provisions of this act; prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth; conferring powers and imposing duties on the courts of common pleas, prothonotaries of such courts, recorders of deeds, and certain State departments, commissions, and officers; authorizing certain local public

officers and State departments to collect fees for services required to be rendered by this act; imposing penalties; and repealing certain acts and parts of acts relating to corporations." regulating the establishment and maintenance of common trust funds by nonprofit corporations.

SENATE BILL No. 362.

An Act to amend section two of the act approved the eleventh day of April, one thousand nine hundred forty-five (P. L. 203), entitled "An act to provide assistance for typhoid fever carriers, and persons having typhoid fever carriers in their households, and imposing certain responsibilities upon the Secretary of Health, the Secretary of Public Assistance, and the Secretary of Welfare in connection therewith," by fixing the date on which financial assistance shall begin.

SENATE BILL No. 369.

An Act to authorize railroad corporations incorporated in this Commonwealth or elsewhere as appointed by a majority of the directors

SENATE BILL No. 475.

An Act to further amend section two of the act, approved the tenth day of July, one thousand nine hundred thirty-five (P. L. 645), entitled "An act imposing certain requirements on certain hospitals receiving State aid; authorizing the withholding of appropriations; and imposing duties on the Department of Welfare," extending temporary wartime provisions.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

SECOND READING BILL NOT ON FILE

Mr. WORLEY. Mr. Speaker, I would like to inquire of the Chair what bills on the second reading calendar today are not in print.

The SPEAKER. The Chair is informed that House Bill No. 771, on page 20 of today's calendar is the only bill that is not in print and on the Member's desks.

Mr. WORLEY. Mr. Speaker, may I inquire of the Chair why that is the only bill that is not in print?

The SPEAKER. The Chair certainly cannot inform the gentleman. The Chair might say, of course, that it looks like the Printer did not print it. The Chair does not know the reason, but might suggest to the gentleman that the Printer is probably working on standard time.

Mr. WORLEY. Mr. Speaker, he seems to have been working on daylight saving time on all the rest.

The SPEAKER. The Chair understands that the machine that does the printing of these bills has broken down, and that is the reason why this bill is not in print and on the Members' desks.

Mr. WORLEY. Mr. Speaker, is there anyone from Philadelphia employed in operating this machine?

The SPEAKER. The Chair does not have that information. Is the gentleman referring to Members?

Mr. WORLEY. Any employe from the city of Philadelphia, Mr. Speaker.

The SPEAKER. The Chair is now somewhat "confused," like the gentleman from Westmoreland, Mr. Lovett. First of all the gentleman inquired whether anyone was employed from Philadelphia. Secondly, Ben Franklin, being the able printer that he was from Philadelphia, the Chair feels quite confident that any one of the Philadelphia Members could go out and operate the machine.

Mr. WORLEY. You mean, Mr. Speaker, provided that it did not break down.

The SPEAKER. The answer is, yes.

SENATE MESSAGES

AMENDED HOUSE BILLS RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 7.

An Act to amend sections one and four of the act approved the twenty-eighth day of May, one thousand nine hundred forty-three (P. L. 793), entitled "An act authorizing counties of the second class to regulate the production of smoke from chimneys, smokestacks or other source, including provisions for the payment of inspection and certificates of compliance fees incident thereto; authorizing the expenditure of money for the employment of persons, and the acquisition of property for effectuating such regulations; and providing penalties for the violation thereof," removing exemption regarding railroad locomotives and changing the effective date

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend page 3, line 9, by inserting after the word "amendments" the following: "Section 2 If any provisions of this act or the application thereof to any person or circumstances is held invalid the remainder of this act and the application of such provision to other persons or circumstances shall not be affected thereby and to this end the provisions of this act are declared to be severable."

Amend page 3, line 17, by striking out after the word "Section" the figure "2" and inserting in lieu thereof the figure "3".

On the question,

Will the House concur in the amendments made by the Senate?

Mr. FLEMING. Mr. Speaker, I request that the House concur in the amendments inserted by the Senate.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—198

Aaronson,	Foor,	McCormack,	Sax,
Andrews,	Frost,	McCosker,	Scanlon,
Bane,	Gallagher,	McCullough,	Schuster,
Barrett,	Getchey,	McDonald,	Scott,
Baumunk,	Gibson,	McKinney,	Serrill,
Beech,	Goff,	McMillen,	Simor
Bender,	Goodling,	Mihm,	Smith, C. C.,
Bentzel,	Gorman,	Mikula,	Smith, C. M.,
Bloom,	Greenwood,	Mills,	Sollenberger,
Boies,	Greer,	Mintess,	Sorg,
Bonawitz,	Griffiths,	Mohr,	Sproul,
Boorse,	Guthrie,	Mooney,	Stank,
Bower,	Gyger,	Moore, C. E.,	Stimmel,
Breisch,	Haller,	Moore, H. A.,	Stockham.

Brice,	Haudenshield,	Morrison,	Stonier,
Brown,	Helm,	Murray,	Stuart,
Brunner,	Henry,	Myers,	Swope,
Bucchin,	Hewitt,	Najaka,	Tahl,
Cadwalader,	Hocker,	Naumann,	Thomassy,
Capano,	Hoffman,	Needham,	Thompson,
Cassidy,	Hoopes,	Neff,	Tittle,
Chervenak,	Horan,	Nelson,	Tompkins,
Chudoff,	Imbt,	O'Connor,	Toomey,
Clevenger,	Jennings,	O'Dare,	Turner,
Cochran,	Johnson,	O'Donnell,	Upshur,
Cole,	Johnston,	O'Neill,	Vaughan,
Cook,	Jones,	Orban,	Verona,
Cooper,	Jump,	Patten,	Wachhaus,
Cordier,	Kean,	Petrosky,	Wagner,
Costa,	Kelley,	Pichney,	Waldron,
Crowley,	Kemp,	Pickens,	Wallin,
Dague,	Kent,	Polaski,	Walton,
Dalrymple,	Kirley,	Price,	Waterhouse,
Davison,	Kline,	Propert,	Watkins,
De Long,	Kohl,	Ragot,	Watson,
Demech,	Kratz,	Readinger,	Weidner,
Dennison,	Krise,	Reagan,	Weiss,
Depuy,	Kurtz,	Reese, D. P.,	Wescott,
Dix,	Laughner,	Reese, R. E.,	West,
Dye,	Layer,	Reilly, J. M.,	Wheeler,
Efenberg,	Lee,	Reilly, W. J.,	Wolf,
Elder,	Leisey,	Richter,	Wood,
Erb,	Livingston,	Riley,	Worley,
Evans,	Livingstone,	Robbins,	Yeakel,
Ewing,	Loftus,	Robertson,	Yester,
Feola,	Lovett,	Root,	Yetzer,
Fish,	Lyons,	Rose,	Young,
Fiss,	Madden,	Rowen,	Lichtenwalter,
Flack,	Madigan,	Royer,	Speaker.
Fleming,	Mazza,	Sarraf,	

NAYS—0

NOT VOTING—7

Graybill,	Miller,	Shoemaker,	Trout,
Hall,	Powers,	Snider,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 390.

An Act to amend section nine hundred six of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" authorizing the granting of the right to maintain radio stations radio towers facilities for skiing roadside rests and devices for flood control and recreational uses on land acquired for the use of the Pennsylvania Game Commission

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend the title, page 1, lines 5 and 6 by striking out after the word "of" the words "railroad rights of way and"; page 1 line 6 by striking out after the word "stations" the word "or"; line 7 by inserting after the word "towers" the following: "facilities for skiing roadside rests and devices for flood control and recreational uses.

Amend Section 1, page 3, line 16, by striking out after the word "roads" the word "railroads"; page 4, line 4 by striking out after the heavy bracket the words "or radio stations or radio towers, and inserting in lieu thereof the words "any or all of the following rights"; and by inserting after line 9 the following:

(1) Water rights

(2) Rights to maintain airway beacon lights

(3) Rights to maintain forest fire observation towers

(4) Rights to maintain radio stations and radio towers solely for national defense law enforcement or flood forecasting purposes

(5) Rights to maintain ski runs or trails and essential towing equipment but excluding rest houses restaurants or hotels

(6) Rights to the Department of Highways to establish and maintain roadside rests

(7) Rights to any State or Federal agency to construct maintain and operate water impounds or flowage for flood control or recreational use".

On the question,

Will the House concur in the amendments made by the Senate?

Mr. FLEMING. Mr. Speaker, I request that the House concur in the amendments inserted by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—198

Aaronson,	Foor,	McCormack,	Sax,
Andrews,	Frost,	McCosker,	Scanlon,
Bane,	Gallagher,	McDonald,	Schuster,
Barrett,	Getchey,	McCullough,	Scott,
Baumunk,	Gibson,	McKinney,	Serrill,
Beech,	Goff,	McMillen,	Simons,
Bender,	Goodling,	Mihm,	Smith, C. C.,
Bentzel,	Gorman,	Mikula,	Smith, C. M.,
Bloom,	Greenwood,	Mills,	Sollenberger,
Boies,	Greer,	Mintess,	Sorg,
Bonawitz,	Griffiths,	Mohr,	Sproul,
Boorse,	Guthrie,	Mooney,	Stank,
Bower,	Gyger,	Moore, C. E.,	Stimmel,
Breisch,	Haller,	Moore, H. A.,	Stockham,
Brice,	Haudenshield,	Morrison,	Stonier,
Brown,	Helm,	Murray,	Stuart,
Brunner,	Henry,	Myers,	Swope,
Bucchin,	Hewitt,	Najaka,	Tahl,
Cadwalader,	Hocker,	Naumann,	Thomassy,
Capano,	Hoffman,	Needham,	Thompson,
Cassidy,	Hoopes,	Neff,	Tittle,
Chervenak,	Horan,	Nelson,	Tompkins,
Chudoff,	Imbt,	O'Connor,	Toomey,
Clevenger,	Jennings,	O'Dare,	Turner,
Cochran,	Johnson,	O'Donnell,	Upshur,
Cole,	Johnston,	O'Neill,	Vaughan,
Cook,	Jones,	Orban,	Verona,
Cooper,	Jump,	Patten,	Wachhaus,
Cordier,	Kean,	Petrosky,	Wagner,
Costa,	Kelley,	Pichney,	Waldron,
Crowley,	Kemp,	Pickens,	Wallin,
Dague,	Kent,	Polaski,	Walton,
Dalrymple,	Kirley,	Price,	Waterhouse,
Davison,	Kline,	Propert,	Watkins,
De Long,	Kohl,	Ragot,	Watson,
Demech,	Kratz,	Readinger,	Weidner,
Dennison,	Krise,	Reagan,	Weiss,
Depuy,	Kurtz,	Reese, D. P.,	West,
Dix,	Laughner,	Reese, R. E.,	Wescott,
Dye,	Layer,	Reilly, J. M.,	Wheeler,
Efenberg,	Lee,	Reilly, W. J.,	Wolf,
Elder,	Leisey,	Richter,	Wood,
Erb,	Livingston,	Riley,	Worley,
Evans,	Livingstone,	Robbins,	Yeakel,
Ewing,	Loftus,	Robertson,	Yester,
Feola,	Lovett,	Root,	Yetzer,
Fish,	Lyons,	Rose,	Young,
Fiss,	Madden,	Rowen,	Lichtenwalter,
Flack,	Madigan,	Royer,	Speaker.
Fleming,	Mazza,	Sarraf,	

NAYS—0

NOT VOTING—7

Graybill,	Miller,	Shoemaker,	Trout,
Hall,	Powers,	Snider,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 772.

An Act to further amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for an reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing, or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by changing the name of the Thaddeus Stevens Industrial School.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend section 1, page 4, line 13, by striking out the words "Stevens Trade School" and inserting in lieu thereof the words "Thaddeus Stevens Trade School".

Amend section 2, page 7, line 3, by striking out the words "Stevens Trade School" and inserting in lieu thereof the words "Thaddeus Stevens Trade School"; page 10, line 20, by striking out the words "Stevens Trade School" and inserting in lieu thereof the words "Thaddeus Stevens Trade School".

Amend section 3, page 12, line 7, by inserting after the first word "School)" the word "Thaddeus".

On the question,

Will the House concur in the amendments made by the Senate?

Mr. DAVID P. REESE. Mr. Speaker, I request that the House concur in the amendments inserted by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—198

Aaronson,	Foor,	McCormack,	Sax,
Andrews,	Frost,	McCosker,	Scanlon,
Bane,	Gallagher,	McCullough,	Schuster,
Barrett,	Getchey,	McDonald,	Scott,
Baumunk,	Gibson,	McKinney,	Serrill,
Beech,	Goff,	McMillen,	Simons,
Bender,	Goodling,	Mihm,	Smith, C. C.,
Bentzel,	Gorman,	Mikula,	Smith, C. M.,
Boies,	Greenwood,	Mills,	Sollenberger,
Bloom,	Greer,	Mintess,	Sorg,
Bonawitz,	Griffiths,	Mohr,	Sproul,
Boorse,	Guthrie,	Mooney,	Stank,
Bower,	Gyger,	Moore, C. E.,	Stimmel,
Breisch,	Haller,	Moore, H. A.,	Stockham,
Brice,	Haudenshield,	Morrison,	Stonier,
Brown,	Helm,	Murray,	Stuart,
Brunner,	Henry,	Myers,	Swope,
Bucchin,	Hewitt,	Najaka,	Tahl,
Cadwalader,	Hocker,	Naumann,	Tittle,
Capano,	Hoffman,	Needham,	Thomassy,
Cassidy,	Hoopes,	Neff,	Thompson,
Chervenak,	Horan,	Nelson,	Tompkins,
Chudoff,	Imbt,	O'Connor,	Toomey,
Clevenger,	Jennings,	O'Dare,	Turner,
Cochran,	Johnson,	O'Donnell,	Upshur,
Cole,	Johnston,	O'Neill,	Vaughan,
Cook,	Jones,	Orban,	Verona,
Cooper,	Jump,	Patten,	Wachhaus,
Cordier,	Kean,	Petrosky,	Wagner,
Costa,	Kelley,	Pichney,	Waldron,
Crowley,	Kemp,	Pickens,	Wallin,
Dague,	Kent,	Polaski,	Walton,
Dalrymple,	Kirley,	Price,	Waterhouse,
Davison,	Kline,	Propert,	Watkins,
Dennison,	Kohl,	Ragot,	Watson,
De Long,	Kratz,	Readinger,	Weidner,
Demech,	Krise,	Reagan,	Weiss,
Depuy,	Kurtz,	Reese, D. P.,	West,
Dix,	Laughner,	Reese, R. E.,	Wescott,
Dye,	Layer,	Reilly, J. M.,	Wheeler,
Efenberg,	Lee,	Reilly, W. J.,	Wolf,
Elder,	Leisey,	Richter,	Wood,
Erb,	Livingston,	Riley,	Worley,
Evans,	Livingstone,	Robbins,	Yeakel,
Ewing,	Loftus,	Robertson,	Yester,
Feola,	Lovett,	Root,	Yetzer,
Fish,	Lyons,	Rose,	Young,
Fiss,	Madden,	Rowen,	Lichtenwalter,
Flack,	Madigan,	Royer,	Speaker.
Fleming,	Mazza,	Sarraf,	

NAYS—0

NOT VOTING—7

Graybill,	Miller,	Shoemaker,	Trout,
Hall,	Powers,	Snider,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 863.

An Act to further amend section three of the act approved the thirteenth day of May, one thousand nine hundred twenty-seven (P. L. 988), entitled "An act providing for and regulating the State registration of nurses and licensed attendants, the annual recording of registration certificates; and regulating the profession of nursing; and repealing certain existing laws," further providing for emergency registration of nurses.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend section 1, page 4, line 6, by striking out the word "eight" and inserting in lieu thereof the word "nine".

On the question,

Will the House concur in the amendments made by the Senate?

Mrs. McCOSKER. Mr. Speaker, I request that the House concur in the amendments inserted by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—198

Aaronson,	Foor,	McCormack,	Sax,
Andrews,	Frost,	McCosker,	Scanlon,
Bane,	Gallagher,	McCullough,	Schuster,
Barrett,	Getchey,	McDonald,	Scott,
Baumunk,	Gibson,	McKinney,	Serrill,
Beech,	Goff,	McMillen,	Simons,
Bender,	Goodling,	Mihm,	Smith, C. C.,
Bentzel,	Gorman,	Mikula,	Smith, C. M.,
Boies,	Greenwood,	Mills,	Sollenberger,
Bloom,	Greer,	Mintess,	Sorg,
Bonawitz,	Griffiths,	Mohr,	Sproul,
Boorse,	Guthrie,	Mooney,	Stank,
Bower,	Gyger,	Moore, C. E.,	Stimmel,
Breisch,	Haller,	Moore, H. A.,	Stockham,
Brice,	Haudenshield,	Morrison,	Stonier,
Bucchin,	Helm,	Murray,	Stuart,
Brown,	Henry,	Myers,	Swope,
Brunner,	Hewitt,	Najaka,	Tahl,
Cadwalader,	Hocker,	Naumann,	Thomassy,
Capano,	Hoffman,	Needham,	Thompson,
Cassidy,	Hoopes,	Neff,	Tittle,
Chervenak,	Horan,	Nelson,	Tompkins,
Chudoff,	Imbt,	O'Connor,	Toomey,
Clevenger,	Jennings,	O'Dare,	Turner,
Cochran,	Johnson,	O'Donnell,	Upshur,
Cole,	Johnston,	O'Neill,	Vaughan,
Cook,	Jones,	Orban,	Verona,
Cooper,	Jump,	Patten,	Wachhaus,
Cordier,	Kean,	Petrosky,	Wagner,
Costa,	Kelley,	Pichney,	Waldron,
Crowley,	Kemp,	Pickens,	Wallin,
Dague,	Kent,	Polaski,	Walton,
Dalrymple,	Kirley,	Price,	Waterhouse,
Davison,	Kline,	Propert,	Watkins,
De Long,	Kohl,	Ragot,	Watson,
Demech,	Kratz,	Readinger,	Weidner,
Dennison,	Krise,	Reagan,	Weiss,
Depuy,	Kurtz,	Reese, D. P.,	West,
Dix,	Laughner,	Reese, R. E.,	Wescott,
Dye,	Layer,	Reilly, J. M.,	Wheeler,
Effenberg,	Lee,	Reilly, W. J.,	Wolf,
Elder,	Leisey,	Richter,	Wood,
Erb,	Livingston,	Riley,	Worley,
Evans,	Livingstone,	Robbins,	Yeakel,
Ewing,	Loftus,	Robertson,	Yester,
Feola,	Lovett,	Root,	Yetzer,
Fish,	Lyons,	Rose,	Young,
Fiss,	Madden,	Rowen,	Lichtenwalter,
Flack,	Madigan,	Royer,	Speaker.
Fleming,	Mazza,	Sarraf,	

NAYS—0

NOT VOTING—7

Graybill,	Miller,	Shoemaker,	Trout,
Hall,	Powers,	Snider,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE ADOPTS CONFERENCE COMMITTEE REPORT ON SENATE BILL No. 104

The Clerk of the Senate being introduced, informed that the Senate has adopted the report of the Committee of Conference on the subject of the difference existing between the two Houses on Senate Bill numbered and entitled as follows:

SENATE BILL No. 104.

An Act to amend section three of the act approved the fifteenth day of May one thousand nine hundred forty-five (P. L. 526) entitled "An act relating to the use of trailing cables on portable electric machinery in coal mines providing for the health and safety of persons employed therein and for the protection and preservation of property connected therewith and for the inspection of such equipment by the Department of Mines" providing for additional grant of time within which to conform to the requirements thereof and validating actions of the Secretary of Mines and the Department of Mines

REPORT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 104

Mr. HEWITT. Mr. Speaker, I call up the report of the Committee of Conference on Senate Bill No. 104.

The report was read by the Clerk as follows:

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering Senate Bill No. 104, entitled: "An act to amend section three of the act approved the fifteenth day of May, one thousand nine hundred forty-five (P. L. 526), entitled 'An act relating to the use of training cables on portable electric machinery in coal mines; providing for the health and safety of persons employed therein, and for the protection and preservation of property connected therewith, and for the inspection of such equipment by the Department of Mines,' providing for additional grant of time within which to conform to the requirements thereof, and validating actions of the Secretary of Mines and the Department of Mines."

Respectfully submit the following bill as our report:

A. H. LETZLER,
ROWLAND B. MAHANY,
BURTON E. TARR,
(Committee on the Part of the Senate.)

CHAS. L. ROBERTSON,
HARRY P. O'NEILL,
(Committee on the Part of the House of Representatives.)

An Act to amend section three of the act approved the fifteenth day of May one thousand nine hundred forty-five (P. L. 526) entitled "An act relating to the use of trailing cables on portable electric machinery in coal mines providing for the health and safety of persons employed therein and for the protection and preservation of property connected therewith and for the inspection of such equipment by the Department of Mines" providing for additional grant of time within which to conform to the requirements thereof and validating actions of the Secretary of Mines and the Department of Mines

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section three of the act approved the fifteenth day of May one thousand nine hundred forty-five (P. L. 526) entitled "An act relating to the use of trailing cables on portable electric machinery in coal mines providing for the health and safety of persons employed therein and for the protection and preservation of property connected therewith and for the inspection of such equipment by the Department of Mines" is hereby amended to read as follows

Section 3 This act shall become effective one year following its final passage and its provisions shall be enforced by the Department of Mines provided however on written request from an operator the time may be extended by the Secretary of Mines for a period of not more than six (6) months Provided further That any operator who may at the time of passage of this act have

in use a trailing cable which does not meet the specifications required by this act may continue to use such cable until replacement is necessary or until the department shall order a cable replaced but in no event later than the first day of April one thousand nine hundred forty-nine In either such case the new cable shall meet the specifications fixed by this act The action of the Department of Mines in permitting the continued use of trailing cables not conforming to this act as originally enacted because flame resisting trailing cables were not available in sufficient number to replace existing cables is hereby ratified confirmed and validated

Section 2 The provisions of this act shall become effective immediately upon final enactment

On the question,

Will the House adopt the report of the Committee of Conference?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—198

Aaronson,	Foor,	McCormack,	Sax,
Andrews,	Frost,	McCosker,	Scanlon,
Bane,	Gallagher,	McCullough,	Schuster,
Barrett,	Getchey,	McDonald,	Scott,
Baumunk,	Gibson,	McKinney,	Serrill,
Beech,	Goff,	McMillen,	Simons,
Bender,	Goodling,	Mihm,	Smith, C. C.,
Bentzel,	Gorman,	Mikula,	Smith, C. M.,
Bloom,	Greenwood,	Mills,	Sollenberger,
Boies,	Greer,	Mintess,	Sorg,
Bonawitz,	Griffiths,	Mohr,	Sproul,
Boorse,	Guthrie,	Mooney,	Stank,
Bower,	Gyger,	Moore, C. E.,	Stimmel,
Breisch,	Haller,	Moore, H. A.,	Stockham,
Brice,	Haudenshield,	Morrison,	Stonier,
Brown,	Helm,	Murray,	Stuart,
Brunner,	Henry,	Myers,	Swope,
Bucchin,	Hewitt,	Najaka,	Tahl,
Cadwalader,	Hocker,	Naumann,	Thomassy,
Capano,	Hoffman,	Needham,	Thompson,
Cassidy,	Hoopes,	Neff,	Tittle,
Chervenak,	Horan,	Nelson,	Tompkins,
Chudoff,	Imbt,	O'Connor,	Toomey,
Clevenger,	Jennings,	O'Dare,	Turner,
Cochran,	Johnson,	O'Donnell,	Upshur,
Cole,	Johnston,	O'Neill,	Vaughan,
Cook,	Jones,	Orban,	Verona,
Cooper,	Jump,	Patten,	Wachhaus,
Cordier,	Kean,	Petrosky,	Wagner,
Costa,	Kelley,	Pichney,	Waldron,
Crowley,	Kemp,	Pickens,	Wallin,
Dague,	Kent,	Polaski,	Walton,
Dalrymple,	Kirley,	Price,	Waterhouse,
Davison,	Kline,	Propert,	Watkins,
De Long,	Kohl,	Ragot,	Watson,
Demech,	Kratz,	Readinger,	Weidner,
Dennison,	Krise,	Reagan,	Weiss,
Depuy,	Kurtz,	Reese, D. P.,	West,
Dix,	Laughner,	Reese, R. E.,	Wescott,
Dye,	Layer,	Reilly, J. M.,	Wheeler,
Efenberg,	Lee,	Reilly, W. J.,	Wolf,
Elder,	Leisey,	Richter,	Wood,
Erb,	Livingston,	Riley,	Worley,
Evans,	Livingstone,	Robbins,	Yeakel,
Ewing,	Loftus,	Robertson,	Yester,
Feola,	Lovett,	Root,	Yetzer,
Fish,	Lyons,	Rose,	Young,
Fiss,	Madden,	Rowen,	Lichtenwalter,
Flack,	Madigan,	Royer,	Speaker.
Fleming,	Mazza,	Sarraf,	

NAYS—0

NOT VOTING—7

Graybill,	Miller,	Shoemaker,	Trout,
Hall,	Powers,	Snider,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the report of the Committee of Conference was adopted.

Ordered, That the Clerk inform the Senate accordingly.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 7.

An Act to amend sections one and four of the act approved the twenty-eighth day of May one thousand nine hundred forty-three (P. L. 793) entitled "An act authorizing counties of the second class to regulate the production of smoke from chimneys smokestacks or other source including provisions for the payment of inspection and certificates of compliance fees incident thereto authorizing the expenditure of money for the employment of persons and the acquisition of property for effectuating such regulations and providing penalties for the violation thereof" removing exemption regarding railroad locomotives and changing the effective date

HOUSE BILL No. 390.

An Act to amend section nine hundred six of the act approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," authorizing the granting of the rights to maintain radio stations radio towers facilities for skiing roadside rests and devices for flood control and recreational uses on lands acquired for the use of the Pennsylvania Game Commission.

HOUSE BILL No. 772.

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by changing the name of the Thaddeus Stevens Industrial School

HOUSE BILL No. 863.

An Act to further amend section three of the act approved the thirteenth day of May one thousand nine hundred twenty-seven (P. L. 988) entitled "An act providing for and regulating the State registration of nurses and licensed attendants the annual recording of registration certificates and regulating the profession of nursing and repealing certain existing laws" further providing for emergency registration of nurses.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

CLASS OF LAKEMONT TOWNSHIP HIGH SCHOOL WELCOMED

The SPEAKER. The Chair is very happy to welcome to the session this afternoon the eighth grade class of the Lakemont Township school in charge of Mrs. Jean Keith. They are the guests of the gentlemen from Blair, Messrs. Sollenberger and Erb.

REPORT FROM COMMITTEE

Mr. KENT from the Committee on Liquor Control, reported as amended, House Bill No. 1170, entitled:

An Act relating to alcoholic liquors, alcohol and malt and brewed beverages; amending, revising, consolidating and changing the laws relating thereto; regulating and restricting the manufacture, purchase, sale, possession, consumption, importation, transportation, furnishing, holding in bond, holding in storage, traffic in and use of alcoholic liquors, alcohol and malt and brewed beverages, and the persons engaged or employed theren; defining the powers and duties of the Pennsylvania Liquor Control Board; providing for the establishment and operation of State liquor stores, for the payment of certain license fees to the respective municipalities and townships; for the abatement of certain nuisances, and in certain cases for search and seizure without warrant; prescribing penalties and forefeitures; and repealing existing laws.

ADJOURNMENT

Mr. CLEVENGER. Mr. Speaker, I move that this House do now adjourn until Monday, May 5, 1947 at 3:30 Eastern Standard Time.

The motion was agreed to, and (at 11:17 a. m. E. S. T.,) the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1947. 137th of the General Assembly.

Vol. 30. HARRISBURG, PA., MONDAY, MAY 5, 1947. No. 50.

SENATE

MONDAY, May 5, 1947

The Senate met at 3:00 o'clock, p. m., Eastern Standard Time.

The PRESIDENT (Lieutenant-Governor Daniel B. Strickler) in the Chair.

PRAYER

The Chaplain, Rev. W. MURRAY YOUNG, offered the following prayer:

Holy Father, make the Shekinah of our inmost souls to be vocal and visible; may we inhale the pure incense offered upon the altar of our sincere devotion within the sacred porch where the memorable signs of true worship are ever in evidence.

Usher us into the Holy of Holies and enable us to exclaim in the language of the Psalmist—O give thanks unto the Lord, for He is good, for His mercy endureth forever. Give thanks unto Him who made the great light; the sun to rule by day, the moon and stars to rule by night. To Him who smote Egypt, and brought out Israel from among them. To Him who divided the Red Sea into parts and made Israel to pass through the midst of it. O give thanks to the God of Heaven, for His mercy endureth forever!

Be pleased, O God, to prepare the hearts and minds of these gentlemen of the Senate, who represent and serve the people of this Commonwealth. Enable them to think through the many problems which confront them in these momentous days. May the days that lie immediately ahead be filled with fruitful effort and wise decisions. Continue to bless our State and Nation, to the end that they may contribute to the peace and brotherhood of the world. In Thy Holy Name, we pray. Amen!

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when on motion of Mr. TALLMAN and Mr. WAGNER, further reading was dispensed with, and the Journal was approved.

COMMUNICATIONS FROM THE GOVERNOR

The Secretary to the Governor being introduced presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows;

APPROVED AND SIGNED SENATE BILL No. 360, PRINTER'S No. 169

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 1, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 360, Printer's No. 169, entitled "An Act authorizing the Department of Property and Supplies with the approval of the Governor to convey to the Borough of Bristol certain real property located in said Borough."

JAMES H. DUFF.

APPROVED AND SIGNED SENATE BILL No. 38, PRINTER'S No. 145

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 1, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 38, Printer's No. 145, entitled "An Act to further amend sections one and two of the act approved the thirty-first day of May one thousand eight hundred and ninety-three (P. L. 188) entitled 'An act designating the days and half days to be observed as legal holidays and for the payment acceptance and protesting of bills notes drafts checks and other negotiable paper on such days' by making Saturdays bank holidays under certain conditions and repealing inconsistent laws."

JAMES H. DUFF.

APPROVED AND SIGNED SENATE BILL No. 244, PRINTER'S No. 51

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 2, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 244, Printer's No. 51, entitled "An Act providing for the establishment of temporary college centers in cooperation with certain accredited colleges and universities to meet certain educational needs of veterans and others creating the Area College Center Commission a temporary departmental administrative commission in the Department of Public Instruction and defining its powers and duties providing for the creation of certain local committees and defining their powers and duties and making certain appropriations."

JAMES H. DUFF.

APPROVED AND SIGNED SENATE BILL No. 245, PRINTER'S No. 52

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 2, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 245, Printer's No. 52, entitled "An Act making certain appropriations to the Department of Public Instruction for the payment of the cost of conducting certain college courses and classes for the fiscal biennium ending May thirty-first one thousand nine hundred forty-seven."

JAMES H. DUFF.

NOMINATIONS BY THE GOVERNOR

NOTARIES PUBLIC

He also presented in writing from His Excellency, the Governor of the Commonwealth, nominations for appointment as Notaries Public.

CONSIDERATION OF NOTARIES PUBLIC

Mr. KEPHART. Mr. President, I move that the Senate do now proceed to the consideration of nominations for appointment as Notaries Public, sent to the Senate, by His Excellency, the Governor of the Commonwealth, on May 5 and also May 1, 1947.

Mr. BLASS. Mr. President, I second the motion.

The motion was agreed to.

The nominations were read as follows:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 5, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the dates set opposite their names:

ALLEGHENY COUNTY

Raymond J. Blair, Pittsburgh, 605 Park Bldg., confirmation.
O. E. Romig, Pittsburgh, 210 Semple St., confirmation.
Owen B. Yeckley, Sewickley, confirmation.

BERKS COUNTY

Miss Barbara Hill, Reading, confirmation.

BLAIR COUNTY

Miss Anna Louise Stoltz, Altoona, confirmation.

BUCKS COUNTY

Miss Marguerite B. Dimmig, Springfield Twp., Springown, confirmation.

CAMBRIA COUNTY

Miss Freda B. Oswald, East Conemaugh, confirmation.
Miss Pauline Sager, Johnstown, confirmation.

CUMBERLAND COUNTY

Elmer E. Zinn, Shippensburg, confirmation.

DAUPHIN COUNTY

Wm. H. Colver, Jr., Steelton, confirmation.

DELAWARE COUNTY

Mrs. Theresa C. Marvel, Chester, confirmation.

INDIANA COUNTY

Irvin J. Shick, Blairsville, confirmation.

LEBANON COUNTY

Frederick J. Wilhelm, Bethel Twp., Fredericksburg, confirmation

LEHIGH COUNTY

Richard L. Cutshall, Allentown, confirmation.

LUZERNE COUNTY

Earl W. Gardner, Wilkes-Barre, confirmation.

MONTGOMERY COUNTY

J. Baird Caldwell, Narberth, confirmation.
C. G. Sproule Jr., Lower Merion Twp., Bala-Cynwyd, confirmation.

NORTHAMPTON COUNTY

Mrs. Edna K. Ritter, Pen Argyl, confirmation.

NORTHUMBERLAND COUNTY

David J. Pizzoli, Mt. Carmel Twp., Atlas, confirmation.
Mrs, Naomi S. Whary, Shamokin, confirmation.

PHILADELPHIA COUNTY

Miss Sophie Adaman, Phila., 1211 Chestnut St., confirmation.
Mrs. Mary Clay, Phila., Suite 11-12, 908 Walnut St., confirmation.
Otto L. Draeger, Phila., 525 W. Clearfield St., confirmation.
Mrs Madeline C. Hild, Phila., 5043 Frankford Ave., confirmation.
Ralph Jacoby, Phila., 6109 Locust St., confirmation.
Miss Valli B. Kligerman, Phila., 4733 Chestnut St., confirmation.
George Ovington, Jr., Phila., 818 Real Estate Trust Bldg., confirmation.
Arthur R. Pasquarella, Phila., 2938 N. Germantown Ave., confirmation.
Mrs. Helen E. Skinner, Phila., 48th and Ludlow Sts., (39), confirmation.

TIOGA COUNTY

Mrs Evalyn C. Smith, Mansfield, confirmation.

WASHINGTON COUNTY

Miss Fay Null, Washington, confirmation.

PHILADELPHIA COUNTY

Miss Mary Grubb, Phila., 113 W. Dauphin St., May 7, 1947.

JAMES H. DUFF.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 1, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation.

ALLEGHENY COUNTY

Mrs. Virginia H. Rempert, Pittsburgh, 6th Floor, Peoples. First National Bank Bldg.
A. O. Ross, Pittsburgh, 901 Liberty Ave.
Miss Annette M. Smith, Pittsburgh, 632 Duquesne Way.

BLAIR COUNTY

Mitchell MacCartney, Altoona.

ELK COUNTY

Francis E. Simons, St. Marys.

FAYETTE COUNTY

Edward Hay, Uniontown.

JEFFERSON COUNTY

Mrs. Frances E. DeMotte, Brookville.

LACKAWANNA COUNTY

Miss Madeline Hibye, Scranton.

LYCOMING COUNTY

Mrs. Marie Roller, Williamsport.

PHILADELPHIA COUNTY

Mrs. M. A. Brady, Phila., 427 Beury Bldg.

VENANGO COUNTY

Vernon L. Collins, Oil City.

WESTMORELAND COUNTY

Richard A. Pennington, Vandergrift.

JAMES H. DUFF.

NOMINATIONS FOR NOTARIES PUBLIC

A motion was made by Mr. KEPHART and Mr. BLASS,

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution and were as follows, viz:

YEAS—48

Becker,	Frazier,	Lord,	Tarr,
Berger,	Geltz,	Mahany,	Taylor,
Blass,	Haluska,	Mallery,	Tyler,
Carr,	Hare,	Margie,	Wade,
Chapman,	Heyburn,	Rahauser,	Wagner,
Crider,	Holland,	Rosenfeld,	Walker,
Crowe,	Homsher,	Ruth,	Watson,
Dent,	Jaspan,	Scarlett,	Wilson,
DiSilvestro,	Kephart,	Snowden,	Wolfe,
Doehla,	Lane,	Stevenson,	Wood, L. H.,
Donlan,	Leader,	Stiefel,	Wood, T. N.,
Farrell,	Letzler,	Tallman,	Woodring,

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

He also presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations.

JUSTICES OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 1, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following:

Francis J. Thornton, 13 Hills Terrace, Mahanoy City, Schuylkill County, as Justice of the Peace in and for the Township of Mahanoy, Schuylkill County, until the first Monday of January, 1948, vice William H. Kelly, deceased.

Roy Coulson, 116 Gettysburg Street, Dillsburg, York County, as Justice of the Peace in and for the Borough of Dillsburg, York County, until the first Monday of January, 1948, vice C. K. Weaver, deceased.

JAMES H. DUFF.

BILL SIGNED

The PRESIDENT (Lieutenant-Governor Daniel B. Strickler announced that the Chief Clerk having reported that the following bill had passed both houses of the General Assembly and the same being correct, the title was publicly read as follows:

Senate Bill No. 255, entitled:

An Act to further amend the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," authorizing second class counties to acquire land for and erect, operate and maintain thereon garbage disposal plants.

Whereupon,

The PRESIDENT (Lieutenant-Governor Daniel B. Strickler) in the presence of the Senate signed the same.

GENERAL COMMUNICATIONS

Mr. WALKER. Mr. President, I have a communication which was mailed to me which I desire to read to the Gentlemen of the Senate, because it is addressed to them.

Gentlemen:

Whereas, you passed a resolution stating that the Appropriation Sub-committee "have very unwisely refused to approve a five million dollar appropriation necessary to permit work to continue in the erection of the Conemaugh Dam," and

Whereas, the matter has never been before any subcommittee of any committee of the House or Senate, and

Whereas, to date the only cut in the amount of money requested by the Army Engineers was the reduction in the President's Budget recommendation, and

Whereas, there is good reason to believe that the amount for Conemaugh will not receive a further serious cut in the Congress; therefore be it

Resolved, that we will regard your resolution passed in the Senate of Pennsylvania as undated, and be it further

Resolved, that when and if the House Sub-committee should later cut the budget recommendation below the sum of $3,200,000 which is proposed that we regard your resolution as having been passed two days after that date, and be it further

Resolved, that we will strike out the word 5,000,000 dollars from your resolution and insert in lieu thereof the amount which is cut out; and be it further

Resolved, that we humbly beseech the Senate of Pennsylvania not to pass any further resolutions condemning the Congress for any deed it never did, and be it further

Resolved, that copies of this resolution be transmitted

to the Governor of the Commonwealth, the Secretary of the Senate and to sundry members of the State Legislature.

Signed—JOHN McDOWELL
ROBERT J. CORBETT
JAMES G. FULTON
Allegheny Co. Rep. Delegation

PERMISSION TO ADDRESS SENATE

Mr. HOLLAND asked and obtained unanimous consent to address the Senate.

Mr. HOLLAND. Mr. President, in the resolution just read by the distinguished legal adviser from Allegheny, Senator Walker, it just goes to show that the same technique that was used in the campaign just passed is still being used, confuse and conquer. Unfortunately, I do not have the clippings with me, but, in fact, in the statement made by Congressman Corbett, Congressman McDowell and Congressman Fulton, they call upon the public to write letters to Washington, to Congress, or personally over the radio or on one of the KQV On-The-Spot programs, giving the lists, the names of the sub-committee, and after the pressure was brought to bear so that this appropriation would be included in the sub-committee's report on appropriations.

Again I would say it just shows that the confusion is still going on in Washington, because here are those three congressmen now passing a resolution condemning that we brought it to their attention that this money was not appropriated for the Conemaugh Dam, and now they go against their orders, because they were the ones who appealed to the people of Allegheny county and Western Pennsylvania, they appealed to the Chamber of Commerce and asked the Chamber of Commerce to go down the Ohio Valley and organize all the states below Pennsylvania, to put pressure on Congress to get this money, and now they come back and say we are criticising Congress before Congress did anything. The resolution was to the sub-committee, a sub-committee of the Appropriations Committee, and all we asked them to do was to put into the appropriation the sum of money that was necessary to finish the building of the Conemaugh Dam. We did what they asked us to do, put the pressure on them, make it public business, and as usual they come back with the same old story, confuse and conquer.

It is just the same as that great surplus we can not find now—we have it one minute and the next minute we do not have it, and I say it was just strictly along the party lines of the Republican party, confuse, confuse and confuse, and these congressmen are now following that same line of trying to confuse the people. One minute they say write and the next minute they say don't write. I wish these congressmen would make up their minds, what they want the people of Western Pennsylvania to do and all the states below Pennsylvania.

PERMISSION TO ADDRESS SENATE

Mr. JASPAN asked and obtained unanimous consent to address the Senate.

Mr. JASPAN. Mr. President and members of the Senate, the Philadelphia Inquirer, speaking editorially on May 3, 1947, wisely stressed the need for a state rent control law. The editorial, as it appeared on May 3, reads as follows:

"NEEDED—A STATE RENT CONTROL LAW

"Action of the national House of Representatives in sending to the Senate a so-called rent control bill shot through with holes confronts the country's rent-payers and home-seekers with two prospective alternatives, neither of them agreeable:

"One is the possibility of a long-drawn-out wrangle over rent control in the Senate, followed by a Presidential veto of the resultant bill, and ensuing chaos that would leave the country with no rent ceilings at all. This would be a repetition of what happened last year when the OPA was terminated temporarily.

"Second possibility is the enactment of a law that would end all controls in less than a year and meanwhile provide numerous loopholes through which rent boosts could be plastered upon tenants.

"What this situation makes clear is the necessity for the State of Pennsylvania to assert itself to protect the vast number of persons who pay rent for their dwelling accommodations.

"The State should be prepared, by specific statute, to step in when Government rent control fails and stabilize ceilings itself, so as to prevent the skyrocketing of rents, wholesale evictions and aggravated hardships for tenants. New York has such a law, which served well during last summer's crisis, and there is no reason why Pennsylvanians should not have similar protection against rent-gouging.

"The House bill narrowly escaped amendments that would have weakened it even further. Many members of the House, in fact, wanted all controls abolished at once. An amendment that would have authorized a flat 10 percent increase in ceilings escaped approval by a narrow margin.

"As it is, the measure is not one that tenants can rely upon to keep their present ceilings intact.

"One of its provisions permits landlords to raise rents 15 percent if the tenant agrees to a two-year lease. This is an invitation to property owners to raise rents. Given the alternatives of a two-year lease plus a 15 percent boost in rent, and eviction, which is the average tenant likely to choose? This is not rent control but rent increase.

"Another clause in the bill permits any city, town or county to terminate rent control whenever its governing body wishes to. This is one-sided local option. The provision invites discriminaton against home-seekers, and exorbtant over-charging of tourists and vacationists.

"Rent control has continued, and is still desirable, because of the acute scarcity prevailing in homes and apartments for rent. Supply is far from meeting the demand, and there is no indication it will be able to catch up, in this section of the country, for some time to come.

"Arbitrary removal of all ceilings before the housing situation substantially improves would obviously force runaway inflation in rental prices and a contest between would-be-renters that those of small and moderate means must lose.

"Rigid and indefinite freezing of rent ceilings would, at the same time, work an injustice to a number of landlords whose costs have leaped while their income from rents has remained fixed at a too-low figure. These hardship cases should certainly be taken care of, and it has often been pointed out that they could be cared for

more effectivley if controls were handled on a State rather than a Federal basis.

"President Truman has advocated a full year's extension of all rent controls from June 30, and a bill along that line, provided there is machinery for the relief of hardship cases among landlords, seems reasonable.

"But from the present temper of Congress there appears slight chance of any such extension. The country may find itself December 31 or June 30 or some other date in the near future with no brakes whatever upon rent charges and with landlords permitted to charge whatever the freight will bear.

"To protect our people in such a contingency a State rent control law is needed—and it should be passed before the contingency arrives."

Already, considerable concern and anxiety has been manifested in many quarters, particularly by the wage-earner, concerning the possible break-down of federal rent control.

The matter of rent control is of extreme importance, far more important than food and clothing price control. As soon as federal control is lifted, the unscrupulous landlords and realtors will be out for a killing. To give you an illustration of what they have already done with commercial rents, where there is no control, rentals have been upped over a hundred per cent during the past two years.

Without rent controls as to housing accommodations, thousands will be evicted, rents will be raised, the sky the limit, far above the capacity of the wage earner to pay. Violence, disorder, chaos, utter disregard for the law, will inevitably follow. May I now ask, where will the average wage-earner, unable to pay increased rents and forced out of his home live, sleep and rear his family. The home is considered an institution of civilization, and when greedy and selfish people interfere or attempt to break it up, there is great danger staring us in the face.

Are we to stand idly by awaiting action by Congress? New York state has already passed an emergency state rent control law to provide against any continguency. Yes, Congress has before it a measure to extend its life for a comparatively short time, and what is more, as pointed out by the Philadelphia Inquirer, it is a half-baked measure, full of loopholes and jokers, affording our citizens little or no relief. In any event, it will cease to exist after December 31, 1947, and there is little likelihood that the housing situation will substantially improve by then.

Things are moving quickly, and it requires immediate and bold action by us. It is our duty to protect our citizens, among them the G. I.'s, against unscroupulous realtors and landlords.

I therefore urge immediate action on Senate Bill No. 25, as introduced by me on January 29, 1947. Senate Bill No. 25, is an emergency state rent control bill patterned after the present New York law, and if it becomes law, is to take effect when and if federal control is lifted, and further applies to areas where there is a lack of housing accommodations, provides protection for the landlord in hardship cases, calls for the appointment of a rent commissioner, and an appropriation of $1,000,000. The least that can be done is to thresh the matter out in the open, through a public hearing. I am not priding myself on ownership of Senate Bill No. 25. If you are not satisfied with my bill, introduce another. I assure you I shall go along with you.

FORMER PRESIDENT PRO TEMPORE EALY INTRODUCED TO SENATE

The PRESIDENT. The Chair at this time would like to call to the attention of the members of the Senate the fact that we are honored today by the presence of a former member and former President pro tempore of the Senate, Honorable Charles Ealy of Somerset county.

REPORT FROM COMMITTTEE ON EXECUTIVE NOMINATIONS

Mr. KEPHART from the Committee on Executive Nominations reported with a favorable recommendation the following nominations, made by His Excellency the Governor, which were laid on the table:

MEMBERS OF COUNTY BOARDS OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 28, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Members of County Boards of Assistance:

CAMBRIA COUNTY

Dr. David S. Bantley (Republican), 631 Coleman Avenue, Johnstown, from January 8, 1946, until December 31, 1947.

W. K. McHenry (Republican), 199 Worth Street, Johnstown, from January 8, 1946, until December 31, 1948, and until his successor is duly appointed and qualified.

Robert T. Ingram (Republican), 531 Wood St., Johnstown, from August 1, 1945, until December 31, 1947, and until his successor is duly appointed and qualified.

William P. Brown (Republican), Chestnut Street, Barnesboro, to serve until December 31, 1949, and until his successor is duly appointed and qualified. (Reappointment)

Mrs. Leola Berkheimer (Republican), Apartment No. 1, 115 Helen Street, Johnstown, to serve until December 31, 1949, and until her successor is duly appointed and qualified, vice A. L. Hunt, Cresson, whose term expired.

Edward J. George (Republican), 701 Main Street, Lilly, to serve until December 31, 1949, and until his successor is duly appointed and qualified, vice L. B. Furry, Johnstown, deceased.

Neice Malloy, Esq. (Democrat), Carrolltown, to serve until December 31, 1948, and until his successor is duly appointed and qualified, vice Mrs. Augusta O'Donnell, Spangler, resigned.

HUNTINGDON COUNTY

Mrs. Elisabeth S. Phillips (Republican), 318 Mifflin Street, Huntingdon, from March 28, 1946, until December 31, 1948.

M. M. Geissinger (Republican), 601—13th Street, Huntingdon, from March 28, 1946, until December 31, 1947.

Mrs. Rosalie Andrews (Republican), 121 West Shirley Street, Mount Union, from January 1, 1947, until December 31, 1949.

E. Earl Davis (Democrat), R. D., Petersburg, from March 28, 1946, until December 31, 1948, and until his successor is duly appointed and qualified.

Rev. Charles H. Stong (Republican), Petersburg, from March 28, 1946, until December 31, 1947, and until his successor is duly appointed and qualified.

LACKAWANNA COUNTY

Morris Goodman (Republican), 633 Clay Avenue, Scranton, to serve until December 31, 1947, and until his successor is duly appointed and qualified, vice James P. Scoblick, Archbald, resigned.

LAWRENCE COUNTY

John E. Powell (Republican), 101 Second Street, Ellwood City, to serve until December 31, 1949, and until his successor is duly appointed and qualified, to fill a vacancy.

LEHIGH COUNTY

Stanley V. Printz (Republican), 714 Walnut Street, Allentown, to serve until December 31, 1949, and until his successor is duly appointed and qaulified, vice Mrs. Ruth Siegfried, Allentown, whose term expired.

Rev. Francis F. Renoll (Republican), 127 South 15th Street, Allentown, to serve until December 31, 1949, and until his successor is duly appointed and qualified, vice Mrs. Eva Krum, Slatington, whose term expired.

Mrs. Marion S. Leidig (Democrat), 1105 Delaware Avenue, Fountain Hill, Bethlehem, to serve until December 31, 1948, and until her successor is duly appointed and qualified, vice Gurney F. Afflerbach, Allentown, whose term expired.

Horace Schantz (Republican), 250 Main Street, Emmaus, to serve until December 31, 1949, an duntil his successor is duly appointed and qualified, vice Mrs. Ruth Thornburg, Bethlehem, whose term expired.

Mrs. Helen S. Renfro (Republican), 3012 Greenleaf Street, Allentown, to serve until December 31, 1948, and until her successor is duly appointed and qualified, vice Dr. Thomas L. Smyth, Allentown, whose term expired.

Mrs. Blanche Hopkins (Republican), 848 Main Street, Slatington, to serve until December 31, 1947, and until her successor is duly appointed and qualified, vice Rev. Henry I. Aulenbach, Allentown, whose term expired.

WYOMING COUNTY

Mrs. Ruth Thomas (Republican), Factoryville, from January 23, 1946, until December 31, 1948, and until her successor is duly appointed and qualified.

Jay D. Smith (Republican), Meshoppen, to serve until December 31, 1949, and until his successor is duly appointed and qualified, vice Benton Whipple, Laceyville, resigned.

Mrs. Cecile Dickinson (Republican), Mill City, to serve until December 31, 1949, and until her successor is duly appointed and qualified, vice Mrs. Lula Gilmore, Noxen, whose term expired.

JAMES H. DUFF.

JUSTICES OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 30, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Bruno Petrucci, 612 Conrad Avenue, North Charleroi, Charleroi, Washington County for appointment as Justice of the Peace in and for the Borough of North Charleroi, Washington County, until the first Monday of January, 1948, vice Samuel H. Gaskill, deceased.

JAMES H. DUFF

Commonwealth of Pennsylvania,
Governor's Office, Harisburg, April 29, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Charles Ross, Box No. 1, Analomink, Monroe County for appointment as Justice of the Peace in and for the Township of Stroud, Monroe County, until the first Monday of January, 1948, to fill a vacancy.

JAMES H. DUFF

BILLS INTRODUCED AND REFERRED

Mr. LETZLER read in his place and presented to the Chair Senate Bill No. 697, entitled:

An Act Making an appropriation to the Department of Mines for the payment of salaries and expenses of mine inspectors and additional employes.

Which was commited to the Committee on Appropriations.

Mr. DONLAN read in his place and presented to the Chair Senate Bill No. 698, entitled:

An Act to amend article XIII of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," hereafter requiring internships and licensure of all teachers teaching more than half-time in all public and private schools of the Commonwealth; providing for such examination and licensure by the State Examining Board for Teachers; conferring powers and imposing duties upon such board; providing for certain reimbursement by the Commonwealth; requiring the withholding of reimbursement and prescribing penalties in certain cases.

Which was committed to the Committee on Education.

Mr. LLOYD H. WOOD read in his place and presented to the Chair Senate Bill No. 699, entitled:

An Act to amend the act, approved the twenty-third day of May, one thousand nine hundred forty-five (P. L. 913), entitled "An act relating to and regulating the practice of the profession of engineering; including civil engineering, mechanical, engineering, electrical engineering, mining engineering, chemical engineering, surveying and constituent parts and combinations thereof as herein defined; providing for the licensing and registration of persons practicing said profession and the certification of engineers in training, and the suspension and revocation of said licenses, registrations and certifications for violation of this act; prescribing the powers and duties of the State Registration Board for Professional Engineers, the Department of Public Instruction and the courts; prescribing penalties; and repealing existing laws," broadening the definition of "Practice of Engineering," and the exemption from licensure and registration.

Which was committed to the Committee on Education.

Mr. KEPHART read in his place and presented to the Chair Senate Bill No. 700, entitled:

An Act to amend subsection (a) of section two hundred two of the act, approved the twenty-first day of May, one thousand nine hundred forty-three (P. L. 571), entitled "An act relating to assessment for taxation in counties of the fourth, fifth, sixth, seventh and eighth classes; designating the subjects property and persons subject to and exempt from taxation for county, borough, town, township, school, except in cities and county institution district purposes; and providing for and regulating the assessment and valuation thereof for such purposes; creating in each such county a board for the assessment and revision of taxes; defining the powers and duties of

such boards; providing for the acceptance of this act by cities; regulating the office of ward, borough, town and township assessors; abolishing the office of assistant triennial assessor in townships of the first class; providing for the appointment of a chief assessor, assistant assessors and other employe; providing for their compensation payable by such counties; prescribing certain duties of and certain fees to be collected by the recorder of deeds; and eliminating the triennial assessment," exempting war memorial buildings built, managed and maintained by nonprofit organizations from real estate taxes.

Which was committed to the Committee on Local Government.

Mr. WALKER (by request) read in his place and presented to the Chair Senate Bill No. 701, entitled:

An Act to amend Clause XXIII of section one thousand five hundred two of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-one (P. L. 1206), entitled "An act concerning townships of the first class; amending, revising, consolidating, and changing the law relating thereto," permitting the establishment by the township of pension and retirement funds for its employes and the making of contributions thereto.

Which was committed to the Committee on Local Government.

Messrs. BARR and RAHAUSER read in place and presented to the Chair Senate Bill No. 702, entitled:

An Act directing the Department of Property and Supplies to reimburse counties, cities, and institution districts for the fair value of mental institutions transferred to the Commonwealth under the act approved the twenty-ninth day of September, one thousand nine hundred and thirty-eight (P. L. 53), and for such other institutions for indigents as may hereafter be transferred to the State; providing for viewers to determine the amount of such reimbursement and making an appropriation.

Which was committed to the Committee on State Government.

Messrs. RAHAUSER and BARR read in place and presented to the Chair Senate Bill No. 703, entitled:

An Act requiring that notice be given to county deed registry offices or to boards for the assessment of taxes where the power of eminent domain is exercised or where public streets, roads, highways or other public ways are vacated or abandoned; and imposing duties upon the commonwealth, political subdivisions, municipal corporations, public, quasi-public and private corporations exercising the power of eminent domain, and upon deed registry offices and boards for the assessment of taxes.

Which was committed to the Committee on Judiciary General.

Mr. HOLLAND read in his place and presented to the Chair Senate Bill No. 704, entitled:

An Act relating to foods; protecting the public health and safety by requiring licenses for certain places wherein food is prepared for human consumption upon the premises, providing for the issuance, suspension and revocation of such licenses; prescribing regulations, restrictions and conditions under which food may be prepared and sold in such places; providing for the administration of the act by the Pennsylvania Department of Health and authorizing said department to adopt appropriate rules and regulations; imposing certain additional powers and duties upon courts and district attorneys; making an appropriation and prescribing penalties.

Which was committed to the Committee on Public Health and Welfare.

Mr. HEYBURN read in his place and presented to the Chair Senate Bill No. 705, entitled:

An Act to further amend subsection (a) of section seven hundred thirteen of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees and miscellaneous receipts; making an appropriation and providing for refunds," by providing for an increase in the fee for a learner's permit.

Which was committed to the Committee on Highways.

He also read in his place and presented to the Chair Senate Bill No. 706, entitled:

An Act establishing in the public school system of the Commonwealth a uniform standard program of motor vehicle driver-training under the supervision of the Department of Public Instruction prescribing the type and character of assistance which may be supplied to the local school districts therefore defining the duties and requirements of the local school districts in obtaining such assistance and making an appropriation.

Which was committed to the Committee on Education.

Mr. MALLERY read in his place and presented to the Chair Senate Bill No. 707, entitled:

An Act relating to boarding houses for children; providing for the licensing and inspection thereof and the adoption of rules and regulations for the maintenance, operation and conduct thereof, by the Department of Welfare; defining offenses and prescribing penalties and making an appropriation.

Which was committed to the Committee on Public Health and Welfare.

Mr. WATSON read in his place and presented to the Chair Senate Bill No. 708, entitled:

An Act to amend section five hundred thirteen of the act, approved the first day of June, one thousand nine hundred forty-five (P. L. 1242), entitled "An act relating to roads, streets, highways and bridges; amending, revising, consolidating and changing the laws administered by the Secretary of Highways and by the Department of Highways relating thereto," providing that the Commonwealth shall succeed to the rights of boroughs and towns under contract with street, railway and other companies

for the maintenance of certain parts of State highways and requiring the department to maintain such parts of State highways upon failure of such companies to do so.

Which was committed to the Committee on Highways.

Mr. WADE read in his place and presented to the Chair Senate Bill No. 709, entitled:

An Act to further amend the act, approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing State employes; defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon the heads of departments in which State employes serve; excepting annunities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," further defining "accumlated deductions," and further regulating withdrawal and payments thereof.

Which was committed to the Committee on State Government.

He also read in his place and presented to the Chair Senate Bill No. 710, entitled:

An Act to further amend section three hundred twenty of article three of the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 682), entitled "An act relating to insurances; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund, providing penalties; and repealing existing laws," changing penalty for neglect by insurance companies to furnish financial and other statements when required by Insurance Commissioner.

Which was committed to the Committee on Insurance.

REPORT FROM COMMITTEE

Mr CROWE. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. CROWE. from the Committee on Forests and Waters, Game and Fish, reported as committed, Senate Bill No. 652, entitled:

An Act terminating the existence of the Pennsylvania Nautical School.

RESOLUTION

COMMITTEE TO ARRANGE MEMORIAL SERVICES FOR THE LATE MAJOR GENERAL EDWARD C. SHANNON

Mr. BECKER offered the following resolution which was twice read, considered and agreed to:

In the Senate, May 5, 1947.

Resolved, That a committee of six members of the Senate be appointed to draft suitable resolutions on the death of Major General Edward C. Shannon, former Lieutenant Governor and President of the Senate who died May twentieth, one thousand nine hundred forty-six and present said resolution at the special meeting to be held on Wednesday, May 7, 1947, at two o'clock P. M. Daylight Saving Time.

COMMITTEE APPOINTED

The PRESIDENT. The Chair announces on behalf of the President pro tempore the appointment of the following committee: the gentleman from Lebanon, Mr. Becker, Chairman; the gentleman from Lancaster, Mr. Homsher; the gentleman from Chester, Mr. Scarlett, the gentleman from Lackawanna, Mr. Donlan, the gentleman from Fayette, Mr. Tarr, and the gentleman from Washington, Mr. Lane.

RESOLUTION INTRODUCED AND ADOPTED

Mr. RUTH. Mr. President, I desire to offer an original resolution and desire to make a short statement.

The PRESIDENT. The gentleman from Berks may proceed.

Mr. RUTH. One of the great problems before the world today is the Palestine problem. It has been placed before the United Nations by the mandated power, Great Britain. The United Nations has not taken any definite action. I feel, from the words that are known and were spoken in help solve this problem. For more than thirty years I the past, that we should do everything in our power to have been preaching from the Book that has been used to reveal the will of God through the agency of the Jewish people. I believe in that Book, I believe what it teaches, and I want to do everything in my power to help to insure, if possible, tranquillity in the world.

This is one of the world's burning problems and I have expressed in the resolution what I feel we in the Legislature of Pennsylvania can and should express at this time.

On behalf of Senator Carr and myself I present the following resolution and move its immediate adoption.

SENATE CONCURRENT RESOLUTION

UNITED NATIONS ASSEMBLY TO IMPLEMENT OBJECTIVE IN SOLVING THE PALESTINE PROBLEMS

Messrs RUTH and CARR offered the following resolution which was twice read, considered and agreed to:

In the Senate, May 5, 1947.

Whereas The problem of Palestine has been placed before the United Nations Assembly at the request of the mandatory power, the British government; and

Whereas The agenda of the United Nations Assembly is certain to include many matters concerning Palestine; and

Whereas, The matter of pressing solutions to immediately urgent problems such as immigration and land purchases may be prolonged or postponed subject to the appointment of a committee or commission of inquiry; therefore be it

Resolved, (if the House of Representatives concurs) That the General Assembly of the Commonwealth of Pennsylvania petitions the President of the United States to instruct its respective representatives in the United Nations Assembly to implement the following objectives:

First, the representation of the Jewish Agency for Palestine in the deliberations of the United Nations. Secondly, immediate revocation of the illegal restrictions of Jewish immigration and Jewish land purchase in the Jewish National Home—as interim measures pending final United Nations recommendations. Thirdly, United States initiative within the United Nations to achieve the Palestine program it has publicly indorsed.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

RESOLUTION

TIME OF NEXT MEETING

Mr. MALLERY, offered the following resolution, which was twice read, considered and agreed to:

In the Senate, May 5, 1947.

Resolved (if the House of Representatives concur) That when the Senate adjourns this week it reconvene on Monday, May 12, 1947, at three o'clock p. m., Eastern Standard Time; and when the House of Representatives adjourns this week it reconvene on Monday, May 12, 1947, at 3:30 o'clock, p. m., Eastern Standard Time.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

RESOLUTION INTRODUCED AND REFERRED

Mr. RAHAUSER. Mr. President, Dr. Hugh H. Darby, editor of American Cookery in March of 1946 said:

"Most of the arguments against margarine have not centered around its suitability for, and its value in, the American diet, but have been raised upon the economic aspect of the product.

"It cannot be too strongly stated that the welfare of the individual, the mass population who must use margarine, has not been uppermost in the minds of our Legislators when unreasonable taxes have been placed upon this product."

This is addressed to the Federal Congress—this is especially true at the present time, when the Federal Government is facing the extreme problem of increased cost of living, and I say one of the methods by which this problem can be dealt with is the repealing of the high taxes on this very important food. I say that one way of meeting this problem is to repeal these federal laws.

In order that the Senate may know something of what the taxes are on colored and uncolored margarine, the manufacturer's license fee and the tax pursuant thereto are extremely high. The fee alone is $600 per year. The wholesaler's license fee is $480 per year. The retailer's license fee is $48 per year on colored margarine and $6 per year on uncolored margarine.

Just as the Pure Food Act in Pennsylvania of 1909 is ample protection for food in Pennsylvania and there is no need for Senate Bill 644, which recently has been presented, so the Federal Statute, the Federal Food and Drug Act and its companion measure, contain adequate protection for the people of the United States.

At the present time there is duplicity in protecting the people of Pennsylvania; you have the Federal Food Act and the Pennsylvania Pure Food Act. The standards of the Federal Food and Drug Act require the identity of margarine, as does the Pennsylvania Pure Food Act. In fact, the identity and standards are clear and explicit. The Federal Act, as to the identity, provides that the label must set forth the name "Oleomargarine" on the package, which is also a requisite of the Act of 1909. In addition, according to the Federal Food and Drug Act, the contents must be labeled, for instance, "prepared from animal fat," or "prepared from vegetable fat" or "prepared from animal and vegetable fat" that must be clearly labeled on the package.

The federal statutes require the label must state whether or not artificial coloring is added. If sodium benzoate is added, it must be set forth. In short, the analysis must be set forth on the label above the name. There is no need for burdensome regulations for keeping the corner grocery store or drug store from selling this commodity, and there is no need for placing extreme burdens on the seller of this very valuable food. There is no need for it in the Federal Government. There is no need for it in this recent bill, No. 644. There is every reason why the Senate bill known as the Farrell bill should be enacted.

Just as there is every reason for enactment of the Farrell bill, so there is every reason for the enactment of this resolution which I am about to present.

I have attempted to show to this body that the Farrell bill should be passed and that Senate Bill 644 should be kept in committee. I have attempted to show that any legislation in excess of the Pure Food Act is surplus legislation which merely adds expense to the taxpayer and sets up useless bureaucratic government and does many of the things which for many years this state has not tolerated and so, in the federal government, a continuance of the archaic oleomargarine statutes provides the same result.

I therefore wish to present this resolution, memoralizing the Congress of the United States and requesting them to consider the repeal of all taxes and licenses on those selling or manufacturing this wholesome food known as oleomargarine.

I ask for its immediate adoption, Mr. President.

RESOLUTION

MEMORALIZING CONGRESS TO REPEAL THE FEDERAL LICENSE FEES ON OLEOMARGARINE

Mr. RAHAUSER offered the following resolution which was twice read as follows:

Whereas, the consumption of fats are essential for the health of the population; and

Whereas, the consumption of table fats is today barely one-half of what nutritive experts have proven should be consumed by the individual and

Whereas, the increased cost of living will further decrease the amount of nutritive fats consumed; and

Whereas, margarine has been proven to be a cheap and healthful fat; and

Whereas, the sale of margarine is amply protected by the Federal Food and Drug Acts, and

Whereas, the Federal Taxes on this food serve no purpose except to reduce the amount of margagine consumed and impede its marketability, especially at the small grocery stores of the nation; and

Whereas, Congress should take every available means to check the increased cost of living, and bring within the purchasing reach those foods necessary for a healthy diet;

Be It Resolved, by the Senate of Pennsylvania, that the Congress of the United States be memorialized to repeal the archaic taxes and license fees on oleomargarine.

REQUEST THAT RULE 39 BE SUSPENDED

Mr. RAHAUSER. Mr. President, I ask unanimous consent that Rule 39, which requires resolutions be referred to an appropriate committee, be dispensed with and the Senate proceed to the consideration of the foregoing resolution.

The PRESIDENT. Is there objection?

Mr. TALLMAN. Mr. President, I object.

The PRESIDENT. The resolution is referred to the Committee on Agriculture.

BILL INTRODUCED AND REFERRED

Mr. FRAZIER. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. FRAZIER read in place and presented to the Chair Senate Bill No. 711, entitled:

An Act making an appropriation to the Philadelphia Psychiatric Hospital, Philadelphia, Pennsylvania.

Which was committed to the Committee on Appropriations.

EXECUTIVE NOMINATIONS

A motion was made by Mr. KEPHART and Mr. CARR,

That the Senate do now resolve itself into Executive Session, for the purpose of considering the nominations of His Excellency, the Governor of the Commonwealth of Pennsylvania, which were laid on the table April 29, 1947, and those reported at today's session.

The motion was agreed to.

The Clerk read the nominations as follows:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 16, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following:

MEMBERS OF THE BOARD OF TRUSTEES OF PENNSYLVANIA SOLDIERS' AND SAILORS' HOME

J. Clark Mansfield, 1213 Milton Avenue, Swissvale, Allegheny County, for the term of four years, and until his successor is appointed and qualified. (Reappointment)

Dr. Elmer E. Hess, Erie, Erie County, for the term of four years, and until his successor is appointed and qualified. (Reappointment)

Floyd B. Owens, 2707 German Street, Erie, Erie County, for the term of four years, and until his successor is appointed and qualified. (Reappointment)

Edward M. Muck, 933 Market Street, Meadville, Crawford County, for the term of four years, and until his successor is appointed and qualified. (Reappointment)

Melvin G. Keller, Warren, Warren County, for the term of four years, and until his successor is appointed and qualified. (Reappointment)

Brigadier General Frank D. Beary, 214 Ridge Avenue, Allentown, Lehigh County, for the term of four years, and until his successor is appointed and qualified. (Reappointment)

Lieutenant Colonel W. S. Houghton, 154 East Congress Street, Corry, Erie County, from January 25, 1946, for the ter of four years, and until his successor is appointed and qualified.

Major Guy J. Wadlinger, 125 Park Avenue, New Castle, Lawrence County, for the term of four years, and until his successor is appointed and qualified, vice Merle C. Quay, Erie, whose term expired.

JAMES H. DUFF.

MEMBERS OF COUNTY BOARDS OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 28, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Members of County Boards of Assistance:

CAMBRIA COUNTY

Dr. David S. Bantley (Republican), 631 Coleman Avenue,, Johnstown, from January 8, 1946, until December 31, 1947.

W. K. McHenry (Republican), 199 Worth Street, Johnstown, from January 8, 1946, until December 31, 1948, and until his successor is duly appointed and qualified.

Robert T. Ingram (Republican), 531 Wood Street, Johnstown, from August 1, 1945, until December 31, 1947, and until his successor is duly appointed and qualified.

William P. Brown (Republican), Chestnut Street, Barnesboro, to serve until December 31, 1949, and until his successor is duly appointed and qualified. (Reappointment)

Mrs. Leola Berkheimer (Republican), Apartment No. 1, 115 Helen Street, Johnstown, to serve until December 31, 1949, and until her succesor is duly appointed and qualified, vice A. L. Hunt, Cresson, whose term expired.

Edward J. George (Republican), 701 Main Street, Lilly, to serve until December 31, 1949, and until his successor is duly appointed and qualified, vice L. B. Furry, Johnstown, deceased.

Neice Malloy, Esq. (Democrat), Carrolltown, to serve until December 31, 1948, and until his successor is duly appointed and qualified, vice Mrs. Augusta O'Donnell, Spangler, resigned.

HUNTINGDON COUNTY

Mrs. Elisabeth S. Phillips (Republican), 318 Mifflin Street, Huntingdon, from March 28, 1946, until December 31, 1948.

M. M. Geissinger (Republican), 601-13th Street, Huntingdon, from March 28, 1946, until December 31, 1947.

Mrs. Rosalie Andrews (Republican), 121 West Shirley Street, Mount Union, from January 1, 1947, until December 31, 1949.

E. Earl Davis (Democrat), R. D., Petersburg, from March 28, 1946, until December 31, 1948, and until his successor is duly appointed and qualified.

Rev. Charles H. Stong (Republican), Petersburg, from March 28, 1946, until December 31, 1947, and until his successor is duly appointed and qualified.

LACKAWANNA COUNTY

Morris Goodman (Republican), 633 Clay Avenue, Scranton, to serve until December 31, 1947, and until his successor is duly appointed and qualified, vice James P. Scoblick, Archbald, resigned.

LAWRENCE COUNTY

John E. Powell (Republican), 101 Second Street, Ellwood City, to serve until December 31, 1949, and until his successor is duly appointed and qualified, to fill a vacancy.

LEHIGH COUNTY

Stanley V. Printz (Republican), 714 Walnut Street, Allentown, to serve until December 31, 1949, and until his successor is duly appointed and qualified, vice Mrs. Ruth Siegfried, Allentown, whose term expired.

Rev. Francis F. Renoll (Republican), 127 South 15th Street, Allentown, to serve until December 31, 1949, and

until his successor is duly appointed and qualified, vice Mrs. Eva Krum, Slatington, whose term expired.

Mrs. Marion S. Leidig (Democrat), 1105 Delaware Avenue, Fountain Hill, Bethlehem, to serve until December 31, 1948, and until her successor is duly appointed and qualified, vice Gurney F. Afflerbach, Allentown, whose term expired.

Horace Schantz (Republican), 250 Main Street, Emmaus, to serve until December 31, 1949, and until his successor is duly appointed and qualified, vice Mrs. Ruth Thornburg, Bethlehem, whose term expired.

Mrs. Helen S. Renfro (Republican), 3012 Greenleaf Street, Allentown, to serve until December 31, 1948, and until her succesor is duly appointed and qualified, vice Dr. Thomas L. Smyth, Allentown, whose term expired.

Mrs. Blanche Hopkins (Republican), 848 Main Street, Slatington, to serve until December 31, 1947, and until her successor is duly appointed and qualified, vice Rev. Henry L. Aulenbach, Allentown, whose term expired.

WYOMING COUNTY

Mrs. Ruth Thomas (Republican), Factoryville, from January 23, 1946, until December 31, 1948, and until her successor is duly appointed and qualified.

Jay D. Smith (Republican), Meshoppen, to serve until December 31, 1949, and until his successor is duly appointed and qualified, vice Benton Whipple, Laceyville, resigned.

Mr. Cecile Dickinson (Republican), Mill City, to serve until December 31, 1949, and until her successor is duly appointed and qualified, vice Mrs. Lula Gilmore, Noxen, whose term expired.

JAMES H. DUFF.

JUSTICES OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 30, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Bruno Petrucci, 621 Conrad Avenue, North Charleroi, Charleroi, Washington County, for appointment as Justice of the Peace in and for the Borough of North Charleroi, Washington County, until the first Monday of January, 1948, vice Samuel H. Gaskill, deceased.

JAMES H. DUFF.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 29, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Charles Ross, Box No. 1, Analomink, Monroe County, for appointment as Justice of the Peace in and for the Township of Stroud, Monroe County, until the first Monday of January, 1948, to fill a vacancy.

JAMES H. DUFF.

UNANIMOUS CONSENT UNDER RULE 38

By unanimous consent,

A motion was made by Mr. KEPHART and Mr. CARR,

To grant unanimous consent to immediate consideration of the nominations just reported from the Committee on Executive Nominations, and the Senate do now resolve itself into Executive Session, for the purpose of acting upon all the nomiations reported at today's session.

Which was agreed to.

Whereupon,

A motion was made by Mr. KEPHART and Mr. CARR,

That the Senate do advise and consent to the nominations reported.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahauser,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsher	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Lane,	Stevenson,	Wood, L. H.,
Doehla,	Leader,	Stiefel,	Wood, T. N.,
Donlan,	Letzler,	Tallman,	Woodring,
Farrell,			

NAYS—0

Two third of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

EXCUTIVE SESSION RISES

Mr. KEPHART. Mr. President, I move that the Executive Session do now rise.

Mr. CARR. Mr. President, I second the motion.

The motion was agreed to.

CALENDAR

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 313 entitled:

An Act to reenact amend and revise the act approved the first day of May one thousand nine hundred and thirty-three (P. L. 103) as amended entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto."

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

SENATE NON-CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 313

Mr. TALLMAN. Mr. President, I move that the Senate do non-concur in the amendments made by the House to Senate Bill No. 313.

Mr. WADE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,

Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahauser,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsher	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Lane,	Stevenson,	Wood, L. H.,
Doehla,	Leader,	Stiefel,	Wood, T. N.,
Donlan,	Letzler,	Tallman,	Woodring,
Farrell,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILLS ON FINAL PASSAGE CALENDAR

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 337, on final passage, entitled:

An Act to further amend the act approved the seventh day of June one thousand nine hundred seventeen (P. L. 447) entitled as amended "An act relating to the administration and distribution of the estates of decedents and of minors and of trust estates including the appointment bonds rights powers duties liabilities accounts discharge and removal of executors administrators guardians and trustees herein designated as fiduciaries the administration and distribution of the estates of presumed decedents widow's and children's exemptions debts of decedents rents of real estate as assets for payment thereof the lien thereof sales and mortgages of real estate for the payment thereof judgments and executions therefor and the discharge of real estate legacies including legacies on land the discharge of residuary estates and of real estate from the lien of legacies and other charges and appraisement of real estate devised at a valuation the ascertainment of the curtilage of dwelling houses or other buildings devised the abatement and survival of actions and the substitution of executors and administrators therein the survival of causes of action and suits thereupon by or against fiduciaries investments by fiduciaries the organization of corporations to carry on the business of decedents the audit and review of accounts of fiduciaries refunding bonds transcripts to the court of common pleas of balances due by fiduciaries the rights powers and liabilities of nonresident and foreign fiduciaries the appointment bonds rights powers duties and liabilities of trustees durante absentia the recording and registration of decrees reports and other proceedings and the fees therefor appeals in certain cases and also generally dealing with the jurisdiction powers and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents" by permitting the investment of trust funds by fiduciaries in municipality authority bonds meeting certain requirements

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL RECOMMITTED

Mr. TALLMAN. Mr. President, I move that House Bill No. 1046, on final passage, entitled:

An Act to amend section two of the act approved the twenty-sixth day of May one thousand nine hundred twenty-one (P. L. 1172) entitled A supplement to the act approved the seventeenth day of May one thousand nine hundred seventeen (P. L. 208), entitled An act to regulate the practice of pharmacy and sale of poisons and drugs and providing penalties for the violation thereof defining the words 'drug' and 'poison' and providing for the appointment of a board which shall have in charge the enforcement of said law and the power to make rules and regulations for the enforcement of said law and providing for the purchase of samples of drugs for determining their quality strength and purity" requiring permits to conduct pharmacies providing for the revocation thereof and prescribing penalties regulating the use of a corporate title in applying for a pharmacy permit and its use on labels and advertisements

be recommitted to the Committee on Public Health and Welfare.

Mr. WADE. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING CALENDAR

BILLS OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 50, on third reading, entitled:

An Act to further amend the act, approved the twenty-fifth day of May, one thousand nine hundred thirty-seven (P. L. 849), entitled "An act to provide for the permanent personal registration of electors in cities of the third class as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration, and other appointees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; imposing penalties; and repealing existing legislation," by changing the provisions of said act relating to removal notices, transfer of registration, checkup of registers and street lists

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 60, on third reading, entitled:

An Act to further amend section thirty-nine of the act, approved the twenty-fifth day of May, one thousand nine hundred thirty-seven (P. P. 849), entitled "An act to provide for the permanent personal registration of electors in cities of the third class as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; imposing penalties; and repealing existing legislation," by further regulating and changing the provisions of the act relating to cancellation of registration upon the failure to vote within two years by giving removal notice same effect as request for reinstatement

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 275, on third reading, entitled:

An Act to amend section twenty-seven and subsection (a) of section twenty-eight of the act approved the first day of June one thousand nine hundred thirty-seven (P. L. 1132) entitled "An act to provide for the permanent personal registration of electors in cities of the second class A as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors and imposing penalties" increasing the period of time in which removal notices and registration transfers must be made

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 372, as follows:

An Act to further amend section one thousand twelve and subsection C of section one thousand two hundred ten of the act approved the fifteenth day of May one thousand nine hundred and thirty-three (P. L. 624) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employes of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" by further providing for the powers and duties and limitations upon powers of corporations and persons authorized to engage in a banking or fiduciary business or both

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one thousand twelve of the act approved the fifteenth day of May one thousand nine hundred and thirty-three (P. L. 624) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employes of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" as last amended by the act approved the eleventh day of April one thousand nine hundred and forty-five (P. L. 208) is hereby further amended to read as follows

Section 1012 Loans on and Investments in Bonds and Mortages and Judgments of Record A A bank or a bank and trust company shall have the power to lend on the security of or invest in bonds secured by mortages upon real property but it shall lend upon or invest in only such bonds and mortages as (1) are first liens on unencumbered improved real property including improved farm land situated within the Commonwealth or within fifty miles of a boundary thereof and (2) do not exceed two-thirds of the actual value of such real property and (3) become due within ten years after the making of such loan or investment unless amortized [in equal annual installments] over a period not exceeding [fifteen] twenty years after the making of such loan or investment [.] in monthly quarterly semi-annual or annual payments sufficient in amount to pay all interest and effect full repayment of principal within such twenty-year period Any building which is upon and is included in the valuation of such real property shall be insured against loss by fire to the benefit of such bank or bank and trust company by the borrower or mortgagor during the term of the bond in a company which is authorized to do business in Pennsylvania and is approved by the bank or bank and trust company making the investment It shall be lawful for a bank or bank and trust company to renew such policies at the expense of the borrower or mortgagor from year to year or for a longer or a shorter period not however exceeding the term of the obligation in case he shall fail to do so All necessary changes and expenses paid by such bank or bank and trust company for such renewals shall be paid by such borrower or mortgagor In case such borrower or mortgagor shall refuse upon demand to pay such charges and expenses they shall be added to the amount secured by the mortgage and shall together with interest from the date of the payment of such charges and expenses constitute a lien upon the property so mortgaged All expenses of searches examinations certificates of title or appraisal of actual value and all expenses of drawing and recording of papers shall be paid by such mortgagor or borrower The actual value of the real property shall be determined by two reputable persons especially familiar with real property values in the vicinity of the particular property to be appraised selected from or approved by the board of directors They shall inspect the property and shall state in writing that the actual value of the real property inspected to the best of their judgment is as stated Such report shall be filed and preserved among the records of the bank or bank and trust company The provisions of this subsection shall not apply to loans on the security of bonds secured by mortgages upon real property situated within the Commonwealth or within fifty miles of a boundary thereof made or for which a written commitment to guarentee has been made in accordance with the provisions of the "Servicemen's Readjustment Act of 1944" its amendments and supplements and rules and regulations promulgated from time to time pursuant to the provisions of said act provided that such loans are guaranteed in an amount equal to at least twenty per centum thereof [of the value of the property subject to the lien] nor shall the provisions of this section apply to bonds

secured by mortgages which are insured by or for which a commitment to insure has been made by the Federal Housing Administration pursuant to the provisions of the National Housing Act of one thousand nine hundred and thirty-four approved the twenty-seventh day of June one thousand nine hundred and thirty-four its amendments and supplements nor to public utility railroad or industrial bonds or other securities commonly known as investment securities although such bonds may be secured in whole or in part by a mortage upon real property

B A bank or bank and trust company shall have the power to lend on the security of or invest in judgments of record which are first liens on unencumbered real property situated within the Commonwealth or within fifty miles of a boundary thereof to the amount of fifty per centum of the actual value of such property under the same circumstances and subject to the same conditions as are established by this section in the case of loans on the security of or investments in bonds secured by mortgages upon real property

C The aggregate amount of all loans and investments made by virtue of this section shall not at any time exceed twenty-five per centum of the unimpaired capital and twenty-five per centum of its unimpaired surplus of fifty per centum of the total time deposits of such bank or bank and trust company at the option of the bank or bank and trust company except that the limitations of this subsection shall not apply to [the portion of] loans guaranteed or for which a written commitment to guarantee has been made in accordance with the provisions of the "Servicemen's Readjustment Act of 1944" its amendments and supplements and rules and regulations promulgated from time to time pursuant to the provisions of said act [.] provided that such loans are guaranteed in an amount equal to at least twenty per centum thereof

Section 2 Subsection C of section one thousand two hundred ten of said act as amended by the act approved the twenty-first day of February one thousand nine hundred and forty-five (P. L. 7) is hereby further amended to read as follows

Section 1210 Limitation upon Loans and Discounts

* * *

C The limitations imposed by this section shall not apply to loans on the security of bonds secured by mortgages upon a dwelling for not more than four families and improved farm land situated within the Commonwealth made or for which a written commitment to guarantee has been made in accordance with provisions of the "Servicemen's Readjustment Act of 1944" its amendments and supplements and rules and regulations promulgated from time to time pursuant to the provisions of said act Provided That each such loan is guaranteed in an amount equal to at least twenty per centum thereof [of the value of the property] subject to the lien and loans on the security of bonds secured by mortages upon business property situated within the Commonwealth if such loans are guaranteed in whole or in part or if there is a written commitment to so guarantee in accordance with the provisions of the "Servicemen's Readjustment Act of 1944" its amendments and supplements and rules and regulations promulgated from time to time pursuant to the provisions of said act Provided That the non-guaranteed portion of each such business loan does not exceed two-thirds of the value of such business property nor shall any limitations imposed by this section apply to secondary loans [not in excess of five hundred dollars] fully quaranteed in accordance with the provisions of Section five hundred five of the "Servicemen's Readjustment Act of 1944" its amendments and supplements and rules and regulations promulgated from time to time pursuant to said act

Section 3 Effective Date The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahauser,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsher	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Lane,	Stevenson,	Wood, L. H.,
Doehla,	Leader,	Stiefel,	Wood, T. N.,
Donlan,	Letzler,	Tallman,	Woodring,
Farrell,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence,

BILLS OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 383, on third reading, entitled:

An Act to amend the title and the act approved the eighth day of April one thousand nine hundred thirty-seven (P. L. 262) entitled "An act relating to consumer credit in amounts of one thousand dollars ($1000) or less requiring licenses from the Secretary of Banking restricting licenses to domestic business corporations fixing minimum capital requirements conferring certain powers on the Secretary of Banking limiting interest and other charges providing certain exemptions and imposing penalties" by further prescribing the powers of said licensees and the Secretary of Banking and further regulating the granting of said licenses and the loans charges interest and refunds to be made or collected by such licensees

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 415, on third reading, entitled:

An Act to amend sections 501 and 502 of the Act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 1053) entitled "An act relating to the regulation of public utilities defining as public utilities certain corporations companies associations and persons providing for the regulation of public utilities including to a limited extent municipalties engaging in public utility business by prescribing defining and limiting their duties powers and liabilities and regulating the exercise surrender or abandonment of their powers privileges and franchises defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons associations companies and corporations including to a limited extent municipal corporations subject to this act and administering the provisions of this act authorizing the commission to fix temporary rates placing the burden of proof on public utilities to sustain their rates and certain other matters authorizing a permissive or mandatory sliding scale method of regulating rates providing for the supervision of financial and contractual relations between public utilities and affiliated interests and supervision and regulation of accounts and securities or obligations issued assumed or kept by persons associations companies cor-

porations or municipal corporations subject to this act conferring upon the commission power to vary reform or revise certain contracts conferring upon the commission the exclusive power to regulate or order the construction alteration relocation protection or abolition of crossings of facilities of public utilities and of such facilities by or over public highways to appropriate property for the construction or improvement of such crossings and to award or apportion resultant costs and damages authorizing owners of such property to sue the Commonwealth for such damages providing for ejectment proceedings in connection with the appropriation of property for crossings conferring upon the commission power to control and regulate budgets of public utilities imposing upon persons associations companies and corporations (except municipal corporations) subject to regulation the cost of administering this act prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings prescribing penalties fines and imprisonment for violation of the provisions of this act and regulations and orders of the commission and the procedure for enforcing such fines and penalties and repealing legislation supplied and superseded by or inconsistent with this act" by excluding water supply companies from the requirements of original cost accounting

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 422, on third reading, entitled:

An Act to amend the title and sections one two and three of the act approved the thirty-first day of July one thousand nine hundred forty-one (P. L. 606) entitled "An act relating to the sale transfer assignment and pledge of accounts receivable" by further defining the term "accounts receivable" and further providing for notation of assignments upon the books of the assignor and for giving notice of assignments to account debtors and the effects thereof respectively

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 491, as follows:

An Act to further amend Subsection C of Section two hundred four of the act approved the fifteenth day of May one thousand nine hundred thirty-three (P. L. 624) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers defining the rights powers and duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employes of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" by further providing for the establishment of branch offices and sub-agencies and for the approval thereof by the Department of Banking and the Banking Board

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection C of Section two hundred four of the act approved the fifteenth day of May one thousand nine hundred thirty-three (P. L. 624) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employes of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" as last amended by the act approved the twenty-second day of April one thousand nine hundred thirty-seven (P. L. 349) is hereby further amended to read as follows

Section 204 Branch Offices and Sub-Agencies

* * * *

C Any institution may in the case of an incorporated institution in the manner provided by this act for an amendment to its articles or in pursuance of a plan of merger or consolidation in accordance with the provisions of this act and in the case of a private bank with the prior written approval of the department establish a branch at any place within this Commonwealth where at the time such institution proposes to establish such branch any national banking association having its principal office in the same county as that in which the principal office of the institution proposing to take such action is located would have the power under the laws of the United States [now or] hereafter enacted to establish a branch of such national banking association Provided That no such branch shall be established under the provisions of this subsection unless the city borough or community in which it is to be established is without adequate banking facilities or in the case of a merger or consolidation is without adequate banking facilities other than an incorporated institution or national banking associatio which is a party to the plan of merger and consolidation in accordance with the provisions of this act and Provided further That the establishment of every such branch shall be approved by the Department of Banking and the Banking Board

Section 2 This act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	Farrell,	Lord,	Tarr,
Becker,	Frazier,	Mahany,	Taylor,
Berger,	Geltz,	Mallery,	Tyler,
Blass,	Haluska,	Margie,	Wade,
Carr,	Hare,	Rahauser,	Wagner,
Chapman,	Heyburn,	Rosenfeld,	Walker,

Crider,	Holland,	Ruth,	Watson,
Crowe,	Homsher,	Scarlett,	Wilson,
Dent,	Jaspan,	Snowden,	Wolfe,
DiSilvestro,	Kephart,	Stevenson,	Wood, L. H.,
Doehla,	Leader,	Stiefel,	Wood, T. N.,
Donlan,	Letzler,	Tallman,	Woodring,

NAYS—1

Lane,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence,

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 498, on third reading, entitled:

An Act lapsing all unexpended or unencumbered balances of appropriations from all funds made by the General Assembly at its session of one thousand nine hundred and thirty-nine and prior sessions and at its regular sessions of one thousand nine hundred and forty-one and one thousand nine hundred and forty-three and the Special Sessions of one thousand nine hundred and forty and one thousand nine hundred and forty-two

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consiedration of House Bill No. 554, as follows:

An Act providing that in cities of the first class in all cases where taxes are due and unpaid upon a single tract of land and it is desired to divide such tract into separate parcels the Board of Revision of Taxes may apportion such taxes ratably between or among the parcels so divided and providing that upon payment of the taxes and proper costs on any such parcel it shall be released from the lien

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 In cities of the first class in all cases where taxes are due and unpaid upon a single tract of land and it is desired to divide such tract into separate parcels the Board of Revision of Taxes is hereby authorized to apportion such taxes ratably between or among the parcels so divided In such cases the tax collecting authority shall accept the payment of such amount as represents the taxes penalties and interest due on such fixed and described parcel of the larger tract in the same manner and subject to the same duties relative thereto as if such fixed and described parcel had been assessed as one parcel of real estate in the original assessment

Section 2 Upon payment of the taxes and a ratable proportion of the costs in any proceeding upon the lien such parcel shall be released from the lien and a notation to that effect shall be entered upon the record of the lien proceedings

Section 3 All acts and parts of acts inconsistent with the provisions of this act are hereby repealed

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahauser,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsher,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Lane,	Stevenson,	Wood, L. H.,
Doehla,	Leader,	Stiefel,	Wood, T. N.,
Donlan,	Letzler,	Tallman,	Woodring,
Farrell,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 556, as follows:

An Act to further amend the act approved the fifteenth day of May one thousand nine hundred thirty-three (P. L. 624) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employes of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" further providing for authorized investments and limitations upon loans and discounts of savings banks

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause eight of subsection A of section one thousand two hundred eight and section one thousand two hundred nine of the act approved the fifteenth day of May one thousand nine hundred thirty-three (P. L. 624) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employes of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" as last amended by the act approved the twenty-fourth day of April one thousand nine hundred forty-five (P. L. 284) are hereby further amended to read as follows

Section 1208 Authorized Investments of Savings Banks Not Under Special Charter A Except as otherwise specifically provided in this act a savings bank other than a savings bank organized under a special act of the General Assembly shall not make any investments except as follows

* * * *

(8) Bonds secured by mortgages which are first liens upon unencumbered improved real property including improved farm land situated within the Commonwealth or within fifty miles of the boundary thereof to the extent of not more than two-thirds of the actual value of such real property and for a term not exceeding ten years or for a term not exceeding twenty years if such mortgages contain provisions requiring monthly quarterly semi-annual or annual payments sufficient in amount to pay all interest and effect full repayment of principal within such twenty year term and bonds secured by mortgages which are insured by or for which a commitment to insure has been made by the Federal Housing Administrator pursuant to the provisions of the National Housing Act of one thousand nine hundred and thirty-four approved the twenty-seventh day of June one thousand nine hundred and thirty-four its amendments and supplements Any building which is upon and is included in the valuation of such real property shall be insured against loss by fire to the benefit of the savings bank by the mortgagor during the term of the bond in a company which is authorized to do business in Pennsylvania and is approved by the savings bank making the investment It shall be lawful for a savings bank to renew such policies at the expense of such mortgagor from year to year or for a longer or shorter period not however exceeding the term of the bond in case the mortgagor shall fail to do so All necessary charges and expenses paid by such savings bank for such renewals shall be paid by such mortgagor In the event that the mortgagor shall refuse upon demand to pay such charges and expenses they shall be added to the amount secured by the mortgage and shall together with interest from the date of payment of such charges and expenses by such savings bank constitute a lien upon the property so mortgaged All expenses of searches examinations certificates of title or appraisal of actual value and all expenses of drawing and recording of papers shall be paid by such mortages The actual value of the real property shall be determined by two reputable persons especially familiar with real property values in the vicinity of the particular property to be appraised selected from or approved by the board of trustees They shall inspect the property and shall state in writing that the actual value of the real property inspected to the best of their judgment is as stated Such report shall be filed and preserved among the records of the savings bank

Section 1209 Authorized Investments of Special Charter Savings Banks A A savings bank organized under a special act of the General Assembly may make such investments as may be authorized by its articles of incorporation but no such savings bank shall purchase or invest in the shares of capital of any corporation whatsoever except a Federal Reserve Bank or purchase or invest in bonds secured by mortgages upon real property except bonds secured by mortgages which are first liens upon unencumbered improved real property including improved farm land situated within the Commonwealth or within fifty miles of the boundary thereof to the extent of not more than two-thirds of the actual value of such real property and for a term not exceeding ten years or for a term not exceeding twenty years if such mortgages contain provisions requiring monthly quarterly semi-annual or annual payments sufficient in amount to pay all interest and effect full repayment of principal within such twenty year term and bonds secured by mortgages which are insured by or for which a commitment to insure has been made by the Federal Housing Administration pursuant to the provisions of the National Housing Act of one thousand nine hundred and thirty-four approved the twenty-seventh day of June one thousand nine hundred and thirty-four its amendments and supplements Any building which is upon and is included in the valuation of such real property shall be insured against loss by fire to the benefit of the savings bank by the moregagor during the term of the bond in a company which is authorized to do business in Pennsylvania and is approved by the savings bank making the purchase or investment It shall be lawful for a savings bank to renew such policies at the expense of such mortgagor from year to year or for a longer or shorter period not however exceeding the term of the bond in case the mortgagor shall fail to do so

B All necessary charges and expenses paid by such savings bank for such renewals shall be paid by such mortgagor In the event that the mortgagor shall refuse upon demand to pay such charges and expenses they shall be added to the amount secured by the mortgage and shall together with interest from the date of payment of such charges and expenses by such savings bank constitute a lien upon the property so mortgaged All expenses of searches examinations certificates of title or appraisal of actual value and all expenses of drawing and recording of papers shall be paid by such mortgagor The actual value of the real property shall be determined by two reputable persons especially familiar with real property values in the vincinity of the particular property to be appraised selected from or approved by the board of trustees They shall inspect the property and shall state in writing that the actual value of the real property inspected to the best of their judgment is as stated Such report shall be filed and preserved among the records of the savings bank The restrictions contained in this section with reference to real estate bonds shall not apply to public utility railroad or industrial bonds or other securities commonly known as investment securities although such bonds may be secured in whole or in part by a mortgage upon real property

Section 2 Section one thousand two hundred ten of said act as amended by the act approved the twenty-first day of February one thousand nine hundred forty-five (P. L. 7) is hereby further amended to read as follows

Section 1210 Limitation Upon Loans and Discounts A A savings bank shall not grant any loan except for a period not exceeding ninety days and except on the collateral of such securities as are by this act authorized as investments for savings banks The amount of such loan shall not exceed ninety per centum of the cash market value of such collateral If any of the securities so held as collateral depreciate in value before the repayment of such loan the savings bank shall forthwith require the immediate repayment of such loan or of part thereof or the immediate furnishing of additional security so that the amount of the loan shall at no time exceed ninety per centum of the cash market value of the securities held as collateral for it

B A savings bank shall not discount any note bill of exchange draft or other commercial paper except in the case of any note payable within ninety days and secured in accordance with the provisions of this section provided that the maker of such note is the borrower and the payee is the savings bank

C The limitations imposed by this section shall not apply to loans on the security of bonds secured by mortgages upon a dwelling for not more than four families and improved farm land situated within the Commonwealth or within fifty miles of the boundary thereof made or for which a written commitment to guarantee has been made in accordance with the provisions of the "Servicemen's Readjustment Act of 1944" its amendments and supplements and rules and regulations promulgated from time to time pursuant to the provisions of said act Provided That each such loan is guaranteed in an amount equal to at least twenty per centum of the value of the property subject to the lien and loans on the security of bonds secured by mortgages upon business property situated within the Commonwealth or within fifty miles of the boundary thereof if such loans are guaranteed in whole or in part or if there is a written commitment to so guarantee in accordance with the provisions of the "Servicemens Readjustment Act of 1944" its amendments and supplements and rules and regulations promulgated from time

to time pursuant to the provisions of said act Provided That the non-guaranteed portion of each such business loan does not exceed two-thirds of the value of such business property nor shall any limitations imposed by this section apply to secondary loans not in excess of five hundred dollars fully guaranteed in accordance with the provisions of section five hundred five of the "Servicemen's Readjustment Act of 1944" its amendments and supplements and rules and regulations promulgated from time to time pursuant to said act

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margle,	Wade,
Carr,	Heyburn,	Rahauser,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsher,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Lane,	Stevenson,	Wood, L. H.,
Doehla,	Leader,	Stiefel,	Wood, T. N.,
Donlan,	Letzler,	Tallman,	Woodring,
Farrell,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL RECOMMITTED

Mr. TALLMAN. Mr. President, I move that Senate Bill No. 561, on third reading, entitled:

An Act to amend sections eight hundred sixty-eight and eight hundred sixty-nine of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" further regulating the use and possession of certain containers

be recommitted to the Committee on Law and Order.

Mr. TAYLOR. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. BARR. Mr. President, I ask for a roll call.

Mr. TALLMAN. Mr. President, I think I may satisfy the gentleman's request for a roll call by explaining to him that the reason for the re-committment of this bill is because the sponsor has requested it, for the reason that the provisions of this bill are covered in the penal code.

Mr. BARR. I withdraw my request, Mr. President.

And the question recurring,

Will the Senate agree to the motion?

The motion was agreed to.

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 570, on third reading, entitled:

An Act to further amend sections one, four, five and six of the act, approved the seventh day of May, one thousand nine hundred twenty-three (P. L. 151), entitled "An act defining and regulating the business of dry cleaning and dyeing; providing for the maintenance, construction, and inspection of dry cleaning and dyeing buildings and establishments; providing for enforcing the act, and penalties for violation thereof", by repealing exemptions from certain provisions of said act and providing for regulation of Class I and Class II dry cleaning and dyeing plants.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 613, as follows:

An Act to authorize counties cities boroughs incorporated towns townships school districts poor districts and county institution districts to file tax and municipal claims not filed within the time specified by law and to amend such claims where the property affected is not sufficiently described and to file suggestions of nonpayment and averments of default or to sue out writs of scire facias on certain tax or municipal claims and to revive judgments where the lien of such claims or the judgment thereon have been lost and providing for the reinstatement of the liens of such claims and judgment

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Whenever any county city borough incorporated town township school district poor district or county institution district has heretofore failed to file in the office of the prothonotary of the county any tax claim or municipal claim assessed against any property within the time limit required by law for such filing whereby the lien of such tax or municipal claim is lost or has heretofore filed any tax claim or municipal claim assessed against any property and in such claim has described the property against which the claim was assessed only by the name of the owner and the distance from a given point or has heretofore filed in the office of the prothonotary of the proper county any tax or municipal claim and the county city borough incorporated town township school district poor district or county institution district has not within the period of five years after the date on which any such claim was filed sued out a writ of scire facias to reduce the same to judgment or has not done so in time or in the case of a tax or municipal claim has within said period of five years filed a suggestion of nonpayment and an averment of default or whenever any writ of scire facias has been issued to reduce any such claim to judgment and by reason of defense or any other court proceedings or by reason of failure to file a praecipe on time judgment has not been entered within the period of five years after the date on which such writ was issued or whenever any such tax or municipal claim has been reduced to judgment and the county city borough incorporated town township school district poor district or county institution district has not within the period of five years after the date on which such judgment was entered or within five years after the date on which such judgment was last revived filed a suggestion of nonpayment and an averment of default or sued out a writ of scire facias to revive the same then in any such case any such county city borough incorporated town township school district poor district or county institution district may within one year after the effective date of this act file such tax or municipal claim or amend such claim so as to properly describe the property against which the claim is assessed or issue or reissue its praecipe for a writ of scire facias on any such tax or municipal claim and proceed to judg-

ment in the manner provided by law to obtain judgments upon tax or municipal claims or in case a writ of scire facias has been issued but the same has not been reduced to judgment within five years from the date of issuance issue its praecipe for an alias writ of scire facias on any such tax or municipal claim and proceed to judgment in the manner provided by law to obtain judgments upon tax or municipal claims or in the case of a tax or municipal claim where no judgment has been entered file a suggestion of nonpayment and an averment of default or in case judgment has been entered on a tax or municipal claim either file a suggestion of nonpayment and an averment of default or issue its praecipe for a writ of scire facias on any such judgment and proceed to judgment in the manner provided by law to obtain judgments of revival and such claim or judgment so entered or revived shall be a valid claim or judgment and be a lien upon the real estate upon which it was assessed or upon which it was a lien at the time the claim was filed or the judgment was entered and said claim or judgment may be revived or further revived and collected as other claims or judgments upon tax or municipal claims are revived and collected Provided however That the lien of any such claim or judgment shall not attach or reattach against any real estate transferred to any purchaser before such claim is filed or during the time when the lien of any such tax or municipal claim or judgment was lost nor shall the lien of any such claim or judgment impair or affect the priority of the lien of any mortgage or other lien which gained priority because of the failure of the county city borough incorporated town township school district poor district or county institution district to file such claim or to properly describe the property against which the claim was assessed or to sue out the writ of scire facias or file a suggestion of nonpayment and an averment of default within the five year period or was entered of record during the time the lien of such tax or municipal claim or judgment was lost nor shall any such lien so revived impair or affect the priority of the lien of any mortgage or other lien which was entered prior to the tax or municipal claim or which gained priority during the time such lien was not revived or was not effective

Section 2 This act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahauser,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsher,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Lane,	Stevenson,	Wood, L. H.,
Doehla,	Leader,	Stiefel,	Wood, T. N.,
Donlan,	Letzler,	Tallman,	Woodring,
Farrell,			

NAYS—0 .

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House or Representatives for concurrence.

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 639, on third reading, entitled:

A Further supplement to the act, approved the twenty-ninth day of April, one thousand eight hundred seventy-four (P. L. 73), entitled "An act to provide for the incorporation and regulation of certain corporations," granting to every corporation heretofore or hereafter incorporated for the purpose of engaging in the telephone or telegraph business, the power to appropriate private property in certain cases and subject to approval by the Public Utility Commission for the construction, maintenance and operation of its lines and facilities, and providing for the assessment of damages arising from such appropriation and the method of appropriation,

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 785, entitled:

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An Act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the oreorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant-Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by creating the Public Service Institute Board in the Department of Public Instruction and defining its powers and duties

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. HOMSHER. Mr. President, I ask unanimous consent to offer amendments at this time.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend sec. 2 (Sec. 454), page 6, line 12, by striking out the word "be" and inserting in lieu thereof: "include"; Amend sec. 2 (Sec. 454), page 7, line 3, by inserting after the word "duties" the following: "which shall not exceed the sum of ten dollars ($10) per diem and mileage"; Amend sec. 3 (Sec. 1313), page 7, line 15, by striking out the word "to" where it appears the second time on said line; Amend sec. 3 (Sec. 1313), page 7, line 19, by striking out the word "expand" and inserting in lieu thereof: "expend";

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

It was agreed to.

Ordered, That the bill as amended, lie over for printing on final passage.

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 803, on third reading, entitled:

An Act to further amend the act approved the twenty-ninth day of April one thousand nine hundred thirty-seven (P. L. 487) entitled "An act to provide for the permanent personal registration of electors in boroughs towns and townships as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors requiring the county commissioners of the various counties to act as a registration commission therefor and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school districts and imposing penalties" changing the provisions of the said act relating to removal notices transfer of registration checkup of registers and street lists

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 875, as follows:

An Act to further amend section one of the act approved the seventh day of June one thousand nine hundred eleven (P. L. 680) entitled "An act providing for the examination licensure and registration of persons firms or corporations engaged or engaging in the business or work of plumbing or house drainage and prescribing certain rules regulations and requirements for the construction of plumbing house drainage and cesspools in cities of the first class and imposing fines penalties and forfeitures for violation thereof" by exempting therefrom the construction of sewers and water lines

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one of the act approved the seventh day of June one thousand nine hundred eleven (P. L. 680) entitled "An act providing for the examination licensure and registration of persons firms or corporations engaged or engaging in the business or work of plumbing or house drainage and prescribing certain rules regulations and requirements for the construction of plumbing house drainage and cesspools in cities of the first class and imposing fines penalties and forfeitures for violation thereof" as last amended by section one of the act approved the second day of June one thousand nine hundred thirty-five (P. L. 561) is hereby further amended to read as follows

Section 1 Be it enacted &c That on and after the first day of January one thousand nine hundred and thirty-six it shall be unlawful for any persons to carry on the business or work at the trade of plumbing defined as drainage water piping or the construction alteration and repairing any drainage cesspools trap waste vent or water piping and fixtures attached thereto directly or indirectly connected to the city service water supply or any connection or connections in relation thereto except gas or electric water heaters in cities of the first class having a system of sewerage and water supply of this Commonwealth until a master plumber's license and certificate of registration to engage in or work at said business shall have been granted said persons by the Department of Health of such cities Provided That nothing in this act shall be construed to prevent the employment of apprentices except as hereinafter provided journeymen and licensed plumbers under the direction of duly certified and licensed master plumbers or under the direction of registered journeymen plumbers And provided further That master plumbers duly certified and licensed and having a bona fide place of business in said cities of the passage of this act and registered journeymen plumbers shall not be required to undergo an examination and they shall be entitled to apply for registration annually thereafter Provided That the term plumbing shall not be conctrued to include the laying of sewers and water pipes (including the laterals) by said cities either directly or by its duly authorized contractors or agents or constructed under the supervision of said cities or under the supervision of a registered professional engineer in those cases where a complete set of plans of said sewers to be constructed and water pipes to be laid shall have been filed with the appropriate office of said cities

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—38

Becker,	Farrell,	Mahany,	Tyler,
Berger,	Frazier,	Mallery,	Wade,
Blass,	Geltz,	Rosenfeld,	Wagner,
Carr,	Hare,	Scarlett,	Walker,
Chapman,	Heyburn,	Snowden,	Watson,
Crider,	Homsher,	Stevenson,	Wilson,
Crowe,	Jaspan,	Stiefel,	Wolfe,
DiSilvestro,	Kephart,	Tallman,	Wood, L. H.,
Doehla,	Letzler,	Taylor,	Wood, T. N.,
Donlan,	Lord,		

NAYS—11

Barr,	Holland,	Margle,	Tarr,
Dent,	Lane,	Rahauser,	Woodring,
Haluska,	Leader,	Ruth,	

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 882 on third reading, entitled:

An Act to further amend section thirty-eight of the act approved the twenty-ninth day of April one thousand nine hundred thirty-seven (P. L. 487) entitled "An act to provide for the permanent personal registration of electors in boroughs towns and townships as a condition of their right to vote at elections and primaries and their

enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors requiring the county commissioners of the various counties to act as a registration commission therefor and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors and imposing penalties" further regulating and changing the provisions of the act relating to cancellation of registration upon failure to vote within two years by giving removal notice same effect as request for reinstatement

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING CALENDAR

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 48, entitled:

An Act to add clause XLIX to section one thousand five hundred two of the act approved the twenty-fourth day of June, one thousand nine hundred thirty-one (P. L. 1206), entitled "An act concerning townships of the first class; amending, revising, consolidating, and changing the law relating thereto," authorizing acquisition of property for, and establishment and maintenance of parking lots.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 190, on second reading, entitled:

An Act to repeal certain statutes relating to oleomargarine, butterine or similar substances manufactured wholly or partly from fats, oils or oleaginous substances.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 273, on second reading, entitled:

An Act to amend clauses one and two of section one thousand seven hundred nine, of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-one (P. L. 1206), entitled "An act concerning townships of the first class; amending, revising, consolidating, and changing the law relating thereto," by further providing for certain tax levies.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 439, on second reading, entitled:

An Act to add section five point one to the act approved the nineteenth day of June one thousand nine hundred thirty-one (P. L. 589) entitled as amended "An act to promote the public health and safety by providing for the examination and licensure of those who desire to engage in the occupation of barbering regulating barber shops and barber schools and apprentices and students therein regulating compensation for service rendered conferring certain powers and duties on the Department of Public Instruction and providing penalties" further regulating apprentices and students and their registration in such occupation in certain cases

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 494, on second reading, entitled:

An Act to further amend the act approved the nineteenth day of June one thousand nine hundred thirty-one (P. L. 589) entitled as amended "An act to promote the public health and safety by providing for the examination and licensure of those who desire to engage in the occupation of barbering regulating barber shops and barber schools and apprentices and students therein regulating compensation for service rendered conferring certain powers and duties on the Department of Public Instruction and providing penalties" by further regulating the practice of barbering the annual renewal of certificates and the eligibility requirements for examinations

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 503, entitled:

An Act to amend or further amend Sections eight hundred six eight hundred eight and eight hundred thirty of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by making it unlawful for certain persons to disturb wild birds or wild animals within safety zones during the open hunting or trapping season clarifying the law with reference to shooting within safety zones prohibiting the conveyance of certain firearms without being wrapped or in a case and clarifying the law with reference to hunting accident reports.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 537, on second reading, entitled:

An Act requiring owners of hotels restaurants and places of amusement and entertainment to give notice to patrons thereof that concessions for certain services have been granted to other persons and that gratuities received by the employes of such concessions are the property of the owner thereof

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 538, entitled:

An Act to further amend the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" creating a County Transit and Traffic Commission in counties of the second class providing for its membership and defining its powers and duties

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 578, on second reading, entitled:

An Act amending revising and consolidating the laws relating to deliquent county city except of the first and second class borough town township school district except of the first class and institution district taxes providing when how and upon what property and to what extent liens shall be allowed for such taxes the return and entering of claims therefor the collection and adjudication of such claims sales of real property including seated and unseated lands subject to the lien of such tax claims the disposition of the proceeds thereof including State taxes and municipal claims recovered and the redemption of property providing for the discharge and divestiture by certain tax sales of all estates in property and of mortgages and liens on such property and the proceedings therefor creating a Tax Claim Bureau in each county of the first class to act as agent for taxing districts defining its powers and duties including sales of property the management of property taken in sequestration and the management sale and disposition of property heretofore sold to the county commissioners taxing districts and trustees at tax sales providing a method for the service of process and notices imposing duties on tax districts and their officers and on tax collectors and certain expenses on counties and for their reimbursement by taxing districts and repealing existing laws

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING AMENDED

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 593, entitled:

An Act to amend sections three hundred two and seven hundred one of the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 571) entitled "An act relating to assessment for taxation in counties of the fourth fifth sixth seventh and eighth classes designating the subjects property and persons subject to and exempt from taxation for county borough town township school except in cities and county institution district purposes and providing for and regulating the assessment and valuation thereof for such purposes creating in each such county a board for the assessment and revision of taxes defining the powers and duties of such boards providing for the acceptance of this act by cities regulating the office of ward borough town and township assessors abolishing the office of assistant triennial assessor in townships of the first class providing for the appointment of a chief assessor assistant assessors and other employes providing for their compensation payable by such counties prescribing certain duties of and certain fees to be collected by the recorder of deeds and eliminating the triennial assessment" enlarging the powers of boards of assessment and revision of taxes as to the revision of assessments and valuations

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. STEVENSON offered the following amendments:

Amend sec. 1 (Sec. 702), page 5, line 8, by inserting after the word "mailed" the following: "or delivered"; Amend sec. 1 (Sec. 701), page 5, line 11, by striking out the words "revision and"; Amend sec. 1 (Sec. 701), page 5, line 11, by inserting brackets before and after the word "appeal" and inserting immediately thereafter "revision."

They were agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time, and agreed to, as amended,

Ordered, To be transcribed for a third reading.

BILLS ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 659, entitled:

An Act to further amend section twenty-three of the act approved the first day of June one thousand eight hundred eighty-nine (P. L. 420) entitled "A further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine" by increasing for a further limited period of time the rate of tax imposed upon the gross receipts of certain companies limited partnerships associations joint-stock associations copartnerships and persons by making further provisions for the report and payment of the tax and by further defining gross receipts

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS ON SECOND READING AMENDED

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 661, entitled:

An Act to reenact and amend the title and the act, approved the ninth day of June, one thousand nine hundred thirty-six, (Special Session of one thousand nine hundred thirty-six, P. L. 13), entitled "An act imposing an emergency State tax for a limited period of time on liquor, as herein defined, sold by the Pennsylvania Liquor Control Board; providing for the collection and payment of such tax; and imposing duties upon the Department of Revenue

and the Pennsylvania Liquor Control Board," as previously reenacted and amended, by extending the provisions thereof for a further limited period of time.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 662, entitled:

An Act to reenact and amend the title and the act approved the fourteenth day of June one thousand nine hundred thirty-five (P. L. 341) entitled as amended "An act to provide revenue by imposing a State tax upon sales of cigarettes by dealers as herein defined requiring persons engaged in the sale of cigarettes at wholesale and retail to secure permits prescribing the method and manner of collecting such tax conferring powers and imposing duties on the Department of Revenue and persons as herein defined engaged in the sale of cigarettes at retail or wholesale and providing penalties" as previously reenacted and amended by increasing the rate of tax by reducing the rate of commission for affixing stamps and extending the provisions of the act for a further limited period of time

The first section was read and agreed to.

The second section was read.

On the question,

Will the Senate agree to the section?

Mr. GELTZ offered the following amendment:

Amend page 21, section 2, line 10, by striking out after the word "tive," the following: "[immediately upon its final enactment]," and inserting in lieu thereof, the following: "on the first day of June, one thousand nine hundred forty-seven."

It was agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time, and agreed to, as amended,

Ordered, To be transcribed for a third reading.

BILL ON SECOND READING AMENDMENTS OFFERED

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 663, entitled:

An Act to further amend section three of the act approved the fifth day of May one thousand nine hundred three (P. L. 284) entitled as amended "An act imposing a State tax payable by those herein defined as manufacturers and by others on malt or brewed beverages used sold transported or delivered within the Commonwealth prescribing the method and manner of evidencing the payment and collection of such tax conferring powers and imposing duties on the Department of Revenue and those using or engaged in the sale at retail or wholesale or in the transportation of malt or brewed beverages taxable hereunder and providing penalties" by temporarily increasing the rates of certain taxes

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. DENT offered the following amendment:

Amend Section 1 (Sec. 3) page 6, by inserting between lines 6 and 7 the following:

(d) The Department is hereby authorized and required to allow to each purchaser of tax stamps or tax crowns a discount of four (4) percentum of the purchase price of the tax value of stamps or crowns purchased upon the payment by him into the State Treasury through the Department of any moneys due to the Commonwealth by reason of the sale delivery or consignment to such purchaser of such stamps or crowns.

The said discount shall be allowed by the Department in lieu of any claim for refund by reason of (1) the breakage or destruction of containers stamped or crowned as provided in this act in possession of the purchaser or (2) the loss or destruction of tax stamps or tax crowns.

On the question,

Will the Senate agree to the amendment?

Mr. DENT. Mr. President, by way of explanation, this amendment to the malt beverage act is designed to give malt beverage bottlers all over the state the same consideration given by the federal government in its application of the federal taxes. They are at the present time refunded by the federal government, when they show a loss due to destruction of tax stamps, or loss of crowns, etc. I believe it is only simple justice to say that if a person must pay a tax, he should not be taxed for losses incurred because of the nature of his business. We recognized that fact when we passed the cigarette tax and allowed persons who purchase the tax stamps and apply them to the packages, and so forth, we allow them seven and a half per cent of course, in the new bill that is reduced to four per cent.

The matter is one that only calls for simple justice, and the question is wether or not we intend to further endanger this particular business, because, as you all recognize, the tax is now increased one hundred per cent on malt beverages. We all know, too, that any losses incurred in the bottling end of the business are naturally passed on to the consumer, and, therefore, if we create a situation in the Commonwealth that increases the cost of doing business, we can safely assume that the increased cost will be passed on to the consumers.

We all recognize too, that in the eyes of many persons, the manufacturing or the brewing of malt beverages, and the transportation and sale of same, is a privileged business, and, therefore, at times we consider it perfectly all right for those of us in the General Assembly to make any kind of attack we wish upon this business.

However, I believe since we are granting these privileges to all others who have to pay a state tax on their particular product, it becomes the duty of the Senate of Pennsylvania to give to this group of taxpayers the same consideration that we give to all others.

That, Mr. President and members of the Senate is the sum and substance of this amendment.

And the question recurring.

Will the Senate agree to the amendment?

Mr. DENT. Mr. President, I ask for a roll call.

The yeas and nays were required by Mr. DENT and were as follows, viz:

YEAS—13

Barr,	Jaspan,	Leader,	Stiefel,
Dent,	Klein,	Rahauser,	Tarr,
Haluska,	Lane,	Ruth,	Woodring,
Holland,			

NAYS—36

Becker,	Donlan,	Lord,	Tyler,
Berger,	Farrell,	Mahany,	Wade,
Blass,	Frazier,	Mallery,	Wagner,
Carr,	Geltz,	Rosenfeld,	Walker,
Chapman,	Hare,	Scarlett,	Watson,
Crider,	Heyburn,	Snowden,	Wilson,
Crowe,	Homsher,	Stevenson,	Wolfe,
DiSilvestro,	Kephart,	Tallman,	Wood, L. H.,
Doehla,	Letzler,	Taylor,	Wood, T. N.,

So the question was determined in the negative.

And the question recurring,

Will the Senate agree to the Section?

It was agreed to.

The second section and title were read and agreed to.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

BILL ON SECOND READING, AMENDMENTS OFFERED

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 664, entitled:

An Act to provide revenue by imposing a state tax payable by those herein defined as manufacturers and bottlers and by others of syrups and bottled soft drinks prepared used sold transported or delivered within the Commonwealth requiring persons as herein defined engaged in the manufacture bottling distribution sale and transportation of syrup and bottled soft drinks to secure permits prescribing the method and manner of evidencing the payment and collection of such tax or assessing the tax conferring powers and imposing duties on the Department of Revenue and those manufacturing bottling distributing selling and transporting syrup or bottled soft drinks taxable hereunder and providing penalties

The first, second and third sections were read and agreed to.

The fourth section was read.

On the question,

Will the Senate agree to the section?

Mr. DENT offered the following amendment:

Amend Section 4, Page 10, Line 14, by striking out the words and figures, "half cent (½c)" and inserting in lieu thereof the following: "cent (1c)."

On the question,

Will the Senate agree to the amendment?

Mr. DENT. Mr. President and members of the Senate, speaking for the adoption of the amendment, I just want to call the attention of the Senate to a very simple fact.

This bill, as originally written, obnoxious as it is and discriminatory as it is, at least was discriminatory on an equal basis—it discriminated against all persons who sold bottled prepared soft drinks.

Now, perhaps for reasons best known to the high command of the opposition party that is responsible for this type of legislation, we find there has been a reduction of fifty per cent in the tax that will be paid by the larger number of taxpayers. We all know there are approximately thirty thousand outlets in the state that sell drinks over the counter, in the fountain type of drink, mixed right at the fountain. Then there are approximately eight hundred bottlers in the state who will constitute the minority or a smaller number of taxpayers, and they will pay one cent for the same type, the same size drink.

Mr. President, and members of the Senate, we all know that taxes are, in a sense, a necessity in a civilized state and nation, and that some form of taxation must be assessed against the people if they are to have civilized government. However, when political considerations cause injustices to be perpetrated against a large group of taxpayers in a like industry, it is time that somebody called a halt.

We have here a tax supposedly to be placed against soft drinks. Later on I will prove by an analysis of the bill that it goes further than that but for the moment allow me to show you that on page 10 of this bill, section 4, we have a very discriminatory feature. If you buy syrup and prepare a soft drink and go to the expense of bottling the same and transporting it to the outlets, you pay one cent tax, but if you buy this same syrup and serve it through a fountain drink, the same amount of drink at the same price to the consumer, you pay one half cent tax.

There are two things that will happen under this type of a tax measure: in the first place you are penalizing that person who employs labor to a greater extent, because he has all the functions of bottling, preparation, transportation and merchandising in general, as against the confectionery store owner the drug store owner or the grocery store owner that has a fountain in his establishment and, secondly, you are giving to that fountain operator as much money for his till as what the state will take in taxes. There is no measure of currency in our state and nation that will allow this man who operates a soda fountain to assess a one-half cent tax; either he absorbs the entire amount of that tax—and I understand it is somewhere in the neighborhood of $38,000,000 or somewhere around that figure, and I believe all of us realize it would be impossible for the ordinary businessman in this state to absorb this tax.

So he is in this position: he cannot charge one-half cent, so either he reduces the content of syrup in his drink, reduces the size of the drink to the consumer, or he cheats and adds one cent to the drink and takes one-half cent more profit, the same amount as the state is assessing against him for taxes.

Mr. President and members of the Senate, I am not a constitutional lawyer but I do pride myself on always trying to analyze between right and wrong, and I understand the Constitution so endeavors to. I cannot see how this Senate can call this tax constitutional, when the same drink is assessed with a one cent tax as against the same drink assessed with a one-half cent tax, when both are made out of the same component parts.

So, Mr. President and members of the Senate, I say to you that to my mind you are endangering the whole structure of this bill by allowing this discriminatory feature to be contained therein.

Mr. President, I submit that this reason and reasoning is sufficient for all open-minded men to realize that com-

petitively they are doing an injustice to one group as against another group.

Mr. GELTZ. Mr. President, my colleague from Westmoreland County, Senator Dent, says he is not a constitutional lawyer, but I think he did pretty well on a matter concerning the Constitution. I think he understands very well, and that probably is the reason for the introduction of his amendment, that if this amendment were passed and the tax were again put back to one cent per ounce, we would then have a tax of $1.28 per gallon on syrup, which would make it a confiscatory tax and therefore unconstitutional, and I think he well knows that was the principal reason for the reduction of the tax to one-half cent per ounce, and for that reason so that the bill will be constitutional, I ask my colleagues to vote against the amendment.

Mr. DENT. Mr. President, I would like to call to the attention of the gentleman from Allegheny the fact that when a bottler buys his syrup, he pays the same price for that syrup as a fountain store owner does, and if it is confiscatory on the part of the person who owns a fountain, then it must also be confiscatory to the bottler who buys the same syrup and pays the same money for it.

Mr. GELTZ. Mr. President, I think my worthy colleague somewhat misunderstands the situation. When a bottler buys that syrup he does not pay a tax; when he bottles soft drinks he pays a tax of one cent per twelve ounces of bottled soft drink. That is in the nature of an excise or manufacturing tax, and not in the nature of a use tax, and therefore the distinction between the one cent and one-half cent does not prevent uniformity of taxes as required by law.

Mr. DENT. Mr. President, of course, the worthy Senator from Allegheny and myself could argue from now until doomsday about constitutionality, but we all know where that final decision must be made. I still say, Mr. President, that even the Supreme Court of the State of Pennsylvania, or any higher court, will take into consideration the fact that both groups of users pay the same amount of money for the initial product and the component parts that go into the ultimate consumer's product.

Mr. ROSENFELD. Mr. President, in order that there be no mistake about this, I think it ought to be clearly understood by everyone here that a gallon of syrup will be taxed at the rate of sixty-four cents if it is not used to bottle the drink, and if it is used to bottle the drink, that same gallon ultimately will stand a tax of $1.28 and, notwithstanding the constitutional question that is involved, each of us should consider carefully that from a clearly practical standpoint we are doing a very dangerous thing.

And the question recurring,

Will the Senate agree to the amendment?

(A voice vote having been taken the question was determined in the negative.)

And the question recurring,

Will the Senate agree to the section?

Mr. DENT offered the following amendment:

Amend Section 4, page 10, lines 15 and 16 by striking out the words and figures "on each twelve (12 fluid ounces or fraction thereof on bottled soft drinks," and inserting in lieu thereof the following: "up to and including twelve (12) fluid ounces, two cents (2c) over twelve (12) fluid ounces to and including thirty-two (32) fluid ounces, three cents (3c) over thirty-two fluid ounces."

On the question,

Will the Senate agree to the amendment?

Mr. BECKER. Mr. President, I object to the amendments.

The PRESIDENT. There is objection.

Mr. DENT. I did not hear any objection, Mr. President.

The PRESIDENT. The gentleman from Lebanon, Senator Becker, objected. Is that right?

Mr. BECKER. That is right, Mr. President.

Mr. DENT. This is very painful to me but I would like to interrogate the Senator from Lebanon.

The PRESIDENT. There is objection. Does the Senator from Westmoreland wish to ask a question?

Mr. DENT. Yes, Mr. President.

Mr. BECKER. Mr. President, may we be at ease?

(The Senate was at ease.)

Mr. BECKER. Mr. President, was the question directed to the President whether I would consent to be interrogated?

The PRESIDENT. It was.

Mr. BECKER. I will, Mr. President.

Mr. DENT. Will the gentleman from Lebanon tell the Senate why he objects to the amendment.

Mr. BECKER. Mr. President, I object to the amendment for the reason that this amendment is a complicated amendment, differing from the one in the bill, and I wanted to submit it quickly to a roll call and have it disposed of.

Mr. DENT. I thank the gentleman from Lebanon very kindly.

Mr. President and members of the Senate, I believe that the amendment can be clarified very easly by a simple explanation and I am only hoping that after explaining it, if they see any justice in it, they will reconsider their action.

Mr. President and members of the Senate, in the soft drink field there are two competitive classes, the one that is called the pint bottle and which, of course, is not a pint bottle but a small bottle which may range anywhere from six, seven to twelve ounces, and which, in the competitive field, is restricted to that field by consumer prices. The second competitive field is the twenty-eight ounce bottle and the thirty-two ounce bottle. For practical purposes there are no such bottles known as twenty-four ounce bottles.

The framers of this tax bill either ignored or were in ignorance of the practices of the soft drink industry. By bottling in the larger bottle they are able to give the consumer a larger quantity of soft drink for a reduced price. We now eliminate that boon to consumers of soft drinks by placing an inequitable three cent charge against a twenty-eight ounce bottle.

I submit, Mr. President and members of the Senate, that if we do have to tax people, we ought at least try to do it in an intelligent manner, we ought to look into the problems of the industry we are assessing a tax against and try to place those taxes in such a manner that they do not act as a crippling feature to that industry.

I say the only thing these amendments do is to put the

two competitive classes of soda drinks on a competitive basis equally, and that is all they do.

Mr. GELTZ. Mr. President, I expect it all depends on what one thinks of as being competitive, but the Senator from Westmoreland indicates himself that in the one classification, or in the one competitive class, there is one kind of drink, six or seven ounces, and the other may be eight or ten ounces, both of which pay the same tax, that is, one cent, up to twelve ounces.

Mr. President, all this amendment does is to try to reduce the tax, after it gets over the first twelve ounces, because it carriers to thirty-two ounces instead of twenty-four, having a three cent tax on it. It is just an indirect method of trying to reduce taxes. It is not a question of taking any particular brand or class of drink out of the competitive class, and there is no reason for so doing.

Mr. DENT. Mr. President, I can not help what people think I intend to say, I can only say what I think, and I say to the gentleman from Allegheny, Senator Geltz, that two competitive classes are created by price range, and they are distinctly competitive on the price range angle and, therefore, any suggestion that the amendment is an attempt to reduce the tax for any particular brand name is entirely aside from the argument. I do not know that there is any particular brand name that sells a twenty-four ounce bottle. Frankly, I know of no soda pop that is sold in my community in a twenty-four ounce bottle. I do know that there are twenty-eighty and thirty-two ounce bottles sold for the same price competitively and, therefore, the amendment, as I see it, is sound and equitable.

And the question recurring,

Will the Senate agree to the amendment?

Mr. LANE. Mr. President, I ask for a roll call.

The yeas and nays were required by Mr. LANE and were as follows, viz:

YEAS—13

Barr,	Jaspan,	Rahauser,	Stiefel,
Dent,	Lane,	Rosenfeld,	Tarr,
DiSilvestro,	Leader,	Ruth,	Woodring,
Holland,			

NAYS—35

Becker,	Farrell,	Lord,	Wade,
Berger,	Frazier,	Mahany,	Wagner,
Blass,	Geltz,	Mallery,	Walker,
Carr,	Haluska,	Scarlett,	Watson,
Chapman,	Hare,	Snowden,	Wilson,
Crider,	Heyburn,	Stevenson,	Wolfe,
Crowe,	Homsher,	Tallman,	Wood, L. H.,
Doehla,	Kephart,	Taylor,	Wood, T. N.,
Donlan,	Letzler,	Tyler,	

So the question was determined in the negative.

And the question recurring,

Will the Senate agree to the section?

It was agreed to.

The fifth and sixth sections were read and agreed to.

The seventh section was read.

On the question,

Will the Senate agree to the section?

Mr. BARR. Mr. President, I desire to offer the following amendment, and for the information of the gentlemen on the other side, this is an amendment to section 7, page 25, line 2.

I think this is one amendment you will adopt, or there is no reason for having the whole paragraph preceding it, because if you are going to demand surety bonds, you are not going to save bottlers one cent in the collection of this tax.

Mr. BARR offered the following amendment:

Amend Section 7, page 25, line 2, by inserting after the word "Bond" and before the "in" the following: "without surety".

On the question,

Will the Senate agree to the amendment?

Mr. BARR. Mr. President, to further explain this amendment, in order to get a surety bond a person would have to put up proper collateral or security, and I am fearful the small bottler could not do so and, because we are trying to help the small bottler, that is the reason for the whole preceding paragraph. I have inserted the words, "without security"

Somebody on the other side may set up and say he could put his plant as collateral, but I say to them the majority of the small bottlers are generally small business men and men who have just returned from the service and have these small bottling plants. This will not cost the state one cent in revenue, but it will save these small bottlers and allow them to take advantage of the paragraph pereceding where I offer my amendment, and if that is not adopted you are not helping the small bottler one iota, Senator Geltz.

Mr. GELTZ. Mr. President, I ask my colleagues to vote down this amendment for the reason that on line 2, page 25, it is provided that a bond in a form prescribed by the department shall be entered into. It does not say a surety bond shall be filed. It says "a bond in the form prescribed by the department," which means simply what it says, that the department can use its discretion in determining the type of bond it thinks is required under the circumstances. Certainly we should not in this bill handcuff or tie the Department of Revenue, when it may have to deal with one or two or a very small number of individuals who are in this business, in such a way that they may determine, but I am sure the other side knows just as well as we do that the department is not going to be unduly harsh in connection with the type or form of bond which is required, and they, therefore, should be allowed the latitude of doing that which they think is right under the circumstances.

I therefore ask that the amendment be voted down.

Mr. DENT. Mr. President, I submit, as the Senator from Allegheny, Senator Barr, pointed out that, that if the department can prescribe a surety bond for one bottler and not prescribe the same type of bond for another bottler, then I would suggest that they would be guilty of discrimination. It seems to me this whole bill is shot through with discriminatory features. Most of us are too old to be taken in by such palaver as saying that the department would have its hands tied. I think all of us ought to be started towards the point where we do tie the hands of the departments, at least to conform to the rules and regulations contained in the laws the legislature passes. I can easily see a condition arising in a very hectic political campaign where a bottler of a different political faith than the administration in power at that time would find himself either contributing to

the political kitty or being presented with rules or with a provision on his bond that he could not meet. Everybody in this room knows the difficulty in obtaining a surety bond on a small plant bottling about fifty thousand cases. It would be almost impossible for that person to subscribe to that regulation. Again you are acting in behalf of the large bottler as against the smaller one.

We allowed and left in the bill, if you please, in line 2, the very provision that the gentleman from Allegheny called attention to, and that is that the bond shall be in the form prescribed by the department, but we do say that it shall not be a surety bond.

If these men are going to be assessed with the tax-collecting job, they certainly ought not to be forced to spend money to obtain a surety bond in order to act as tax collectors for the Commonwealth of Pennsylvania. They can not operate for a period of more than thirty days under the provisions of this bill, bond or no bond and yet you want to submit them to an expense uncalled for and unheard of.

Mr. President, we all know that the gasoline distributors have to put up a surety bond, and many of them have had very difficult times in trying to meet this requirement, when they should not be assessed with this problem.

I submit again, Mr. President, that it seems that the majority is so fearful that any action they may take on an amendment even to the bill might take away from them some of the solidarity they propose to show in passing these obnoxious taxes.

And the question recurring,

Will the Senate agree to the amendment?

(A voice vote having been taken the question was determined in the negative.)

And the question recurring.

Will the Senate agree to the section?

It was agreed to.

The eighth, ninth, tenth and eleventh sections were read and agreed to.

The twelfth section was read.

On the question,

Will the Senate agree to the section?

Mr. DENT offered the following amendment:

Amend Section 12, Page 28, Line 12, by inserting after the word "Navy" the following: "syrups used to make ice cream, ice cream sundies, cakes, cookies, pies or other baked goods or other non-fluid food items, soft drinks or syrups used in public or parochial schools, churches, youth centers, State aided hospitals and other State institutions."

On the question,

Will the Senate agree to the amendment?

Mr. DENT. Mr. President, perhaps if the members of the Senate would read pages 3 and 4 of this bill, they would not laugh so much when something is being done to correct either a misunderstanding or a misinterpretation or a deliberate attempt to tax items not included in the general terms of the soft drink tax.

So for the benefit of the Senate, I would like to read from page 3, starting with line 11:

"Syrup or syrups as referred to in this act shall be defined as being the compound mixture or basic ingrient"—I stop right there to point out to the Senate that the word "used" has been stricken out and in lieu thereof there has been inserted the following "practically and commercially usable"—"in making, mixing or compounding bottled soft drinks or non-bottled soft drinks by the mixing with same of carbonated or plain water, ice, fruit, milk. or any other product, or sundaes or other fountain products among such syrups, being such products as coca cola syrup, chero-cola syrup, lemon syrup, vanilla syrup, chocolate syrup, cherry smash syrup, rock candy syrup, Doctor Pepper syrup (I do not know how he got in there), simple syrups and all other syrups prepared, manufactured and practically and commercially usable for the purpose of mixing non-bottled soft drinks (1), making sundaes and other fountain products) (2), or for preparation or manufacturing (3), bottled soft drinks (4)

If the language of the bill is not clear to you, it certainly is to me. If the words "preparation and manufacturing" do not include all syrup that is put into the manufacture of ice cream, then I would like this Senate to have a statement to the contrary; if it does not include ice cream products, sundaes of all natures, I would like that to be told to the Senate of Pennsylvania.

If this is a soft drink tax let us describe it and clearly assert that it is a soft drink tax. Let us not go before the people of Pennsylvania with a statement we are going to tax soda pop, when in reality we are taxing food that is used in the confectinery stores and many of the smaller grocery stores that have fountains all over the state, namely, ice cream products.

So, Mr. President, although the amendments may have sounded like a blocking clause, they are in reality something that I believe should be contained in the bill. I do not believe any member of this Senate wants to tax syrup that goes into pastries and bakery goods, and I do not believe any member of this Senate wants to tax ice cream as such. I do not believe any member of this Senate is under any illusions about this tax.

In the first place, I believe they know this is a soft drink tax and as such they have committed themselves to the passage of it, but if they will read the bill, and read it carefully, I think they all will come to the conclusion it taxes other than soft drinks, because, Mr. President, further on in the bill it has been amended to take out chocolate drinks when they are made with whole fluid milk. I question the constitutionality of that particular phrase. I did not quite want to go to that particular extreme and say unconstitutional; I know I question the justice of it. If you prepare a soft drink, called a chocolate drink and it contains two and one-half per cent of butterfat, and that drink is made with whole or fluid milk, you are taxfree but if you prepare that same chocolate drink, with a content of two and one-half per cent butterfat, made with dried milk, you are taxed.

Mr. President, I do not believe the framers of the Constitution of this state ever intended that we should pass taxes that penalize one line of endeavor as against another line of endeavor, and the members of this Senate are perpetrating an injustice here today.

In this connection I call your attention to the fact that state-aided hospitals are taxed on the soda products and the syrup that they use. I call your attention to the fact that under the present bill children, going to school

and receiving free lunch or receiving a luncheon period at a reduced rate and get soda and milk drinks, will be taxed under this bill, in spite of the fact that two weeks ago we passed an appropriation setting up a certain amount of money in conjunction with the federal government to buy these milk drinks for the children in our public schools.

And so, Mr. President, we sit here and pass bills, and I dare say most of us do not realize the consequences of the acts we are passing.

I say to you that veterans hospitals, unless they are run expressly by the army and navy, are not excluded from this tax. I cannot see the justice of excluding veterans hospitals and then not excluding state-aided hospitals, our state institutions, if you please.

We have to raise money. We came into the Senate of Pennsylvania this year and increased the appropriation to state-aided hospitals by forty per cent, and yet we turn right around and tax an item, and I say, a very considerable item, of their budget, right here.

And so, Mr. President although there were some snickers, I tell the members of the Senate that these amendments are absolutely fair, just and equitable.

Mr. GELTZ. Mr. President, in answer to the gentleman from Westmoreland, Senator Dent, the intention of this bill is to tax syrups which are used for soft drink purposes as well as fountain purposes, and to exempt syrup used for home purposes, institutions and such as that.

In connection with the wording which has been put into this bill "practically and commercially usable," we had, as my colleague from Westmoreland will recall, testimony at the public hearing that there is a distinct difference between syrup which is made for home use and that which is made for commercial use, and, therefore, in order to exempt that type of syrup, the words "practically and commercially usable" were inserted in this bill.

If you just read it "commercially usable" that may give you one idea, but when you combine the words "practically and commercially usable" you have an entirely different situation, because, as we were advised at the public hearing, the syrup which is provided for home consumption is placed in a particular container and has stamped on the label "for home use" or "home syrup" or some wording to that effect, and it comes in a much smaller size container that that which is used by the soft drink people or for fountain purposes.

Therefore, before that type of syrup could come in under this bill, it would become necessary that some individuals, who might be termed chiselers, would use the home type of syrup for purposes other than for which it was manufactured and, of course, the wording here would prevent chiseling in that respect.

In so far as what might be considered somewhat of a harangue by the other side in connection with what we are doing with the school children, taxing their drinks and so forth, is concerned, I might say, Mr. President, that we inserted in this bill that provision as to the two and one-half per cent of butterfat, again, to try to protect the school children from the chiseler in the industry, because we all know, I think, that many times when you go into a store and ask for a chocolate milk, if it happens to be bottled it is not chocolate milk, it is a chocolate drink, and, therefore, children getting that chocolate drink certainly do not get the food value the same as they would out of chocolate milk, and by having this provision of two and one-half per cent butter fat in here, it seems to me that we are doing two things, we are making it unprofitable, in a measure, to be a chiseler, and we are, on the other hand, making it better for the children who drink chocolate milk, by making more certain that they do get chocolate milk and not some watered-down chocolate drink.

Mr. DENT. Mr. President, for fear of being accused of starting a harangue this afternoon, I might say to the gentleman from Allegheny that I do not object to the two and one-half per cent butterfat provision, but I do object when you say that two and one-half per cent butterfat content is only tax free when it is made with a certain type of ingredient. There is no difference in the food value of a chocolate drink made with dried milk and a chocolate drink made with fluid milk, and yet you distinctly separate the two and make one taxable and the other not taxable.

So far as institutions are concerned, I would appreciate it if the gentleman from Allegheny would point out to me in this bill where institutions under the supervision of the state of Pennsylvania are exempted from this tax. I may have missed it and I am willing to be corrected; however, I have tried to read it rather carefully and I find no such exemption.

Mr. President, so far as the argument is concerned that we are trying to delay, I would say that if the majority had its way we would not be permitted to even discuss the bills. I can remember very distinctly when we put the taxes on in 1937, when upon the floor of this Senate the same gentleman took hours upon hours of our time arguing against the taxes which were being assessed against the corporate interests of the Commonwealth. I am now trying to take, in a measure, a small portion of the same time consumed by him to fight the taxes now being placed upon the shoulders of the wage-earners of this Commonwealth.

Mr. President, to substantiate my remarks, I intend to give to the Senate at this time, as part of my argument, a resolution passed Saturday by fourteen hundred representatives of organized labor in convention assembled here in Harrisburg, protesting against this tax as being a direct tax against them and their families.

Therefore, to make it a part of the record and to be contained as part of my argument against this tax, I am sending to the Chair this resolution, which I ask be put into the record.

The PRESIDENT. The Senator from Westmoreland is not in order at this time in submitting a resolution.

Mr. DENT. Mr. President, I either have to do that or I will have to read it, and if I read it, it will get into the record. I am only seeking to save time.

The PRESIDENT. If the gentleman from Westmoreland wants to read the resolution as a part of his debate, he may do so, but submitting a resolution is not in order.

Mr. DENT. Mr. President, I submit I am not presenting it as a resolution for consideration of the Senate, but only as evidence and as an exhibit.

The PRESIDENT. Will the Senator from Westmore-

land read the resolution himself if he wants it included in the record or, if there are no objections it will be inserted in the record. Is the gentle from Westmoreland offering the resolution?

Mr. DENT. I do not offer the resolution. I wish to make certain remarks?

The PRESIDENT. Does the gentleman from Westmoreland request that it be placed in the record?

Mr. DENT. Mr. President and members of the Senate, to further explain my argument that this bill is not only in its entirety discriminatory, but to further substantiate my argument that this bill has certain inequalities in it, I would like to submit for the information of the Senate the following:

"The following Resolution was passed on Thursday, May 1st, at the Pennsylvania State Capitol by 1500 members of the American Federation of Labor of the State of Pennsylvania, opposing the proposed soft drink tax; the Resolution was then sent by the Convention to Governor Duff; to the Majority and Minority Leaders of the Senate; and to the Majority and Minority Leaders of the House:

"Resolved, that we, members of the American Federation of Labor of the State of Pennsylvania are opposed to the proposed Tax Bill Number 664 for the taxing of soft drinks, for the following reasons:

"1. Wage earners in the lower income group are among the largest consumers of soft drinks. We consider it manifestly unfair that this group should be the one asked to bear a tax on a simple, everyday, innocent drink which gives pleasure and benefit to large groups of people in the low income class.

"2. The proposed tax would have an adverse effect on Industry, with accompanying decreased employment in the State of Pennsylvania because the experience of other states shows that the bottling industry, geared as it is to mass volume sales, would be seriously injured by a tax which would cut down on this volume of sales. Many small bottlers would be put out of business entirely, and unemployment would result not only among the workers directly in the soft drink industry but also in industry and allied products supplying the soft drink industry.

"3. Many active workers depend on soft drinks for energy on their jobs, and depriving these workers of this energizing food product is against their health interests.

"4. The proposed tax is against the principles of economy, expressed in President Truman's current economy drive to bring down the high cost of living for the public. Soft drinks are one of the few food products which are still available to large masses of people at low cost, and to add a 20% increase to the cost of this particular food product through the proposed tax puts an extra burden on the family food budget which it should not be called upon to bear at this time.

"5. The proposal to tax soft drinks is in effect a luxury tax on the poor man's pleasure."

It was introduced by Scott F. Marshall, Secretary-Treasurer, Teamsters Local 249, and was passed unanimously by the convention.

And the question recurring,

Will the Senate agree to the amendment?

(A voice vote having been taken the question was determined in the negative.)

And the question recurring,

Will the Senate agree to the section?

It was agreed to.

The thirteenth, fourteenth, fifteenth, sixteenth, seventeenth and eighteenth sections and title were read and agreed to.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 665, entitled:

An Act to reenact and amend the title and the act approved the sixteenth day of May one thousand nine hundred thirty-five (P. L. 208) entitled as amended "An act to provide revenue for State purposes by imposing an excise tax for a limited period of time on the net incomes of certain corporations joint-stock associations and limited partnerships providing for the assessment collection settlement and resettlement of taxes and reviews and appeal therefrom conferring powers and imposing duties on certain persons corporations joint-stock associations limited partnerships State and county officers boards and departments making an appropriation and providing penalties" as previously reenacted and amended by extended the provisions of the act for a further limited period of time and by disallowing any deduction for net operating losses

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 666, entitled:

An Act to further amend section twenty-one of the act, approved the first day of June, one thousand eight hundred eighty-nine (P. L. 420), entitled "A further supplement to an act entitled 'An act to provide revenue yb taxation,' approved the seventh day of June, Anno Domini one thousand eight hundred and seventy-nine," removing the manufacturing exemption with regard to capital stock tax and the franchise tax on domestic and foreign corporations, joint-stock associations, limited partnerships and companies.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 788, entitled:

An Act to add clause XXVI to section seven hundred two of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" authorizing the establishment of districts for police protection and providing for an equal assessment on all property benefited by such protection

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 1313, on second reading, entitled:

An Act to amend section one of the act approved the twenty-ninth day of May one thousand nine hundred forty-five (Appropriation Acts page 20 Act No. 26-A) entitled "An act making an appropriation to the Elwyn Training School at Elwyn in the County of Delaware Commonwealth of Pennsylvania and prescribing certain conditions upon which the appropriations will be available to the school" increasing the per capita annual maintenance rate of wards of the State and the amount of the total appropriation.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS SIGNED

The PRESIDENT (Lieutenant-Governor Daniel B. Strickler) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 387, entitled:

An Act to further amend section one of the act approved the eighth day of April one thousand eight hundred sixty-eight (P. L. 73) entitled "An act to authorize the recorder of deeds in the several counties of this Commonwealth to record the discharges of all honorably discharged officers and soldiers" providing for the recording of certificates of service issued commissioned officers

House Bill No. 526, entitled:

An Act to reenact section four hundred one of the act, approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333), entitled "Pennsylvania Election Code," providing for the election and term of judges and inspectors of elections.

House Bill No. 1148, entitled:

An Act to further amend section one thousand four of the act approved the fifteenth day of May, one thousand nine hundred thirty-three (P. L. 624), entitled "Baking Code," further regulating the pledge of assets for deposits.

Whereupon,

The PRESIDENT (Lieutenant-Governor Daniel B. Strickler) in the presence of the Senate signed the same.

BILL INTRODUCED AND REFERRED

Mr. GELTZ. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. GELTZ read in place and presented to the Chair Senate Bill No. 712, entitled:

An Act validating and quieting against the right of escheat by this Commonwealth the title to real estate in this Commonwealth held by or in trust for a corporation chartered under the laws of this Commonwealth but not authorized to hold the same where after said unauthorized holding said real estate has been heretofore conveyed to a citizen of the United States or to a corporation authorized under the laws of this Commonwealth to hold such real estate and no inquisition has heretofore been instituted to escheat the same by reason of such unauthorized holding.

Which was committed to the Committee on State Government.

BILL ON FIRST READING

Mr. TALLMAN. Mr. President, I move that the Senate do now proceed to the first reading of the bill reported from committee for the first time at today's session.

Mr. WAGNER. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 652, entitled:

An Act terminating the existence of the Pennsylvania Nautical School.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

ANNOUNCEMENT OF INAUGURATION OF WILLIAM S. LIVENGOOD, SECRETARY OF INTERNAL AFFAIRS

The PRESIDENT. The Chair has been requested to announce that the Honorable William S. Livengood will be inaugurated as Secretary of Internal Affairs in the Senate Chamber tomorrow, Tuesday, May 6, 1947 at 12 M., Eastern Standard Time.

ADJOURNMENT

Mr. TALLMAN. Mr. President, I move that the Senate do now adjourn until Tuesday, May 6, 1947, at 2:00 o'clock, p. m., Eastern Standard Time.

Mr. MALLERY. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 5:44 o'clock, p. m., Eastern Standard Time until Tuesday, May 6, 1947, at 2:00 o'clock, p. m., Eastern Standard Time.

HOUSE OF REPRESENTATIVES

MONDAY, May 5, 1947

The House met at 3:30 p. m. Eastern Standard Time.

The SPEAKER (Franklin H. Lichtenwalter) in the Chair.

PRAYER

The Chaplain, Rev. Lester C. Updegrove offered the following prayer:

O Lord, our God, Thy revelations are so wonderful and merciful that we are unequal to the task of definition, but read our hearts and accept their offerings of gratitude and praise. Bestow upon our state and country rich blessings of peace, prosperity and contentment. Dwell among men; reign on the throne of their consciences. Endow us with that dominion of mind that suffers itself to wait, withstand, bear and forbear, and thus may wisdom's work be made manifest. For Thy name's sake. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk read the Journal of Thursday, May 1, 1947.

The Clerk proceeded to read the Journal of Thursday, May 1, 1947, when, on motion of Mr. SWOPE, unanimously agreed to, the further reading was dispensed with and the Journal approved.

CLASS OF MECHANICSBURG HIGH SCHOOL WELCOMED

The SPEAKER. The Chair is pleased to welcome today the ninth grade class of the Mechanicsburg High School, who are studying, I believe, Government and History, under the direction of Miss Josephine Fish, a daughter of Mr. Fish, Representative from Cumberland County.

BILL INTRODUCED AND REFERRED

By Mr. BENTZEL. HOUSE BILL No. 1323.

An Act making an appropriation to the Department of Property and Supplies for the purpose of acquiring by gift or purchase, on behalf of the Commonwealth, the Codorus Forge and Furnace, in Hellam Township, York County.

Referred to the Committee on Appropriations.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence, bills numbered and entitled as follows:

SENATE BILL No. 542.

An Act to amend Section six hundred seven of the act approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," by making it unlawful to disturb or tamper with traps set by agents of the Commission.

Referred to the Committee on Game and Forestry.

SENATE BILL No. 609.

An Act to further amend the act approved the ninth day of June, one thousand nine hundred eleven (P. L. 756), entitled "An act to provide for the health and safety of persons employed in and about bituminous coal mines of Pennsylvania and for the protection and preservation of property connected therewith," by further providing for the health and safety of persons employed in and about the bituminous coal mines of Pennsylvania.

Referred to the Committee on Mines and Mining.

RESOLUTION INTRODUCED AND REFERRED

By Mr. ANDREWS. RESOLUTION No. 46.

In the House of Representatives, May 1, 1947.

Whereas, in a recent issue the Philadelphia Inquirer, a reputable newspaper of general circulation specifically alleged that:

"as The Inquirer survey discloses, silt is still moving into the river. Blamed for this condition is a combination of indifference, bad planning, shortage of equipment and plain flouting of the law. Many operators are described as blatant in their indifference to the anti-pollution act; only a few have taken concrete steps to comply with its provisions." and

Whereas, as the Philadelphia Inquirer points out "no one can expect the Schuylkill to be cleaned up over night as if by magic" it is nevertheless a matter of proper legislative concern if any group evidences "a blantant indifference to the anti-pollution act" and because of hostility to it evades and declines to cooperate in the enforcement of this act, therefore be it

Resolved, that this House requests the Speaker to appoint a committee of three, of which the gentleman from Montgomery Mr. Brunner shall be chairman, to make a survey for the purpose of determining the degree of compliance with the anti-pollution act and to summarize the evidence which led the Philadelphia Inquirer to allege that in connection with enforcement of the anti-pollution act there was a combination and indifference, bad planning, shortage of equipment and plain flouting of the law, and be it further

Resolved, that this committee be requested to report to this House not later than Thursday, May 22, 1947.

Referred to Committee on Rules.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILLS No. 317, 462, 514, 517, 525, 527, 531, 532, 640, 742, 1016 and 1215

Commonwealth of Pennsylvania
Governor's Office, Harrisburg, May 2, 1947.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 317, Printer's No. 81, entitled "An Act to reenact and amend the title and the act approved the second day of May one thousand nine hundred forty-five (P. L. 375) entitled 'An act conferring upon the councils of cities of the first class the power and devolving upon them the duty of fixing and determining the salaries wages and other compensation payable out of the treasury of such cities from and after the first day of January one thousand nine hundred and forty-six of all public officers clerks and other public employes except the salaries of elected officers whose salaries are fixed by law and except the salaries wages or other compensation of officers clerks and employes of the courts which are fixed by law or by the courts' by vesting in city council of cities of the first class the power to fix the salaries wages or other compensation of employes of the courts."

JAMES H. DUFF.

May 2, 1947.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 462, Printer's No. 405, entitled "An Act relating to Federal aid to political subdivision or municipality authority for the development of public airports."

JAMES H. DUFF.

May 2, 1947.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 514, Printer's No. 96, entitled "An Act to amend the act approved the thirteenth day of June one thousand eight hundred eighty-three (P. L. 122) entitled 'A supplement to an act entitled "An act to provide for the incorporation and regulation of certain corporations" approved April twen-

ty-ninth one thousand eight hundred and seventy-four providing for the improvement amendment and alteration of the charters of corporations of the second class and authorizing the incorporation of traction motor companies' by changing the requirements for advertising notice of intention to improve amend or alter a charter incorporated under said supplement."

JAMES H. DUFF.

May 2, 1947.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 517, Printer's No. 97, entitled "An Act to further amend sections eight hundred eight and one thousand one hundred one of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 364) entitled 'An act relating to business corporations defining and providing for the organization merger consolidation reorganization winding up and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and shareholders prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the second class within the provisions of this act prescribing the terms and conditions upon which foreign business corporations may be admitted or may continue to do business within the commonwealth conferring powers and imposing duties on the courts of common pleas and certain State departments commissions and officers authorizing certain State departments boards commissions or officers to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations' eliminating requirement that certificates of clearance be filed with articles of amendment or of dissolution."

JAMES H. DUFF.

May 2, 1947.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 525, Printer's No. 98, entitled "An Act to amend section eight hundred seven of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 364) entitled 'An act relating to business corporations defining and providing for the organization merger consolidation reorganization winding up and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and shareholders prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the second class within the provisions of this act prescribing the terms and conditions upon which foreign business corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas and certain State departments commissions and officers authorizing certain State departments boards commissions or officers to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations' providing for advertisement of articles of amendment after adoption by shareholders."

JAMES H. DUFF.

May 2, 1947.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 527, Printer's No. 99, entitled "An Act to further amend section nine hundred four of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 364) entitled 'An act relating to business corporations defining and providing for the organization merger consolidation reorganization winding up and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and shareholders prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the second class within the provisions of this act prescribing the terms and conditions upon which foreign business corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas and certain State departments commissions and officers authorizing certain State departments boards commissions or officers to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations' limiting requirement to advertise intention to file articles of merger or consolidation."

JAMES H. DUFF.

May 2, 1947.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 531, Printer's No. 73, entitled "A Supplement to the act approved the 7th day of March one thousand nine hundred and one (P. L. 20) entitled 'An act for the government of cities of the second class' establishing a department of parks and recreation in said cities providing for its officers and employees and defining the powers duties and jurisdiction of said department."

JAMES H. DUFF.

May 2, 1947.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day aproved and signed House Bill No. 532, Printer's No. 374, entitled "An Act regulating the sale and resale for profit and the carrying on of the business of selling or reselling tickets or other devices for admission to places of amusement providing for the licensing of persons reselling such tickets for profit providing for the suspension and revocation of such licenses imposing duties on licensees and owners or operators of places of amusement imposing powers and duties on the Department of Revenue county treasurers distinct attorneys and the receiver of taxes and city solicitors in cities of the first class making disposition of moneys collected and providing penalties."

JAMES H. DUFF.

May 2, 1947.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 640, Printer's No. 189, entitled "An Act authorizing cities to enact ordinances prohibiting smoking or the carrying of lighted cigarettes cigars pipes or matches or using matches or other fire producing devices in certain retail stores within stores within such cities and to provide penalties therefor."

JAMES H. DUFF.

May 2, 1947.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 742, Printer's No. 233, entitled "An Act to amend section one hundred eighty-one of the act approved the second day of May

one thousand nine hundred twenty-nine (P. L. 1278) entitled 'An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto' permitting sheriffs to succeed themselves."

JAMES H. DUFF.

May 2, 1947.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1016, Printer's No. 221, entitled "An Act to amend section four hundred thirty-nine of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled 'An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined' increasing the membership of the Sanitary Water Board and providing compensation for certain members of such board."

JAMES H. DUFF.

May 2, 1947.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day aproved and signed House Bill No.1215, Printer's No. 266 entitled "A Joint Resolution ratifying the proposed amendments to the Constitution of the United States relative to the terms of the President of the United States."

JAMES H. DUFF.

SENATE MESSAGES

The Clerk of the Senate being introduced, presented extracts from the Journal of the Senate:

Senate Bill for concurrence 235, 459, 496, 523, 577, 587, 617 and 651.

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 387.

An Act to further amend section one of the act, approved the eighth day of April, one thousand eight hundred sixty-eight (P. L. 73), entitled "An act to authorize the recorder of deeds in the several counties of this Commonwealth to record the discharges of all honorably discharged officers and soldiers," providing for the recording of certificates of service issued commissioned officers

HOUSE BILL No. 526.

An Act to reenact section four hundred one of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" providing for the election and term of judges and inspectors of elections

HOUSE BILL No. 1148.

An Act to further amend section one thousand four of the act approved the fifteenth day of May one thousand nine hundred thirty-three (P. L. 624) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of Nation banks into State banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employes of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporations associations or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" further regulating the pledge of assets for deposits

With the information that the Senate has passed the same without amendment.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

SENATE BILL No. 104.

An Act to amend section three of the act approved the fifteenth day of May, one thousand nine hundred forty-five, (P. L. 526) entitled "An act relating to the use of trailing cables on portable electric machinery in coal mines; providing for the health and safety of persons employed therein, and for the protection and preservation of property connected therewith, and for the inspection of such equipment by the Department of Mines," providing for additional grant of time within which to conform to the requirements thereof; and validating actions of the Secretary of Mines and the Department of Mines.

SENATE BILL No. 342.

An Act making an appropriation to the Senate, and the House of Representatives to pay the expenses of their committees directed to visit State institutions under the supervision of the Department of Welfare.

SENATE BILL No. 255.

An Act to further amend the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" authorizing second class counties to acquire land for and erect operate and maintain thereon garbage disposal plants

HOUSE BILL No. 387.

An Act to further amend section one of the act, approved the eighth day of April, one thousand eight hundred sixty-eight (P. L. 73), entitled "An act to authorize the recorder of deeds in the several counties of this Commonwealth to record the discharges of all honorably discharged officers and soldiers," providing for the recording of certificates of service issued commissioned officers

HOUSE BILL No. 526.

An Act to reenact section four hundred one of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" providing for the election and term of judges and inspectors of elections

HOUSE BILL No. 1148.

An Act to further amend section one thousand four of the act approved the fifteenth day of May one thousand nine hundred thirty-three (P. L. 624) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of Nation banks into State banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and toher employes of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" further regulating the pledge of assets for deposits

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

CLASS OF MILLERSTOWN HIGH SCHOOL WELCOMED

The SPEAKER. The Chair is pleased to welcome the members of the Senior Class of Millerstown High School. They are escorted by Mr. Luther Scott, Supervising Principal of the School, and are the guests of Mr. Toomey of Perry County.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1170, entitled:

An Act relating to alcoholic liquors alcohol and malt and brewed beverages amending revising consolidating and changing the laws relating thereto regulating and restricting the manufacture purchase sale possession consumption importatation transportation furnishing holding in bond holding in storage traffic in and use of alcoholic liquors alcohol and malt and brewed beverages and the persons engaged or employed therein defining the powers and duties of the Pennsylvania Liquor Control Board providing for the establishment and operation of State liquor stores for the payment of certain license fees to the respective municipalities and townships for the abtement of certain nuisances and in certain cases for search and seizure without warrant prescribing penalties and forfeitures and repealing existing laws.

And said bil having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1225, entitled:

An Act to further amend the fifth paragraph of section four hundred seven of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governer and certain other executive and administrative officers providing for the apointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by further providing for the terms of legislative members of the Pennsylvania Aeronautics Commission

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 207, entitled:

An Act to authorize cities boroughs incorporated towns townships and school districts to file suggestions of nonpayment and averments of default or to sue out writs of scire facias on certain tax or municipal claims and to revive judgments where the lien of such claims or the judgments thereon have been lost and providing for the reinstatement of the liens of such claims and judgments

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 266, entitled:

An Act to amend section five hundred ten of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" by providing for the appointment of a deputy treasurer when treasurer is unable to perform the duties of his office

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 344, entitled:

An Act to amend section four of the act approved the thirty-first day of May one thousand nine hundred twenty-three (P. L. 481) entitled "An act providing for the appointment of boards of examiners to examine applicants for certificates of qualification as mine foremen assistant mine foremen and fire bosses in the bituminous coal mines of this Commonwealth prescribing the qualifications defining the powers and duties and fixing the compensation of such examiners authorizing the Chief of the Department of Mines to determine the district in which the boards of examiners shall hold examinations and to designate the boards before whom applicants in the various inspection districts shall appear providing for the issuance of certificates of qualification to successful applicants fixing the fees to be paid by applicants and providing for their disposition forbidding the employment of unqualified persons as mine foremen assistant mine foremen and fire bosses providing a penalty for forging or making false statements regarding certificates' changing compensation of board members

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 541, entitled:

An Act to further amend paragraph six of section one of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contribution by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial proceess and providing penalties" by further defining State employe to include employes of the Interstate Commission on the Delaware River Basin

And said bill having ben read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 590, entitled:

An Act to further amend subsection nine of section eight of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employes' retirement system and creating a retirement board for the administration thereof estabilshing certain funds from contributions by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" permitting contributors to change from the one one-hundred-sixtieth (1-160) to the one one-hundredth (1-100) class

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTEED

Mr. SORG. Mr. Speaker, I move that this bill be recommitted to the Committee on State Government for further study.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 593, entitled:

An Act to further amend subsection nine of section eight of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" permitting contributors to change from the one-hundred-sixtieth (1-160) to the one-hundredth (1-100) class providing for obtaining of full benefits heretofore or hereafter making such change

And said bill having been read the length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 714, entitled:

An Act to repeal the act approved the nineteenth day of June one thousand nine hundred thirty-nine (P. L. 430) entitled "An act providing a method of annexation of parts of townships of the first class in counties of the second class not in excess of twenty per centum of the assessed value of any such township in counties of the second class to contiguous cities of the second class boroughs or other contiguous townships of the first class and regulating the proceedings pertaining thereto"

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 759, entitled:

An Act to amend section one of the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 492) entitled "An act providing for the temporary appointment of policemen in boroughs incorporated towns and townships of the first class for a limited period without conferring civil service status upon the appointees' permitting the conferring of civil sevrice status on appointees in certain cases

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 771, entitled:

An Act to further amend section one of the act approved

the thirteenth day of April one thousand eight hundred eighty-seven (P. L. 21) entitled "An act for the establishment of a uniform standard of time throughout the Commonwealth" making further provision for such standard of time and providing for a referendum to decide upon the one hour advancement of the standard time between the last Sunday of April and the last Sunday of September of each year

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 782, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Pennsylvania Historical and Museum Commission to acquire on behalf of the Commonwealth certain land at the recognized site of William Penn's first landing in Pennsylvania in the city of Chester Delaware County as a historical site providing for the control management supervision improvement and maintenance thereof authorizing the Pennsylvania Historical and Museum Commission to make and enforce rules and regulations for the preservation and visitation thereof and making an appropriation

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. BLOOM. Mr. Speaker. I move that this bill be recommitted to the Committee on Appropriations for further study.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 892, entitled:

An Act to add section four hundred eleven point one to the act approved the twenty-ninth day of November one thousand nine hundred thirty-three (1933-34 P. L. 15) entitled as amended "An act to regulate and restrain the sale manufacture possession transportation importation traffic in and use of alcohol and alcoholic and malt or brewed beverages conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents the Department of Public Instruction other officers of the State government courts and district attorneys authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises and the granting of licenses subject to local option to sell such beverages for consumption on and off the premises forbidding immportation or bringing of such beverages into the State except as herein provided prohibiting certain sales or practices in connection with and transactions in such beverages by licensees and others providing for the forfeiture of certain property making disposition of the receipts from State stores and of fees and imposing penalties" relating to the capacity and deceptive appearance of glasses and other containers used for sale of liquor for consumption on the premises

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 961, entitled:

An Act to amend section one thousand five hundred two of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" providing for the furnishing and installation of ornamental standards for street lighting with fittings and underground wiring therefor and the assessment and collection of the cost thereof from property benefited thereby

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1010, entitled:

An Act to aid in alleviating the acute housing shortage by authorizing housing authorities to provide housing for veterans and families of servicemen and to cooperate with the Federal Government for such purposes

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1011, entitled:

An Act to declare valid and legal the development and administration of housing projects for veterans and servicemen of World War II and their families an dto declare valid and legal all contracts agreements obligations undertakings indebtedness appropriations and all proceedings acts and things heretofore undertaken performed or done with reference thereto

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1017, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1216) entitled "An act to define real estate brokers and real estate salesmen and providing for the licensing regulation and supervision of resident and nonresident real estate brokers and real estate salesmen and their business" by further defining real estate brokers and real estate salesmen and further regulating and supervision of such persons and their business

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1035, entitled:

An Act to amend section forty of the act approved the twenty-fifth day of May one thousand nine hundred forty-five (P. L. 1050) entitled "An act relating to the collection of taxes levied by counties county institution districts cities of the third class boroughs towns townships certain school districts and vocational school districts conferring powers and imposing duties on tax collectors courts and various officers of said political subdivisions and prescribing penalties" by providing that the surety

on the bond or bonds of a deceased collector for whose estate no executor or administrator has been appointed shall have the sole right and power to take over the tax duplicates in which said surety is interested and to proceed to make collections thereon in accordance with the provisions of this section

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1175, entitled:

An Act authorizing husbands and wives holding property as tenants by the entireties to pledge or give such property as security for the bond or obligation of a third person or for each other and providing that judgements entered upon default in any such bond or undertaking shall bind such property

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1180, entitled:

An Act to further amend section one thousand one of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" increasing the compensation of township auditors

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1214, entitled:

An Act to amend the title and to further amend section two of the act approved the twenty-eighth day of June one thousand eight hundred ninety-five (P. L. 408) entitled "A supplement to the twenty-fourth section of an act entitled 'An act to provide revenue by taxation approved the seventh day of June one thousand eight hundred and seventy-nine' approved the first day of June one thousand eight hundred and eighty-nine amending the twenty-fourth section by providing for the payment by the State Treasurer of one-half of the two per centum tax on premiums paid by foreign fire insurance companies to the treasurers of the several cities and boroughs within this Commonwealth" including towns and townships within its provisions providing for proportionate distribution of the tax receipts according to the amount of insurance written on property in the respective cities townships towns and boroughs and requiring agents to be instructed to place on the fire insurance policy the name of the locality wherein the insured premises are located

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1230, entitled:

An Act to regulate the junk yard business in cities of the first class to provide for the issuance of licenses for each junk yard prescribing the method and manner of obtaining such licenses and prescribing the fees therefor prohibiting junk yards within sight of a public highway and prescribing penalties

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1308, entitled:

An Act providing for the acquisition by the Department of Forests and Waters in the name of the Commonwealth of certain lands in Carbon County for use as a State Park and recreation area providing for the management of said property by said department and defining the uses to which the property shall be put and making an appropriation

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. SCOTT. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations for further study.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1320, entitled:

An Act to amend the act approved the twenty-eight day of May one thousand nine hundred thirty-seven (P. L. 955) entitled "An act to promote public health safety morals and welfare by declaring the necessity of creating public bodies corporate and politic to be known as housing authorities to engage in slum clearance and to undertake projects to provide dwelling accommodations for persons of low income providing for the organization of such housing authorities defining their powers and duties providing for the exercise of such powers including the acquisition of property by purchase gift or eminent domain the renting and selling of property and including borrowing money issuing bonds and other obligations and giving security therefor prescribing the remedies of obligees of housing authorities authorizing housing to enter into agreements including agreements with the United States the Commonwealth and political subdivisions and municipalities thereof defining the application of zoning sanitary and building laws and regulations to projects built or maintained by such housing authorities exempting the property and securities of such housing authorities from taxation and imposing duties and conferring powers upon the State Board of Housing and certain other State officers and departments" authorizing authorities to undertake housing research and studies and to enter into agreements to secure Federal contributions and providing for the creation of regional housing authorities and rural housing

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

BILLS PASSED OVER

There being no objection

Senate Bill No. 49, Printer's No. 46,

Senate Bill No. 87, Printer's No. 243,

Senate Bill No. 114, Printer's No. 21,

Senate Bill No. 152, Printer's No. 245,
Senate Bill No. 231, Printer's No. 221,
Senate Bill No. 232, Printer's No. 56,
Senate Bill No. 241, Printer's No. 76,
Senate Bill No. 282, Printer's No. 69,
Senate Bill No. 335, Printer's No. 55 and
Senate Bill No. 381, Printer's No. 180,
were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 408, entitled:

An Act authorizing the Pennsylvania Historical and Museum Commission to accept on behalf of the Commonwealth certain real estate comprising the Crispin Cemetery in Philadelphia and providing for its restoration and maintenance as an historic shrine

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. SORG. I move that this bill be recommitted to the Committee on Appropriations for further study.

The motion was agreed to.

BILLS PASSED OVER

There being no objection
Senate Bill No. 419, Printer's No. 157,
Senate Bill No. 433, Printer's No. 137,
Senate Bill No. 478, Printer's No. 244 and
Senate Bill No. 487, Printer's No. 168
were passed over at the request of the SPEAKER.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 106, as follows:

An Act requiring that all meetings of legislative bodies of political subdivisions and of boards commissions and authorities created by or operating as agencies of political subdivisions at which ordinances resolutions rules regulations and other actions are adopted to be open to the public permitting the holding of executive sessions from which the public is excluded but prohibiting the adoption of ordinances resolutions rules and regulations at such sessions

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 All meetings regular an dspecial of the county commissioners of any county the council of any city borough or incorporated town the commissioners of any township of the first class the supervisors of any township of the second class the school directors of any school district and of all boards commissions and authorities created by or operating as agencies of any of such political subdivision are hereby declared to be public meetings open to the public at all times Provided however That nothing contained in this act shall be construed to prevent any such body board commission or authority from holding executive sessions from which the public is excluded but no ordinance resolution rule or regulation shall be finally adopted at such an executive session

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and neys were taken and were as follows:

YEAS—202

Aaronson,	Gallagher,	McCosker,	Sax,
Andrews,	Getchey,	McCullough,	Scanlon,
Bane,	Gibson,	McDonald,	Schuster,
Barrett,	Goff,	McMillen,	Scott,
Baumunk,	Goodling,	Mihm,	Serrill,
Beech,	Gorman,	Mikula,	Shoemaker,
Bender,	Graybill,	Miller,	Simons,
Bentzel,	Greenwood,	Mills,	Smith, C. C.,
Bloom,	Greer,	Mintess,	Smith, C. M.,
Boies,	Griffiths,	Mohr,	Snider,
Bonawitz,	Guthrie,	Mooney,	Sollenberger,
Boorse,	Gyger,	Moore, C. E.,	Sorg,
Bower,	Hall,	Moore, H. A.,	Sproul,
Breisch,	Haller,	Morrison,	Stank,
Brice,	Haudenshield,	Murray,	Stimmel,
Brown,	Helm,	Myers,	Stockham,
Brunner,	Henry,	Najake,	Stonier,
Bucchin,	Hewitt,	Naumann,	Stuart,
Cadwalader,	Hocker,	Needham,	Swope,
Capano,	Hoffman,	Neff,	Tahl,
Cassidy,	Hoopes,	Nelson,	Thomassy,
Chervenak,	Horan,	O'Connor,	Thompson,
Chudoff,	Imbt,	O'Dare,	Tittle,
Clevenger,	Jennings,	O'Donnell,	Tompkins,
Cochran,	Johnson,	O'Neill,	Toomey,
Cole,	Johnston,	Orban,	Turner,
Cook,	Jones,	Patten,	Upshur,
Cooper,	Jump,	Petrosky,	Vaughan,
Cordier,	Kean,	Pichney,	Verona,
Costa,	Kelley,	Pickens,	Wachhaus,
Crowley,	Kemp,	Polaski,	Wagner,
Dague,	Kent,	Powers,	Waldron,
Davison,	Kirley,	Price,	Wallin,
De Long,	Kline,	Propert,	Walton,
Demech,	Kohl,	Ragot,	Waterhouse,
Dennison,	Kratz,	Readinger,	Watkins,
Depuy,	Krise,	Reagan,	Watson,
Dix,	Kurtz,	Reese, D. P.,	Weidner,
Dye,	Laughner,	Reese, R. E.,	Weiss,
Efenberg,	Layer,	Reilly, J. M.,	Wescott,
Elder,	Lee,	Reilly, W. J.,	West,
Erb,	Leisey,	Richter,	Wheeler,
Evans,	Livingston,	Riley,	Wolf,
Ewing,	Livingstone,	Robbins,	Wood,
Feola,	Loftus,	Robertson,	Worley,
Fish,	Lovett,	Root,	Yeakel,
Fiss,	Lyons,	Rose,	Yester,
Flack,	Madden,	Rowen,	Yetzer,
Fleming,	Madigan,	Royer,	Young,
Foor,	Mazza,	Sarraf,	Lichtenwalter,
Frost,	McCormack,		Speaker.

NAYS—2

Dalrymple, McKinney,

NOT VOTING—1

Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 429, as follows:

An Act to further amend section eleven of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 748) entitled as amended "An act relating to and regulating the purchase and sale of securities providing for the registration and regulation of certain individuals and entities selling contracting to sell or dispose of attempting or offering to dispose of soliciting offers to buy or inducing holders thereof to exchange securities defined herein

including securities issued by them or engaging in the business of inducing holders of securities to effect the sale thereof in order to produce funds to pay for other investments sold by them or in the business of buying securities directly from individuals who are not registered hereunder or in the business of advising others as to the value or investment qualifications of securities and the management of investment accounts and the solicitors of such investment advisers providing for the revocation and suspension of registrations conferring powers and imposing duties on the Pennsylvania Securities Commission and otherwise providing for the administration of this act providing for appeals to the Court of Common Pleas of Dauphin County and to the Supreme Court of Pennsylvania conferring jurisdiction upon the several courts of common pleas to issue injunctions against violations of this act and to appoint receivers and prescribing fees and penalties" changing provisions relating to display or advertisement of fact of registration

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section eleven of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 748) entitled as amended "An act relating to and regulating the purchase and sale of securities providing for the registration and regulation of certain individuals and entities selling contracting to sell or dispose of attempting or offering to dispose of soliciting offers to buy or inducing holders thereof to exchange securities defined herein including securities issued by them or engaging in the business of inducing holders of securities to effect the sale thereof in order to produce funds to pay for other investments sold by them or in the business of buying securities directly from individuals who are not registered hereunder or in the business of advising others as to the value or investment qualifications of securities and the management of investment accounts and the solicitors of such investment advisers providing for the revocation and suspension of registrations conferring powers and imposing duties on the Pennsylvania Securities Commission and otherwise providing for the administration of this act providing for appeals to the Court of Common Pleas of Dauphin County and to the Supreme Court of Pennsylvania conferring jurisdiction upon the several courts of common pleas to issue injunctions against violations of this act and to appoint receivers and prescribing fees and penalties" as reenacted and amended by the act approved the tenth day of July one thousand nine hundred forty-one (P. L. 317) is hereby further amended to read as follows

Section 11 Any registered dealer may and any individual named in the registration certificate as above provided as a dealer's salesman may in behalf of such dealer sell any securities in this State Any registered person except a solicitor may engage in the business of investment adviser in this State but a registered salesman may so act only on behalf of the person for whom he is registered A dealer investment adviser solicitor or salesman shall at all times when acting on the business for which he is registered hereunder carry with him a registration certificate or a copy thereof certified by the commission which shall at any time be shown to a prospective customer or client upon such customer's or client's request

[No dealer or salesman shall use the fact of his registry by public display or advertisement as herein expressly provided or the registry certificate or any certificate copy thereof in connectoon with any sale or effort to sell any security except to a prospective customer upon such customer's request

No investment adviser or solicitor shall use the fact of his registry by public display or advertisement except as herein expressly provided or the registry certificate or any certified copy thereof in connection with any effort to induce a prospective client or subscriber to subscribe to his services except to a prospective client or subscriber upon such client's or subscriber's request]

No person registered under this act shall represent simply or by advertisement tend to show in any manner whatsoever that he has been sponsored recommended or approved or that his abilities or qualifications have in any respect been passed upon by the Commonwealth or any agency or any officer thereof

No provisions of this section shall be construed to prohibit a statement display or advertisement that a person is registered if such statement is true in fact and if the effect of such registration is not misrepresented

No investment adviser or solicitor registered under this act shall represent by display or advertisement that he is an investment adviser or solicitor or to use the name investment adviser or solicitor unless such person is primarily engaged in the business of rendering investment advisory services or services as a solicitor or unless his registration application states that such person is engaged or is about to engage primarily in the business of rendering investment advisory services or services as a solicitor

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—204

Aaronson,	Frost,	McCormack,	Sarraf,
Andrews,	Gallagher,	McCosker,	Sax,
Bane,	Getchey,	McCullough,	Scanlon,
Barrett,	Gibson,	McDonald,	Schuster,
Baumunk,	Goff,	McKinney,	Scott,
Beech,	Goodling,	McMillen,	Serrill,
Bender,	Gorman,	Mihm,	Shoemaker,
Bentzel,	Graybill,	Mikula,	Simons,
Bloom,	Greenwood,	Miller,	Smith, C. C.,
Boies,	Greer,	Mills,	Smith, C. M.,
Bonawitz,	Griffiths,	Mintess,	Snider,
Boorse,	Guthrie,	Mohr,	Sollenberger,
Bower,	Gyger,	Mooney,	Sorg,
Breisch,	Hall,	Moore, C. E.,	Sproul,
Brice,	Haller,	Moore, H. A.,	Stank,
Brown,	Haudenshield,	Morrison,	Stimmel,
Brunner,	Helm,	Murray,	Stockham,
Bucchin,	Henry,	Myers,	Stonier,
Cadwalader,	Hewitt,	Najaka,	Stuart,
Capano,	Hocker,	Naumann,	Swope,
Cassidy,	Hoffman,	Needham,	Tahl,
Chervenak,	Hoopes,	Neff,	Thomassy,
Chudoff,	Horan,	Nelson,	Thompson,
Clevenger,	Imbt,	O'Connor,	Tittle,
Cochran,	Jennings,	O'Dare,	Tompkins,
Cole,	Johnson,	O'Donnell,	Toomey,
Cook,	Johnston,	O'Neill,	Turner,
Cooper,	Jones,	Orban,	Upshur,
Cordier,	Jump,	Patten,	Vaughan,
Costa,	Kean,	Petrosky,	Verona,
Crowley,	Kelley,	Pichney,	Wachhaus,
Dague,	Kemp,	Pickens,	Wagner,
Dalrymple,	Kent,	Polaski,	Waldron,
Davison,	Kirley,	Powers,	Wallin,
De Long,	Kline,	Price,	Walton,
Demech,	Kohl,	Propert,	Waterhouse,
Dennison,	Kratz,	Ragot,	Watkins,
Depuy,	Krise,	Readinger,	Watson,
Dix,	Kurtz,	Reagan,	Weidner,
Dye,	Laughner,	Reese, D. P.,	Weiss,
Efenberg,	Layer,	Reese, R. E.,	Wescott,
Elder,	Lee,	Reilly, J. M.,	West,
Erb,	Leisey,	Reilly, W. J.,	Wheeler,
Evans,	Livingston,	Richter,	Wolf,
Ewing,	Livingstone,	Riley,	Wood,
Feola,	Loftus,	Robbins,	Worley,
Fish,	Lovett,	Robertson,	Yeakel,
Fiss,	Lyons,	Root,	Yester,
Flack,	Madden,	Rose,	Yetzer,
Fleming,	Madigan,	Rowen,	Young,
Foor,	Mazza,	Royer,	Lichtenwalter, Speaker

NAYS—0

NOT VOTING—1

Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection

House Bill No. 535, Printer's No. 493,

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 542, as follows:

An Act creating as bodies corporate and politic "Parking Authorities" in cities of the second class prescribing the rights powers and duties of such authorities authorizing such authorities to acquire construct improve maintain and operate parking projects to conduct research of the parking problem and to establish a permanent coordinated system of parking facilities and to borrow money and issue bonds therefor providing for the payment of such bonds and prescribing the rights of the holders thereof conferring the right of eminent domain on such authorities empowering such authorities to enter into contracts with and to accept grants from the Federal Government State political subdivisions of the State or any agency thereof exempting the property and securities of such parking authorities from taxation and conferring exclusive jurisdiction on certain courts over rates

The General Assemby of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Short Title

This act shall be known and may be cited as the "Parking Authority Law"

Section 2 Findings and Declaration of Policy

It is hereby determined and declared as a matter of Legislative finding

(a) That residential decentralization in cities of the second class has been accompanied by an ever increasing trend in the number of persons entering the business sections by private automobile as compared with other modes of transportation

(b) That the parking of vehicles is part of the public street service

(c) That the free circulation of traffic of all kinds through the streets of cities of second class is necessary to the health safety and general welfare of the public whether residing in the city or traveling to through or from the city in the course of lawful pursuits

(d) That the greatly increased use by the public of motor vehicles of all kinds has caused serious traffic congestion on the streets of cities of the second class

(e) That the parking of motor vehicles on the streets has contributed to this congestion to such an extent as to interfere seriously with the primary use of such streets for the movement of traffic

(f) That such parking prevents the free circulation of traffic in through and from the city impedes rapid and effective fighting of fires and the disposition of police forces in the district and endangers the health safety and welfare of the general public

(g) That such parking threatens irreparable loss in valuations of property in the city which can no longer be readily reached by vehicular traffic

(h) That this parking crisis threatens the welfare of the community can be reduced by providing sufficient off-street parking facilities properly located in the several residential commercial and industrial areas of the city

(i) That the establishment of a parking authority will promote the public safety convenience and welfare

(j) That it is intended that the authority cooperate with all existing parking facilities so that private enterprise and government may mutually provide adequate parking services for the convenience of the public

Therefore it is hereby declared to be the policy of the Commonwealth of Pennsylvania to promote the safety and welfare of the inhabitants thereof by the creation in second class cities of bodies corporate and politic to be known as "Parking Authorities" which shall exist and operate for the purposes contained in this act Such purposes are hereby declared to be public uses for which public money may be spent and private property may be acquired by the exercise of the power of eminent domain

Section 3 Definitions

The following terms whenever used or referred to in this act shall have the following meanings except in those instances where the context clearly indicates otherwise

(a) The term "Authority" shall mean a body politic and corporate created pursuant to this act

(b) The term "Board" shall mean the governing body of the Authority

(c) The term "bonds" shall mean and include the notes bonds and other evidence of indebtedness or obligations which the Authority is authorized to issue pursuant to section 5 of this act

(d) The term "construction" shall mean and include acquisition and construction and the term "to construct" shall mean and include to acquire and to construct all in such manner as may be deemed desirable

(e) The term "municipality" shall mean any county city town borough or township of the Commonwealth of Pennsylvania

(f) The term "Federal agency" shall mean and include the United States of America the President of the United States of America and any department or corporation agency or instrumentality heretofore or hereafter created designated or established by the United States of America

(g) The term "improvement" shall mean and include extension enlargement and improvement and the term "to improve" shall mean and include to extend to enlarge and to improve all in such manner as may be deemed desirable

(h) The term "persons" shall mean and include natural persons

(i) The term "project" shall mean any structure facility or undertaking which the Authority is authorized to acquire construct improve maintain or operate under the provisions of this act

(j) The term "city" shall mean city of the second class

(k) the term "facilities" shall mean lot or lots buildings and structures above at or below the surface of the earth including equipment entrances exits fencing and all other accessories necessary or desirable for the safety and convenience of the parking of vehicles

Section 4 Method of Incorporation

(a) Whenever the city council of second class cities shall desire to organize an Authority under the provisions of this act it shall adopt a resolution or ordinance signifying their intention to do so

In the event that such resolution or ordinance sets forth the proposed articles of incorporation in full it shall not be required any law to the contrary notwithstanding in publishing such resolution or ordinance under the provisions of existing law to publish such proposed articles of incorporation in full but it shall be sufficient compliance with such law in such publication to set forth briefly the substances of such proposed articles of incorporation and to refer to the provisions of this act Thereafter the city council shall cause a notice of such resolution or ordinance to be published at least one time in the legal periodical of the county in which such Authority is to be organized and at least one time in a newspaper published and of general circulation in such county Said notice shall contain a brief statement of the substance of said resolution or ordinance including the substance of such articles making reference to this act and shall state that on a day certain not less than three days after publication of said notice articles of incorporation of the proposed Authority

will be filed with the Secretary of the Commonwealth of Pennsylvania

(b) On or before the day specified in said notice the city council shall file with the Secretary of the Commonwealth articles of incorporation together with proof of publication of the notice as aforesaid Said articles of incorporation shall set forth

(1) The name of the Authority

(2) A statement that such Authority is formed under the provisions of this act

(3) The name of the city together with the names and addresses of its council members

(4) The names addresses and term of office of the first members of the board of said Authority

All of which matter shall be determined in accordance with the provisions of this act Said articles of incorporation shall be executed by the incorporating city by its proper officer and under its municipal seal

(c) If the Secretary of the Commonwealth finds that the articles of incorporation conform to law he shall forthwith but not prior to the day specified in the aforesaid notice endorse his approval thereon and when all proper fees and charges have been paid shall file the articles and issue a certificate of incorporation to which shall be attached a copy of the approved articles Upon the issuance of such certificate of incorporation by the Secretary of the Commonwealth the corporate existence of said Authority shall begin when such certificate has been recorded in the office for the recording of deeds in the county where the principal office of the Authority is to be located Said certificate of incorporation shall be conclusive evidence of the fact that such Authority has been incorporated but proceedings may be instituted by the Commonwealth to dissolve any Authority which shall have been formed without substantial compliance with the provisions of this section

(d) When the Authority has been organized and its officers elected the secretary shall certify to the Secretary of the Commonwealth the names and addresses of its officers as well as principal office of the Authority Any change in the location of the principal office shall likewise be certified to the Secretary of the Commonwealth within ten (10) days after such change

Section 5 Purposes and Powers General

(a) The Authority incorporated under this act shall constitute a public body corporate and politic exercising public powers of the Commonwealth as an agency thereof and shall be known as the Parking Authority of the city but shall in no way be deemed to be an instrumentality of the city or engaged in the performance of a municipal function The Authority shall be for the purpose of conducting the necessary research activity to maintain current data leading to efficient operation of off-street parking facilities for the fulfillment of public needs in relation to parking establishing a permanent coordinated system of parking facilities planning designing locating acquiring holding constructing improving maintaining and operating owning leasing either in the capacity of lessor or lessee land and facilities to be devoted to the parking of vehicles of any kind Provided however That the Authority shall not have the power to engage in the sale of gasoline the sale of automobile accessories automobile repair and service or any other garage service and shall not engage in the sale of any commodity of trade or commerce

The Authority shall have power to lease portions of the first floor of the parking facilities for commercial use where in the opinion of the Authority such leasing is desirable and feasible in order to assist in defraying the expenses of the Authority Such leases shall be granted on a fair competitive basis

(b) Every Authority is hereby granted and shall have and may exercise all powers necessary or convenient for the carrying out of the aforesaid purposes including but without limiting the generality of the foregoing the following rights or powers

(1) To have existence for a term of fifty years as a corporation

(2) To sue and be sued implead and be impleaded complain and defend in all courts

(3) To adopt use and alter at will a corporate seal

(4) To acquire purchase hold lease as lessee and use any franchise property real personal or mixed tangible or intangible or any interest therein necessary or desirable for carrying out the purpose of the Authority and to sell lease as lessor transfer and dispose of any property or interest therein at any time required by it

(5) To acquire by purchase lease or otherwise and to construct improve maintain repair and operate projects

(6) To make by-laws for the management and regulation of its affairs

(7) To appoint officers agents employes and servants to prescribe their duties and to fix their compensation

(8) To fix alter charge and collect rates and other charges for its facilities at reasonable rates to be determined exclusively by it subject to appeal as hereinafter provided for the purposes of providing for the payment of the expenses of the Authority the construction improvement repair maintenance and operation of its facilities and properties the payment of the principal of and interest on its obligations and to fulfill the terms and provisions of any agreements made with the purchasers or holders of any such obligations or with the city Any person questioning the reasonableness of any rate fixed by the Authority may bring suit against the Authority in the court of common pleas of the county wherein the project is located The court of common pleas shall have exclusive jurisdiction to determine the reasonableness of rates and other charges fixed altered charged or collected by the Authority Appeals may be taken to the Superior Court within thirty days after the court of common pleas has rendered a final decision

(9) To borrow money make and issue negotiable notes bonds refunding bonds and other evidences of indebtedness or obligations of the Authority said bonds to have a maturity date not longer than forty years from the date of issue except that no refunding bonds shall have a maturity date longer than the life of the Authority and to secure the payment of such bonds or any part thereof by pledge or deed of trust of all or any of its revenues and receipts and to make such agreements with the purchasers or holders of such bonds or with others in connection with any such bonds whether issued or to be issued as the Authority shall deem advisable and in general to provide for the security for said bonds and the rights of the holders thereof

(10) To make contracts of every name and nature and to execute all instruments necessary or convenient for the carrying on of its business

(11) Without limitation of the foregoing to borrow money and accept grants from and to enter into contracts leases or other transactions with any Federal agency Commonwealth of Pennsylvania municipality corporation or Authority

(12) To have the power of eminent domain

(13) To pledge hypothecate or otherwise encumber all or any of the revenues or receipts of the Authority as security for all or any of the obligations of the Authority

(14) To do all acts and things necessary for the promotion of its business and the general welfare of the Authority to carry out the powers granted to it by this act or any other acts

(15) To enter into contracts with the Commonwealth of Pennsylvania municipalities corporations or authorities for the use of any project of the Authority and fixing the amount to be paid therefor

(16) To enter into contracts of group insurance for the benefit of its employes and to set up a retirement or pension fund for such employes similar to that existing in the municipality where the principal office of the project is located

(c) The Authority shall have no power at any time or in any manner to pledge the credit or taxing power of the Commonwealth of Pennsylvania or any political subdivision nor shall any of its obligations be deemed to be obligations of the Commonwealth of Pennsylvania or of any of its political subdivisions nor shall the Com-

monwealth of Pennsylvania or any political subdivision thereof be liable for the payment of principal of or interest on such obligations

Section 6 Purposes and Powers Bonds

(a) The bonds of any Authority hereinabove referred to and authorized to be issued shall be authorized by resolution of the board thereof and shall be of such series bear such date or dates mature at such time or times not exceeding forty years from their respective dates bear interest at such rate or rates not exceeding six per cent per annum payable semi-annually be in such denominations be in such form either coupon or fully registered without coupons carry such registration exchangeability and interchangeability privileges be payable in such medium of payment and at such place or places be subject to such terms of redemption not exceeding one hundred five per cent of the principal amount thereof and be entitled to such priorities in the revenues or receipts of such Authority as such resolution or resolutions may provide The bonds shall be signed by such officers as the Authority shall determine and coupon bonds shall have attached thereto interest coupons bearing the facsimile signature of the treasurer of the Authority all as may be prescribed in such resolution or resolutions Any such bonds may be issued and delivered notwithstanding that one or more of the officers signing such bonds or the treasurer whose facsimile signature shall be upon the coupon or any officer thereof shall have ceased to be such officer or officers at the time when such bonds shall actually be delivered

Said bonds may be sold at public or private sale for such price or prices as the Authority shall determine provided that the interest cost to maturity of the money received for any issue of said bonds shall not exceed six per centum per annum Pending the preparation of the definite bonds interim receipts may be issued to the purchaser or purchasers of such bonds and may contain such terms and conditions as the Authority may determine

(b) Any resolution or resolutions authorizing any bonds may contain provisions which be part of the contract with the holders thereof as to (1) pledging the full faith and credit of the Authority for such obligations or restricting the same to all or any of the revenues of the Authority from all or any projects or properties (2) the construction improvement operation extension enlargement maintenance and repair of the project and the duties of the Authority with reference thereto (3) the terms and provisions of the bonds (4) limitations on the purposes to which the proceeds of the bonds then or thereafter to be issued or of any loan or grant by the United States may be applied (5) the rate of tolls and other charges for use of the facilities of or for the services rendered by the Authority (6) the setting aside of reserves or sinking funds and the regulation and disposition thereof (7) limitations on the issuance of additional bonds (8) the terms and provisions of any deed of trust or indenture securing the bonds or under whcih the same may be issued and (9) any other additional agreements with the holders of the bonds

(c) Any Authority may enter into any deeds of trust indentures or other agreements with any bank or trust company or other person or persons in the United States having power to enter into the same including any Federal agency as security for such bonds and may assign and pledge all or any of the revenues or receipts of the Authority thereunder Such deed of trust indenture or other agreement may contain such provisions as may be customary in such instruments or as the Authority may authorize icluding provisions as to (1) the construction improvement operation maintenance and repair of any project and the duties of the Authority with reference thereto (2) the application of funds and the safeguarding of funds on hand or on deposit (3) the rights and remedies of said trustee and the holders of the bonds which may include restrictions upon the individual right of action of such bondholder and (4) the terms and provisions of the bonds or the resolutions authorizing the issuance of the same

Said bonds shall have all the qualities of negotiable instruments under the law merchant and the negotiable instruments law of the Commonwealth of Pennsylvania

Section 7 Remedies of Bondholders

(a) The rights and the remedies herein conferred upon or granted to the bondholders shall be in addition to and not in limitation of any rights and remedies lawfully granted to such bondholders by the resolution or resolutions providing for the issuance of bonds or by any deed of trust indenture or other agreement under which the same may be issued In the event that the Authority shall default in the payment of principal of or interest on any of the bonds after the said principal or interest shall become due whether at maturity or upon call for redemption and such default shall continue for a period of thirty days or in the event that the Authority shall fail or refuse to comply with the provisions of this act or shall default in any agreement made with the holders of the bonds the holders of twenty-five per centum in aggregate principal amount of the bonds then outstanding by instrument or instruments filed in the office of the recorder of deeds of the county and proved or acknowledged in the same manner as a deed to be recorded may appoint a trustee to represent the bondholders for the purpose herein provided

(b) Such trustee and any trustee under any deed of trust indenture or other agreement may and upon written request of the holders of twenty-five per centum or such other percentages as may be specified in any deed of trust indenture or other agreement aforesaid in principal amount of the bonds then outstanding shall in his or its own name

(1) by mandamus or other suit action or proceeding at low or in equity enforce all rights of the bondholders including the right to require the Authority to collect rates rentals or other charges adequate to carry out any agreement as to or pledge of the revenue sor receipts of the Authority and to require the Authority to carry out any other agreements with or for the benefit of the bondholders and to perform its and their duties under this act

(2) bring suit upon the bonds

(3) by action or suit in equity require the Authority to account as if it were the trustee of an express trust for the bondholders

(4) by action or suit in equity enjoin any acts or things which may be unlawful or in violation of the rights of the bondholders

(5) by notice in writing to the Authority declare all bonds due and payable and if all defaults shall be made good then with the consent of the holders of twenty-five per centum or such other percentage as may be specified in any deed of trust indenture or other agreement aforesaid of the principal amount of the bonds then outstanding to annual such declaration and its consequences

(c) The court of common pleas of the county wherein the Authority is located shall have jurisdiction of any suit action or proceedings by the trustee on behalf of the bondholders Any trustees when appointed as aforesaid or acting under a deed of trust indenture or other agreement and whether or not all bonds have been declared due and payable shall be entitled as of right to the appointment of a receiver who may enter and take possession of the facilities of the Authority or any part or parts thereof the revenues or receipts from which are or may be applicable to the payment of the bonds so in default and operate and maintain the same and collect and receive all rentals and other revenues thereafter arising therefrom in the same manner as the Authority or the board might do and shall deposit all such moneys in a separate account and apply the same in such man-

ner as the court shall direct In any suit action or proceeding by the trustee the fees counsel fees and expenses of the trustee and of the receivr if any and all costs and disbursements allowed by the court shall be a first charge on any revenues and receipts derived from the facilities of the Authority the revenues or receipts which are or may be applicable to the payment of the bonds so in default Said trustee shall in addition to the foregoing have and possess all of the powers necessary or appropriate for the exercise of any functions specifically set forth herein or incident to the general representation of the bondholders in the enforcement and protection of their rights

(d) Nothing in this section or any other section of this act shall authorize any receiver appointed pursuant to this act for the purpose of operating and maintaining any facilities of the Authority to sell assign mortgage or otherwise dispose of any of the assets of whatever kind and character belonging to the Authority It is the intention of this act to limit the powers of such receiver to the operation and maintenance of the facilities of the Authority as the court shall direct and no holder of bonds of the Authority nor any trustee shall ever have the right in any suit action or proceedings at law or in equity to compel a receiver nor shall any receiver ever be authorized or any court be empowered to direct the receiver to sell assign mortgage or otherwise dispose of any assets of whatever kind or character belonging to the Authority

Section 8 Governing Body

(a) The powers of each Authority shall be exercised by a board composed of five members the majority of whom shall be residents of such city and all of whom shall be residents of the county wherein the city is located The mayor of the city shall appoint the members of the board one of whom shall serve for one year one for two years one for three years one for four years and one for five years from the first day of June one thousand nine hundred forty-seven Thereafter the said mayor shall not sooner than sixty days nor later than thirty days prior to June first in each year in which a vacancy occurs appoint a member of the board for a term of five years to succeed the member whose term expires on the first day of June next succeeding Vancancies for unexpired terms that occur more than sixty days before the end of a term shall be promptly filled by appointment by the mayor Members of the board may be removed at the will of the appointing power

(b) Members shall hold office until their successors have been appointed and may succeed themselves A member shall receive no compensation for his services but shall be entitled to the necessary expenses including traveling expenses incurred in the discharge of his duties

(c) The members of the board shall select from among themselves a chairman a vice-chairman and such other officers as the board may determine The board may employ a secretary an executive director its own counsel and legal staff and such technical experts andsuch other agents and employes permanent or temporary as it may require and may determine the qualifications and fix the compensation of such persons Three members of the board shall constitute a quorum for its meetings Members of the board shall not be liable personally on the bonds or other obligations of the Authority and the rights of creditors shall be solely against such Authority The board may delegate to one or more of its agents or employes such of its powers as it shall deem necessary to carry out the purposes of this act subject always to the supervision and control of the board The board shall have full authority to manage the properties and business of the Authority and to prescribe amend and repeal by-laws rules and regulations governing the manner in which the business of the Authority may be conducted and the powers granted to it may be exercised and embodied

Section 9 Acquisition of Lands

The Authority shall have the power to acquire by purchase or eminent domain proceedings either the fee or such rights title interest or easement in such lands as the Authority may deem necessary for any of the purposes mentioned in this act Provided however That no property devoted to a public use nor any property of a public service company property used for burial purposes places of public worship shall be taken under the right of eminent domain The right of eminent domain shall be exercised by the Authority in the manner provided by law for the exercise of such right by cities of the second class provided that the viewers may take into consideration and may assess damages for expenses incurred for the removal of fixtures equipment and merchandise

The right of eminent domain herein conferred by this section may be exercised only within the city

Court proceedings necessary to acquire property or property rights for purposes of this act shall take precedence over all causes not involving the public interest in all courts to the end that the provision of parking facilities be expedited

Section 10 Moneys of the Authority

All moneys of any Authority from whatever source derived shall be paid to the treasurer of the Authority Said moneys shall be deposited in the first instance by the treasurer in one or more banks or trust companies in one or more special accounts and each of such special accounts to the extent the same is not insured shall be continuously secured by a pledge of direct obligations of the United States of America of the Commonwealth or of the city creating the Authority having an aggregate market value exclusive of accrued interest at all times at least equal to the balance on deposit in such account Such securities shall either be deposited with the treasurer or be held by a trustee or agent satisfactory to the Authority All banks and trust companies are authorized to give such security for such deposits The moneys in said accounts shall be paid out on the warrant or other order of the chairman of the Authority or of such other person or persons as the Authority may authorize to execute such warrants or orders Every Authority shall have at least an annual examination of its books accounts and records by a certified public accountant A copy of such audit shall be delivered to the city creating the Authority A concise financial statement shall be published annually at least once in a newspaper of general circulation in the city where the principal office of the Authority is located If such publication is not made by the Authority the city shall publish such statment at the expense of the Authority If the Authority fails to make such an audit then the controller auditors or accountant designated by the city are hereby authority and empowered from time to time to examine at the expense of the Authority the accounts and books of the Authority including its receipts disbursements contracts leases sinking funds investments and any other matters relating to its finances operation and affairs

The Attorney General of the Commonwealth of Pennsylvania shall have the right to examine the books accounts and records of any Authority

Section 11 Competition in Award of Contracts

(a) All construction reconstruction repairs or work of any nature made by any Authority where the entire cost value or amount of such construction reconstruction repairs or work including labor and materials shall exceed five hundred dollars ($500.00) except reconstruction repairs or work done by employes of said Authority or by labor supplied under agreement with any Federal or State agency with supplies and materials purchased as hereinafter provided shall be done only under contract or contracts to be entered into by the Authority with the lowest responsible bidder upon proper terms after due

public notice has been given asking for competitive bids as hereinafter provided No contract shall be entered into for construction or improvement or repair of any project or portion thereof unless the contractor shall give an undertaking with a sufficient surety or sureties approved by the Authority and in an amount fixed by the Authority for the faithful performance of the contract All such contracts shall provide among other things that the person or corporation entering into such contract with the Authority will pay for all materials furnished and services rendered for the performance of the contract and that any person or corporation furnishing such materials or rendering such services may maintain an action to recover for the same against the obligor in the undertaking as though such person or corporation was named therein provided the action is brought within one year after the time the cause of action accrued Nothing in this section shall be construed to limit the power of the Authority to construct repair or improve any project or portion thereof or any addition betterment or extension thereto directed by the officers agents and employes of the Authority or otherwise than by contract

(b) All supplies and materials costing five hundred dollars ($500.00) or more shall be purchased only after due advertisement as hereinafter provided Authority shall accept the lowest bid or bids kind quality and material being equal but the Authority shall have the right to reject any or all bids or select a single item from any bid The provisions as to bidding shall not apply to the purchase of patented and manufactured products offered for sale in a noncompetitive market or solely by a manufacturer's authorized dealer

(c) The terms advertisement or due public notice wherever used in this section shall mean a notice published at least ten (10) days before the award of any contract in a newspaper of general circulation published in the municipality where the Authority has its principal office and if no newspaper is published therein then by publication in a newspaper in the county where the Authority has its principal office

(d) No member of the Authority or officer or employe thereof shall either directly or indirectly be a party to or be in any manner interested in any contract or agreement with the Authority for any matter cause or thing whatsoever by reason whereof any liability or indebtedness shall in any way be created against such Authority If any contract or agreement shall be made in violation of the provisions of this section the same shall be null and void and no action shall be maintained thereon against such Authority

(e) Subject to the foregoing provisions any Authority may but without intending by this provision to limit any powers of such Authority enter into and carry out such contracts or establish or comply with such rules and regulations concerning labor and materials and other related matters in connection with any project or portion thereof as the Authority may deem desirable or as may be requested by any Federal agency that may assist in the financing of such project or any part thereof Provided however That the provisions of this section shall not apply to any case in which the Authority has taken over by transfer or assignment any contract authorized to be assigned to it under the provisions of section sixteen of this act nor to any contract in connection with the construction of any project which the Authority may have had transferred to it by any person or private corporation

Section 12 Use of Projects

The use of the facilities of the Authority and the operation of its business shall be subject to the rules and regulations from time to time adopted by the Authority Provided however That the Authority shall not be authorized to do anything which will impair the security of the holders of the obligations of the Authority or violate any agreements with them or for their benefits

Section 13 Limitation of Powers

The Commonwealth does hereby pledge to and agree with any preson firm or corporation or Federal agency subscribing to or acquiring the bonds to be issued by the Authority for the construction extension improvement or enlargement of any project or part thereof that the Commonwealth will not limit or alter the rights hereby vested in the Authority until all bonds at any time issued together with the interest thereon are fully met and discharged The Commonwealth of Pennsylvania does further pledge to and agree with the United States and any other Feedral agency that in the event that any Federal agency shall construct or contribute any funds for the construction extension improvement or enlargement of any project or any portion thereof the Commonwealth will not alter or limit the rights and powers of the Authority in any manner which would be inconsistent with the continued maintenance and operation of the project or the improvement thereof or which would be inconsistent with the due performance of any agreements between the Authority and any such Federal agency and the Authority shall continue to have and may exercise all powers herein granted so long as the same shall be necessary or desirable for the carrying out of the purposes of this act and the purposes of the United States in the construction or improvement or enlargement of the project or such portion thereof

Section 14 Termination of Authority

When any Authority shall have finally paid and discharged all bonds which together with the interest due thereon shall have been secured by a pledge or any of the revenues or receipts of a project it may subject to any agreements concerning the operation or disposition of such projects convey such project to the city creating the Authority When any Authority shall have finally paid and discharged all bonds issued and outstanding and the interest due thereon and settled all other claims which may be outstanding against it it may convey all its property to the city and terminate its existence A certificate requesting the termination of the existence of the Authority shall be filed in the office of the Secretary of the Commonwealth If the certificate is approved by the city creating the Authority by its ordinance or ordinances the said Secretary shall note the termination of existence on the record of incorporation and return the certificate with his approval shown thereon to the board which shall cause the same to be recorded in the office of the recorder of deeds of the county Thereupon the property of said Authority shall pass to the city and the Authority shall cease to exist

Section 15 Exemption from Taxation and Payments in Lieu of Taxes

The effectuation of the authorized purposes of Authorities created under this act shall and will be in all respects for the benefit of the residents of cities of the second class for the increase of their commerce and properity and for the improvement of their health safety and living conditions and since Authorities will be performing essential governmental functions in effectuating such purposes such Authorities shall not be required to pay any taxes or assessments upon any property acquired or used by them for such purposes Provided however That in lieu of such taxes or special assessments an Authority may agree to make payments to the city or the county or any political subdivision The bonds issued by any Authority their transfer and the income therefrom including any profits made on the sale thereof shall at all times be free from taxation within the Commonwealth of Pennsylvania

Section 16 Transfer of Existing Facilities to Authority

(a) Any municipality or owner is hereby authorized to sell lease lend grant or convey to any Authority any project or any part or parts thereof or any interest in real or personal property which may be used by the Authority in the construction improvement maintenance or operation of any project Any municipality is also authorized to transfer assign and set over to any Authority any contracts which may have been awarded by said municipality for the construction of projects not begun or if begun not completed The territory served by any project or the terrority within which such project is authorized to render service at the time of the acquisition of such project by an Authority shall constitute the area

in which such Authority shall be authorized to render service

(b) No Authority shall acquire any device or means whatsoever including a consolidation merger purchase or lease or through the purchase of stock bonds or other securities the title to or the possession or use of all or any substantial portion of any project as defined in this act which said project is subject to the jurisdiction of the Pennsylvania Public Utility Commission without the approval of the commission evidenced by its certificate of public convenience first had and obtained in accordance with the procedure and investigations as to value as provided in section two hundred three of the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 1053) known as the "Public Utility Law" the commission shall also consider the earning power of the project in deciding the value thereof The word "acquire" as used in this paragraph shall include only the acquisition of existing facilities

The Authority shall first report to and advise the city by which it was created of the agreement to acquire inluding all its terms and conditions

The proposed action of the Authority and the proposed agreement to acquire shall be approved by the city council Such approval shall be by two-thirds vote of all of the members of the council

(c) This section without reference to any other law shall be deemed complete for the acquisition by agreement of projects as defined in this act located wholly within or partially without the city causing such Authority to be incorporated any provisions of other laws to the contrary notwithstanding and no proceedings or other action shall be required except as herei prescribed

Section 17 Constitutional Construction

The provisions of this act shall be severable and if any of the provisions thereof shall be held to be unconstitutional such decision shall not effect the validity of any of the remaining provisions of this act It is hereby declared as the legislative intent that this act would have been adopted had such unconstitutional provision not been included therein

Section 18 All acts or parts of acts inconsistent with the provisions of this act are hereby repealed

Section 19 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and weer as follows:

YEAS—71

Aaronson,	Dix,	McDonald,	Schuster,
Andrews,	Dye,	Mihm,	Simons,
Bane,	Feola,	Mills,	Smith, C. C.,
Barrett,	Foor,	Mintess,	Smith, C. M.,
Beech,	Gorman,	Mohr,	Stuart,
Bentzel,	Griffiths,	Mooney,	Swope,
Boles,	Haller,	O'Connor,	Upshur,
Bower,	Henry,	O'Dare,	Vaughan,
Brown,	Imbt,	O'Donnell,	Verona,
Capano,	Johnston,	Pichney,	Wachhaus,
Cassidy,	Kean,	Powers,	Wallin,
Chervenak,	Kelley,	Readinger,	Watson,
Chudoff,	Kirley,	Reese, R. E.,	Weidner,
Cochran,	Kline,	Reilly, W. J.,	Weiss,
Cooper,	Krise,	Richter,	West,
Costa,	Kurtz,	Rose,	Wheeler,
Dalrymple,	Laughner,	Sarraf,	Yester,
Davison,	Lovett,	Scanlon,	

NAYS—113

Baumunk,	Getchey,	Madden,	Royer,
Bender,	Gibson,	Madigan,	Sax,
Bloom,	Goodling,	Mazza,	Scott,
Bonawitz,	Graybill,	McCullough,	Sollenberger,
Boorse,	Greenwood,	McKinney,	Sorg,
Breisch,	Greer,	McMillen,	Sproul,
Brice,	Guthrie,	Mikula,	Stank,
Brunner,	Gyger,	Miller,	Stimmel,
Bucchin,	Hall,	Moore, C. E.,	Stockham,
Cadwalader,	Haudenshield,	Moore, H. A.,	Stonier,
Clevenger,	Helm,	Morrison,	Thomassy,
Cole,	Hewitt,	Najaka,	Tittle,
Cook	Hocker,	Naumann,	Tompkins,
Cordier,	Hoffman,	Needham,	Toomey,
Crowley,	Hoopes,	Neff,	Turner,
Dague,	Horan,	Nelson,	Wagner,
De Long,	Jennings,	O'Neill,	Waldron,
Demech,	Johnson,	Orban,	Waterhouse,
Dennison,	Jones,	Petrosky,	Watkins,
Elder,	Jump,	Pickens,	Wescott,
Erb,	Kemp,	Polaski,	Wolf,
Evans,	Kent,	Price,	Wood,
Ewing,	Kohl,	Propert,	Worley,
Fish,	Kratz,	Ragot,	Yeakel,
Fiss,	Layer,	Reese, D P.,	Yetzer,
Flack,	Leisey,	Reilly, J. M.,	Young,
Fleming,	Livingstone,	Riley,	Lichtenwalter, Speaker.
Frost,	Loftus,	Robbins,	
	Lyons,	Robertson,	

NOT VOTING—21

Depuy,	McCormack,	Reagan,	Snider,
Efenberg,	McCosker,	Root,	Tahl,
Gallagher,	Murray,	Rowen,	Thompson,
Goff,	Myers,	Serrill,	Trout,
Lee,	Patten,	Shoemaker,	Walton,
Livingston,			

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 651, as follows:

An Act to further amend section four thousand three hundred four of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the thir class and amending revising and consolidating the law relating thereto" by providing that the right to participate in the police pension fund after having been established shall not be forfeited

On the question,

Will the House agree to the bill on third reading?

Mr. DALRYMPLE. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend Sec. 1, (Sec. 4304), page 2, line 15, by inserting after the part-word "manage-" the following "ment of said fund which may be made by ordinance and which may",

Amend Sec. 1, (Section 4304), page 2, line 17, by striking out all of said line.

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

Mr. LAYER. Mr. Speaker, in looking over the bill it is very confusing because of parenthesis in line 10 or 13, I think.

Mr. DALRYMPLE. Mr. Speaker, is it permissible to pass this bill over?

The SPEAKER. Does the gentleman wish to withdraw his amendments temporarily?

AMENDMENTS WITHDRAWN

Mr. DALRYMPLE. Yes, Mr. Speaker, I will withdraw the amendments.

BILL PASSED OVER

The SPEAKER. If there is no obpection this bill will be passed over.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 735, as follows:

An Act to amend sections four thousand three hundred twenty four thousand three hundred twenty-one four thousand three hundred twenty-two four thousand three hundred twenty-three four thousand three hundred twenty-four and four thousand three hundred twenty-five of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by requiring cities to establish a Firemen's Pension Fund and to make contributions to such fund and providing for and regulating the management and operation of such fund

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections four thousand three hundred twenty four thousand three hundred twenty-one four thousand three hundred twenty-two four thousand there hundred twenty-three four thousand three hundred twenty-four and four thousand three hundred twenty-five of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" are hereby amended to read as follows

Section 4320 Firemen's Pension Fund [Direction of] Management Cities [may] shall establish by ordiance a firemen's pension fund to be maintained in part by an equal and proportionate monthly charge against each member of the fire department which shall not exceed annually three per centum of the pay of such member [; which] The fund shall be under the direction [of council or committed to the direction of such officers of the city as may be designated by council] and control of a board of managers consisting of the Mayor the Director of Accounts and Finance the City Controller and the Chief of the Bureau of Fire ex officio and four members of the fire department Of the first managers so chosen by the members of the fire department two shall be chosen for terms of two years each and two for terms of four years each Biennially thereafter two managers shall be chosen for terms of four years each to take the place of those whose terms expire In case of vacancy among the managers chosen by the fire department a successor shall be chosen for the unexpired term The fund shall be applied under such regulations as [council may by ordinance] the board of managers shall prescribe for the benefit of such members of the fire department as shall receive honorable discharge therefrom by reason of service and age or disability and the families of such as may be [injured or] killed in the service [but such allowances] All such pensions as shall be [made] to those who are retired by reason of the disabilities or of service and age shall be in conformity with a uniform scale Benefits allowed from such fund to families of such as are killed in service shall take into consideration the member's widow and his minor children under eighteen years of age if any survive

Section 4321 Retirement Final Discharge Such [ordinance] regulations [may] shall prescribe a minimum twenty-five and a minimum age not less than fifty-five period of continuous service not less than [twenty years] years after which members of the department may be retired from active duty and such members as are retired shall be subject to service from time to time as a firemen's reserve until unfitted for such service when they may be finally discharged by reason of age or disability

Section 4322 Maximum Amount of [Premium] Pension Payments [for allowances] of pensions shall not be a charge on any [other] fund in the treasury of the city or under its control save the firemen's pension fund herein provided for The basis [of the apportionment] of the pension of a member shall be determinated by [the rate of] the monthly pay of the member at the date of [death honorable discharge or] retirement whether for disability or by reason of age and service and shall be [shall not in any case exceed in any year] one-half the annual pay of such member at the time of retirement computed at such monthly rate Disability retirement for a cause other than for permanent injury incurred in service may be granted only after a member has had five years of service in the fire department In the case of the payment of pensions to members for permanent injury incurred in service and to famalies of members killed in service the amount and commencement of the payment of pensions shall be fixed by regulations of the board which shall take into consideration the amount and duration of workmen's compensation allowed by law

Section 4323 Causes for Forfeiture of Rights in Fund Other Employments Whenver any person shall become entitled to receive [an allowance] a pension from the firemen's pension fund and shall have been admitted to participate therein he shall not thereatfer be deprived of his right to [an equal and proportionate] participation therein upon the basis upon which he first became entitled thereto save for one or more of the following causes that is to say Conviction of a [crime] felony or misdemeanor becoming an habitual drunkard becoming a nonresident of the State or failing to comply with some general regulation relating to the management of said fund which may be made by [ordinance] the managers and which may provide that a failure to comply therewith shall terminate the right to participate in the pension fund Any termination of a pension shall be only after such due notice and hearing as shall be prescribed by [ordinance] regulation of the managers

In case any retired member of the fire department shall after retirement engage in employment for compensation his pension from the firemen's pension fund shall be reduced to such an amount that when aded to the compensation he receives for employment shall equal the compensation he was receiving as a member of the fire department at the time of his retirement At any time when such other employment for compensation ceases his pension shall be fully restored

Section 4324 Payments to Firemen's Pension Funds by City There [may] shall be paid to the [organization or association constituting and having in charge the distribution of] firemen's pension funds [in] by every city annually a sum of money not less than one-half nor more than one per centum of all city taxes collected by the city other than taxes levied to pay interest on or extinguish the debt of the city or any part thereof

Section 4325 [Designation of Organization to Manage Pension Fund The organization having in charge the firemen's pension fund herein mentioned shall consist only of such as is by ordinance designated as the official and authorized organization or association to hold receive and distribute the funds or moneys for the purpose of pensioning the firemen of said city] Transfer of Funds from Other Pension Funds In any city wherein the members of the fire department are members of a pension fund not established solely for the purpose of pensioning members of the fire department theer shall be rtansferred from such other pension fund into the firemen's pension fund required to be established by this act the moneys contributed thereto by members of the fire department who have not been retired and a just and equitable proportion of the moneys contributed by the city to such other pension fund for the future retirement of members of the fire department Such transfers may be made by the transfer of securities The amounts to be transferred shall

be amicably adjusted by the managers of the firemen's pension fund and the pension board having the charge of such other pension fund. In case of disagreement as to the amount so to be transferred the disagreement shall be resolved by the city council whose action thereon shall be final

Nothing contained in this section shall be construed to relieve any existing pension fund of its liability to continue the payment of pensions to retired members of the fire department in accordance with the laws and regulations under which such members were retired

Section 2 This act shall become effective on the first day of January one thousand nine hundred forty-eight

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—149

Aaronson,	Getchey,	Mazza,	Richter,
Andrews,	Gibson,	McCormack,	Robbins,
Bane,	Goff,	McCosker,	Robertson,
Barrett,	Goodling,	McCullough,	Rose,
Beech,	Gorman,	McDonald,	Rowen,
Bender,	Graybill,	Mihm,	Sarraf,
Bentzel,	Greenwood,	Mikula,	Sax,
Boies,	Greer,	Miller,	Scanlon,
Bonawitz,	Griffiths,	Mills,	Schuster,
Bower,	Guthrie,	Mintess,	Scott,
Breisch,	Hall,	Mohr,	Serrill,
Brice,	Haller,	Mooney,	Shoemaker,
Capano,	Haudenshield,	Moore, C. E.,	Simons,
Cassidy,	Henry,	Moore, H. A.,	Smith, C. C.,
Chervenak,	Hewitt,	Morrison,	Smith, C. M.,
Chudoff,	Hocker,	Myers,	Snider,
Cole,	Hoffman,	Najaka,	Sollenberger,
Cooper,	Horan,	Naumann,	Stimmel,
Cordier,	Johnson,	Needham,	Stuart,
Costa,	Johnston,	Neff,	Thomassy,
Crowley,	Jump,	Nelson,	Thompson,
Dague,	Kean,	O'Connor,	Tittle,
Dalrymple,	Kelley,	O'Dare,	Upshur,
Davison,	Kemp,	O'Donnell,	Vaughan,
De Long,	Kent,	O'Neill,	Verona,
Demech,	Kirley,	Orban,	Wagner,
Dennison,	Kohl,	Patten,	Waldron,
Depuy,	Kratz,	Petrosky,	Walton,
Dye,	Krise,	Pichney,	Waterhouse,
Efenberg,	Kurtz,	Polaski,	Watkins,
Elder,	Lee,	Powers,	Watson,
Evans,	Livingston,	Price,	Weidner,
Feola,	Livingstone,	Ragot,	West,
Flack,	Loftus,	Reese, D. P.,	Wheeler,
Fleming,	Lovett,	Reese, R. E.,	Yester,
Foor,	Lyons,	Reilly, J. M.,	Yetzer,
Frost,	Madden,	Reilly, W. J.,	Young,
Gallagher,			

NAYS—38

Baumunk,	Gyger,	McMillen,	Tompkins,
Bloom,	Helm,	Propert,	Toomey,
Boorse,	Hoopes,	Readinger,	Turner,
Brunner,	Imbt,	Riley,	Wachhaus,
Cadwalader,	Jones,	Royer,	Weiss,
Clevenger,	Kline,	Sorg,	Wolf,
Cochran,	Laughner,	Sproul,	Wood,
Cook,	Layer,	Stank,	Worley,
Dix,	Leisey,	Stockham,	Yeakel,
Erb,	McKinney,	Swope,	

NOT VOTING—17

Brown,	Jennings,	Reagan,	Trout,
Bucchin,	Madigan,	Root,	Wallin,
Ewing,	Murray,	Stonier,	Wescott,
Fish,	Pickens,	Tahl,	Lichtenwalter, Speaker.
Fiss,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Mr. TURNER IN THE CHAIR

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 817, as follows:

An Act defining and regulating certain installment sales of motor vehicles prescribing the conditions under which such sales may be made and regulating the financing thereof regulating and licensing persons engaged in the business of making or financing such sales prescribing the form contents and effect of instruments used in connection with such sales and the financing thereof prescribing certain rights and obligations of buyers sellers persons financing such sales and others limiting incidental charges in connection with such instruments and fixing maximum interest rates for delinquencies extensions and loans regulating insurance in connection with such sales regulating repossessions redemptions resales and deficiency judgments and the rights of parties with respect thereto authorizing extensions loans and forbearances related to such sales authorizing investigations and examinations of persons engaged in the business of making or financing such sales prescribing penalties and repealing certain acts

The General Assembly of the Comonwealth of Pennsylvania hereby enacts as follows

Section 1 Short Title This act shall be known and may be cited as the "Motor Vehicles Sales Finance Act"

Section 2 Findings and Declarations of Policy It is hereby determined and declared as a matter of legislative finding

(a) That an exhaustive study by the Joint State Government Commission discloses nefarious unscroupulous and improper practices in the financing of the sale of motor vehicles in this Commonwealth which are unjustifiably detrimental to the consumer and inimical to the public welfare Such practices prevail not only among sellers but also among sales finance companies and banks which acquire contracts arising out of installment sales of motor vehicles and which frequently influence the credit policies of sellers

(b) That the agreement for the installment sale of motor vehicles in this Commonwealth has been generally cast in the form of the so-called "Pennsylvania Bailment Lease" contract in which the seller is technically the lessor and the buyer is technically the lessee By the use of this fictional instrument in the installment sale of motor vehicles the extension of credit to the purchaser has been so onextricably entwined with the alleged bailment of the motor vehicle as to deprive the consumer of the benefit of existing laws

(c) That consumers because of these legal technicalities and because of their equal bargaining position are at the mercy of unscrupulous persons and are being intolerably exploited in the installment purchase of motor vehicle Such exploitation is evident in the unfair provisions of the installment sale contract exobritant charges for credit extortionate default extension collection repossession and other charges unconscionable practices respecting execution of contracts refinancing of contracts prepayment refunds insurance repossession and redemption

(d) That practices enumerated and other equally pernicious have existed to such an extent that regulation of the installment selling of motor vehicles is necessary to the adequate protection of the public interest Adequate regulation of installment selling must include control of the functions of selling and financing of motor vehicles whether exercised by the same or by different persons

Therefore it is hereby declared to be the policy of the Commonwealth of Pennsylvania to promote the welfare of

its inhabitants and to protect its citizens from abuses presently existing in the installment sale of motor vehicles and to that end exercise the police power of the Commonwealth to bring under the supervision of the Commonwealth all persons engaged in the business of extending consumer credit in conjunction with the installment sale of motor vehicles to establish a system of regulation for the purpose of insuring honest and efficient consumer credit service for installment purchasers of motor vehicles and to provide the administrative machinery necessary for effective enforcement

Section 3 Definitions The following words terms and phrases when used in this act shall have the meaning ascribed to them in this section except where the context clearly indicates otherwise

1 "Motor vehicle" shall mean any self-propelled device in which upon which or by which any person or poperty is or may be transported or drawn upon a public highway excepting tractors power shovels road machinery agricultural machinery and other machinery not designed primarily for highway transportation but which may incidentally transport persons or property on a public highway and excepting such devices which move upon or are guided by a track or travel through the air and shall include trailers and semi-trailers

2 "Person" includs an individual partnership association business corporation bankng institution non-profit corporation common law trust joint stock company or any other group of individuals however organized

3 "Installment buyer" or "buyer" shall mean the person who buys hires or leases a motor vehicle under any installment sale contract or any legal successor in interest to such person and shall continue to designate such person notwithstanding he may have entered into one or more extensions deferements renewals or other revisions of the original contract and includes any preson who as surety endorser guarantor or otherwise is liable on the obligation created by the buyer under an installment sale contract

4 "Installment seller" or "seller" shall mean a person engaged in the business of selling hiring or leasing motor vehicles under installment sale contracts or any legal successor in interest to such person

5 "Holder" shall mean any person including a seller who is currently entitled to the rights of a seller under an installment sale contract

6 "Sales finance company" shall mean a person engaged as principal agent or broker in the business of financing or soliciting the financing of installment sales contracts mbade between other parties including but not hereby limiting the generality of the foregoing the business of acquiring investing in or lending money or credit on the security of such contracts or any interest therein whether by discount purchase or assignment thereof or otherwise provided that the term shall not include any person to the extent that he makes bona fide commercial loansn to sellers or sales finance companies and takes assignments of or an interest in an aggregation of installment sale contracts only as security for such commercial loans under which in the absence of default or other bona fide breach of the loan contract ownership of such contracts remains vested in the assignor and collection of payments on such contracts is made by the assignor The term shall include any seller whether or not licensed under this act as a seller who finances installment sale contracts for other sellers or sales finance companies

7 "Collector-repossessor" shall mean a person who collects payments or installment sale contracts or repossesses motor vehicles which are the subject of installment sale contracts as an independent contractor and not as a regular employe of a seller or sales finance company excluding duly constituted public official or attorneys-at-law when acting in an official capacity and excluding a licensed seller or licensed sales finance company making collections or repossessions on installment sale contracts wherein such seller or sales finance company was previously a "holder" or wherein such seller or sales finance company not having previoulsy been a "holder" occasionally makes collections or repossessions for other licensed sellers or sales finance companies The term shall include any combination of the above activities

8 "Banking institution" shall bean any bank bank and trust company trust company savings bank private bank or any national banking association organized and doing business under the provisions of any law of this Commonwealth or of any other state of the United States or under the provisions of any law of the United States of America

9 "Retail sale" shall mean the sale of a motor vehicle for use y the buyer or for the benefit or satisfaction which the buyer may derive from the use of the motor vehicle by another

10 "Installment sale contract" or "contract" shall mean any contract for the retail sale of a motor vehicle or which has a similar purpose or effect under which part or all of the price is payable in two or more scheduled payments subsequent to the making of such contract or as to which the obligor undertakes to make two or more scheduled payments or deposits that can be used to pay part or all of the purchase price whether or not the seller has retained a security interest in such motor vehicle or has taken collaterial security for the buyer's obligation an dshall include any loan any mortgage any conditional sale contract any purchase-money chattel mortgage any hire-purchase agreement or any contract for the bailment or leasing of a motor vehicle under which the hire-purchaser the bailee or lessee contracts to pay as compensation a sum substantially equivalent to or in excess of the value of the motor vehicle and any other form of contract which has a similar purpose or effect provided however that the terms shall not include any sale or contract for sale upon an open book account wherein the seller has not retained or taken any security interest in the motor vehicle sold or any collateral security for the buyer's obligation and wherein the buyer is not required to pay any sum other than the cash price of the motor vehicle sold in connection with such sale or extension of credit and wherein the buyer is obligated to pay for the motor vehicle in full within ninety (90) days from the time the sale or contract for sale was made These terms shall also mean and apply to any extension deferment renewal or other revision of such installment sale contract

11 "Cash price" shall mean the minimum price measured in dollars at which the seller would in good faith sell to the buyer or to any other buyer under like circumstances and the buyer would in good faith buy from the seller the motor vehicle which is the subject matter of the installment sale contract if such sale were a sale for cash instead of an installment sale

12 "Down payment" shall mean all partial payments whether made in case or otherwise received by or for the benefit of the seller prior to or substantially contemporaneous with either the execution of the installment sale contract or the delivery of the goods sold thereunder which ever occurs later

13 "Principal amount financed" shall mean the unpaid cash price balance after deducting the down payment adding the cost of any insurance premiums required or obtained as security for or by reason of the sale of a motor vehicle under an installment sale contract and adding other cost necessary or incidental to the sale of the motor vehicle under such conrtcat which the seller contracts to pay on behalf of the buyer and for the amount of which the seller agrees to extend credit to the buyer and for which the buyer contracts voluntarily

14 "Finance charge" shall mean the amount of the consideration in excess of the cash price which the buyer is required to pay to the seller for the privilege of purchasing a motor vehicle under an installment sale contract or for the credit extended by the seller to the buyer in conjunction with the sale of a motor vehicle under an installment sale contract or it shall mean the differential between the cas sale price of the motor vehicle and the installment sale price exclusive of insurance premium costs and other costs necessary or incidental to an installment sale which are specifically authorized by this act to be included in an installment sale contract

15 "Time balance" shall mean the sum of the principal amount financed and the finance charge

16 "Security interest" shall mean any property right in the motor vehicle which is the sbuject of an installment sale contract whenever such right is retained to secure performance of any obligation of the buyer under such contract any extension deferment renewal or other revision thereof and the term shall include any lien or encumbrance against such motor vehicle any interest of a mortgagee in such motor vehicle and any reservation of title to such motor vehicle whether or not expressed to be absolute whenever such title is in substance retained for security only

17 "Collateral security" shall mean any security other than a security interest in a motor vehicle which is the subject of an installment sale contract which is given to secure performance of any obligation of the buyer or of any surety or guarantor for him under an installment sale contract extension deferment renewal or other revision thereof and the term shall include the undertakings of any surety or guarantor for the buyer and any interest in encumbrance on or pledge of real or personal property other than the motor vehicle which is the subject of the installment sale contract

18 "Administrator" shall mean the Pennsylvania Consumer Credit Commission established under the provisions of The Administrative Code of 1929 and any person or persons appointed and delegated by such Commission to act on behalf of such Commission in the administration and enforcement of this act

19 "Licensee" shall mean a person to whom has been issued a license under this act as an installment seller or as a sales finance company or as a collector-possessor which license has not expired has not been surrendered or revoked and in the plural shall mean any or all persons so licensed under any or all of these three classifications

Section 4 Licenses Required On and after the effective date of this act no person shall engage or continue to engage in this Commonwealth either as principal employe agent or broker

1 In the business of an installment seller of motor vehicles under installment sale contracts except as authorized in this act under license issued by the administrator or

2 In the business of a sales company except as authorized in tis act under license issued by the administrator or

3 In the business of a collector-repossesor except as authorized in this act under license issued by the administrator

Section 5 Applications for licenses

A Applications for licenses under this act shall be in writing under oath and in the form prescribed by the administrator

B The application shall contain the name under which the business is conducted the address of the place of business the date of registration of the fictitious or trade name if any with the Secretary of the Commonwealth the date and place of incorporation if the applicant is a corporation the name and residence address of the owner if the applicant is an individual owner the name and residence address of all owners partners or members if the applicant is a partnership or association the name and address of all officers and directors if the applicant is a corporation and such other information as the administrator may require

C All applicants filed by associations or corporations shall be accompanied by a power of attorney showing the name and address of the authorized agent in the Commonwealth of Pennsylvania upon whom all judicial and other process or legal notice may be served and in the case of the death removal from the Commonwealth or any legal disability or disqualification of such agent service of such process or notice upon the administrator shall be authorized

D A separate application on the prescribed form shall be filed for each place of business conducted by or to be established by a licensee within the Commonwealth of Pennsylvania

E All applications for renewal licenses shall be filed at least fifteen (15) days prior to October first annually

Section 6 License Bonds

A A bond in the form prescribed by the administrator in the penal sum of five thousand dollars ($5000) shall accompany every application for license as a sales finance company and for license as a collector-repossessor Such bond shall be executed by a surety company aputhorized by the laws of Pennsylvania to transact business within this Commonwealth provided that the bond accompanying an application for license as a sales finance company filed by a banking institution located within this Commonwealth may be executed by such banking institution on its own behalf in lieu of a bond executed by a surety company The bond shall be executed to the Commonwealth of Pennsylvania shall be for the use of the Commonwealth and for any person or persons The condition of the bond shall be that the licensee will comply with and abide by all provisions of this act and all the rules and regulations of the administrator lawfully issued and that the licensee will pay to the Commonwealth to the administrator or to any person or persons any and all moneys that may become due to the Commonwealth to the administrator or to any person or persons from the said licensee under and by virtue of the provisions of this act If any person shall be aggrieved by the misconduct of a licensee and shall cover judgment against such licensee such person may on any execution issued under such judgment maintain an action upon the bond of the licensee in any court having jurisdiction of the amount claimed provided the administrator assents thereto

B A bond in the form prescribed shall be filed for each place of business conducted by a finance company and for each place of business conducted by a collector-repossessor within the Commonwealth of Pennsylvania

C A new bond shall accompany every application for renewal license and shall be filed with at least fifteen (15) days prior to October first annually

Section 7 License Fees

A Each application for license shall be accompanied by a license fee in the amount of

1 Ten dollars ($10) for license as an installment seller of motor vehicles

2 One hundred dollars ($100) for license as a sales finance company

3. One hundred dollars ($100) for license as a collector-repossessor

B A separate license fee of like amount shall be paid for each place of business conducted by a licensee within the Commonwealth of Pennsylvania

C No abatement in the amount of the said license fee shall be made if the license is issued for less than one year or if the license is surrendered cancelled or revoked prior to the expiration of the license year for which such license was issued

D All licenses under this act shall expire on October first annually A renewal license fee in the same amount shall be paid annually on or before October first for each respective type of license and for each place of business

E All license fees and fines received by the administrator under this act shall be deposited in the State Treasury to the credit of a special fund for the use of the administrator in administering this and other laws of the Commonwealth placed under his administration

Section 8 Approval of Licenses and Insurance of Licenses

A The administrator if he approves an application for license shall issue to the applicant a license certificate showing the name of the person authorized to do business thereunder and the address of the licensee Such license certificate when issued to an installment seller or to a sales finance company shall be posted in a conspicious place in the place of business of the licensee so that it will be in full view of the public at all times and when issued to a collector-repossessor shall be carried in the immediate possession of the licensee whenever he is engaged in the type of business for which the license is issued so that it may be persented for inspection upon request of any person entitled to such inspection

B A license shall not be transferred or assigned

C A licensee may change his place of business to another location within the same municipality for which the license certificate was issued A licensee desiring to change the address of his place of business shall give prior written notice thereof to the administrator and shall return the license certificate to he administrator for amendment The administrator shall amend the license certificate to show the new address an dthe date thereof which shall thereafter be the authorized adress of the licensee A licensee shall not be required to pay any charge for amendment of a license certificate to effect change of address

D Only one place of busines mav be operated under the same license provided however that where every place of business is conducted under one name and the business records are kept in one place only one license shall be required This proviso shall apply only to installment sellers A licensee may operate more than one place of business by filing an application on the prescribed form for each additional place of business and by furnishing a bond for each additional place of usiness in the case of ba sales finance company and collector-repossessor and by paying the respective license fee provided in this act for each additional place of business

Section 9 Rejection of Application

A The administrator may reject any application for license or any application for renewal of a licen- if he is not satisfied that the financial responsibility character reputation integrity and the general fitness of the applicant and of the owners partners or members theerof if the applicant be a partnership or association and of the officers and directors if the aplicant be a corporation are such as to command the confidence of the public and to warrant the belief that the business for which application for license is filed will be operated lawfully honestly fairly and within the legislative intent of this act and in accordance with the general laws of this Commonwealth provided however that no license mav be issued if the applicant any affiliate owner partner member officer director employe agent or spouse of the applicant has pleaded guilty entered a plea of nolo contendere or has been found guilty by a judge or a jury for engaging in any business for which a license is required under this act without having obtained a license under this act or if the applicant any affiliate owner partner member officer director employe agent or spouse of the applicant has pleaded guilty entered a plea of nolo contendere or has been found guilty by a judge or a jury of a second offense violation of this act under the penal section of this act applicable to licensees and had its license revoked

B Whenever the administrator rejects an application for license he shall mail a notice of such action to the applicant and the applicant mav within thirty (30) days of the date of such notice appeal from such action to the courts of Dauphin County

C Whenever the administrator rejects an application for license he shall return the license fee which accompanied the application provided however all or any portion of the license fee may be retained by the administrator if rejection is based wholy or partially upon false information furnished by the applicant in the application

Section 10 Revocation or Suspension of Licenses

A The administrator upon thirty day's written notice to the licensee forwarded by registered mail to the place of business of such licensee as shown in the application for license or as amended on the license certificate in case of change of adress subsequent to issuance of the license certificate may revoke or suspend any license if he finds that

1 The licensee has made any material misstatement in the application for license or that

2 The licensee has violated any provision of this act or that

3 The licensee has violated any rule or regulation issued by the administrator under and within the authority of this act or that

4 The licensee has failed to comply with any demand rule or regulation lawfully made by the administrator under and within the authority of this act of that

5 The licensee refuses or has refused to permit the administrator or his designated representatives to make examinations authorized by this act or that

6 The licensee in the vase of a finance company and collector-repossessor has failed to maintain in effect the bond required under the provisions of this act or that

7 The licensee has failed to maintain satisfactory records required by this act or prescribed by the administrator or that

8 The licensee has falsified any records required by this act to be maintained of the business contemplated by this act or that

9 The licensee has failed to file any report with the administrator within the time stiplated in this act or that

10 The licensee has failed to pay the fine required by this act for failure to file reports to the administrator within the time stipulated or that

11 The licensee has defrauded any retail buyer to the buyer's damage or wilfully failed to perform any written agreement with any retail buyer or that

12 Any fact or condition exists or is discovered which if it had existed or had been discovered at the time of filing of the application for such license would have warranted the administrator in refusing to issue such license

B The administrator may revoke or suspend only the particular license with respect to which grounds for revocation may occur or exist but if he finds that grounds for revocation are of general application to all places of business or to more than one place of business operated by a licensee he may revoke all of the licenses issued to such licensee or those licenses to which grounds for revocation apply as the case may be

C Whenever a license has been revoked the administrator shall not issue another license to the licensee pursuant to the provisions of this act until the expiration of at least one (1) year from the effective date of revocation of said license and not at all if such licensee or any owner partner member officer director employe agent or spouse of the licensee shall have pleaded guilty entered a plea of nolo contendere or has been found guilty by a judge or a jury of a second offense violation of this act

D Apeals may be taken from the action of the administrator in suspending and revoking licenses in accordance with the procedure prescribed by the act of June 4 1945 (P. L. 1388) known as The Administrative Agency Law

Section 11 Authority of Administrator

A The administrator and any person designated by him for that purpose is empowered to investigate at any time the business and affairs and examine the books accounts papers records documents and files of every licensee and of eevry person who shall be engaged in business contemplated by this act whether such person shall act or claim to act as principal agent or broker or under or without the authority of this act For this purpose the administrator shall have free access to the offices and places of business books accounts papers records documents and files of all such persons A person who is not licensed under this act shall be presumed to be engaged in business contemplated by this act if he as principal agent or broker advertises or solicits business for which a license is required by the provisions of this act and the administrator and any person designated by him for that purpose is in such cases hereby empowered to examine the books accounts papers records documents files safes and valuts of such persons for the purpose of discovering violations of this act

B The administrator is empowered to requore the attendance and testimony of witnesses and the production of any books accounts papers records documents and files relating to such business which the administrator has authority by this act to investigate and for this purpose and administrator or his duly authorized representative may sign subpoenas administer oaths and affirmations ex-

amine witnesses and receive evidence In case of disobedience of any subpoena or the contumacy of any witness appearing before the administrator the administrator may invoke the aid of the courts of Dauphin County or any court of the Commonwealth and such court shall thereupon issue an order requiring the person subpoenaed to obey the subpoena or to give evidence or to produce books accounts papers records documents and files relative to the matter in question Any failure to obey such order of the court may be punished by such court as a contempt thereof

Section 12 Records Required

A Every licensee shall maintain at the place of business designated in the license certificate such books accounts and records of the business conducted under the license issued for such place of usiness as will enable the administrator to determine whether the business of the licensee contemplated by this act is being operated in accordance with the provisions of this act

B A licensee operating two or more licensed places of business in this Commonwealth may maintain the general control records of all such offices at any one of such offices or at any other office maintained by such licensee upon the filing of a written request with the administrator designating theerin the office at which such control records are maintained and upon approval of such request by the administrator

C All books accounts and records of licensees shall be maintained in the English lagnuage

D All books accounts and records of licensees including any cards used in a card system shall be preserved and available for examination by the administrator for at least two (2) years after making the final entry therein

E The administrator is hereby authorized and empowered to prescribe the minimum information to be shown in the books accounts and records of licensees so that such records will enable the administrator to determine compliance with the provisions of this act

Section 13 Requirements as to Contracts

A Every installment sale contract shall be in writing and shall contain all of the agreements between the buyer and the seller relating to the installment sale of the motor vehicle sold and shall be signed by both the buyer and the seller

B Every installment sale contract shall be completed as to all essential provisions prior to the signing of such contract by the buyer

C An exact copy of the installment sale contract shall be furnished by the seller to the buyer at the time the buyer signs such contract Such buyer's copy of the contract shall contain the signature of the seller identical with such signature on the original contract Such copy shall be furnished to the buyer without charge.

D Every installment sale contract shall contain the following notice printed prominently and in the form indicated in twelve (12) point type or larger directly above the space provided in the contract form for the signature of the buyer

Notice to Buyer

Do not sign this contract in blank

You are entitled to an exact copy of the contract you sign

Keep it to protect your legal rights"

E The seller shall obtain from the buyer a written acknowledgment of the delivery of the copy of the contract to the buyer Such acknowledgment shall be printed in twelve (12) point type or larger and if attached to the contract it shall be printed below the buyer's signature to the contract and shall be independently signed

F Every installment sale contract shall provide for payment of the time balance in substantially equal periods and in substantially equal amounts provided that when appropriate for the purpose of facilitating payment in accordance with a buyer's intermittent income a contract may provide for payment on a schedule which reduces or omits payments over any period or periods in which the buyer's income is reduced or suspended An installment sale of a new motor vehicle to a bona fide salesman or of motor vehicles to be used by him principally as a demonstrator shall be exempt from the equal payment schedule requirement of this section

Section 14 Contents of Contract

A Every installment sale contract shall state the full names and addresses of all the parties thereto the date when signed by the buyer and shall contain a description of the motor vehicle sold which shall be sufficient for accurate identification

B Every installment sale contract shall set forth the following separate items as such and in the following order

1 Cash Price of the motor vehicle This amount may include any taxes charges for delivery cost of servicing repairing or improving the motor vehicle costs of accessories and installation or other costs normally included in the delivered cash price of such motor vehicle

2 Down Payment made by the buyer at the time of or prior to execution of the contract indicating whether made in cash or represented by the agreed value of a "trade-in" motor vehicle or other goods or both The amount of cash and/or the value of any "trade-in" shall be shown separately A description of the "trade-in" if any sufficient for identification shall be shown

3 Pnpaid Cash Price Balance which shall be the difference between the cash price (Item 1) and the down payment (Item 2) above

4 Insurance Premium Costs for the payment of which the seller agrees to extend credit to the buyer The term of such insurance a concise description of the coverage and the amount of the premium shall be set forth If the precise cost of the insurance is not available at the time the contract is signed an estimated amount ascertained from a chart prepared by the licensee and approved by the administrator may be set forth in the contract When the cost of the insurance is so estimated the contract shall so state and it shall contain notice to the buyer that the difference between the estimated cost and the actual cost of the insurance including finance charges on such amount will be adjusted at the time of the final payment on the contract and a statement of the amount of the adjustment shall be be furnished to the buyer simultaneously with the delivery of the insurance policy or certificate

5 Other Costs necessary or incidental which the seller contracts to pay on behalf of the buyer and for the amount of which the seller agrees to extend credit to the buyer as authorized by this act Such costs shall be itemized in the contract as to nature and amount

6 Principal Amount Financed which shall be the total of the unpaid cash price balance (Item 3) plus the insurance premium costs (Item 4) plus other costs (Item 5) for which the seller agrees to extend credit to the buyer

7 Finance Charge which is the consideration in excess of the cash price (Item 1) excluding insurance premium (Item 4) and other costs (Item 5) which the buyer agrees to pay to the seller for the privilege of purchasing the motor vehicle under the installment sale contract

8 Time Balance which shall be the total of the principal amount financed (Item 6) plus the finance charge (Item 7) and which shall represent the total obligation of the buyer which he agrees to pay in two or more scheduled payments

9 Payment Schedule which shall state the number of payments the amount of the payments and the time of the payments required to liquidate the time balance

C Every installment sale contract shall state clearly any collateral security taken for the buyer's obligation under the contract

D Every installment sale contract shall contain a summary notice of the buyer's principal legal rights respecting prepayment of the contract and rebate of finance charge and reinstatement of the contract in the event of repossession

E Every installment sale contract shall contain specific provisions as to the buyer's liability respecting default charges repossession and sale of the motor vehicle in case

of default or other breach of contract and respecting the collateral security if any

Section 15 Prohibited Provisions of Contract

A No installment sale contract shall be signed by any party thereto when such contract contains blank spaces to be filled in after such contract has been signed This provision shall not apply to serial numbers or other identifying marks which are not available for description of the motor vehicle at the time of execution of the contract

B No installment sale contract shall contain any acceleration clause under which any part or all the time balance represented by payments not yet matured may be declared immediately payable because the seller or holder deems himself to be insecure This provision shall not affect an acceleration clause authorizing the seller or holder to declare the entire time balance due and payable in case of default in the payment of one or more installment payments or use of the motor vehicle for illegal purposes

C No installment sale contract shall contain any provision authorizing any person acting on behalf of the seller or holder to enter upon premises of the buyer unlawfully or to commit any breach of the peace in the repossession of the motor vehicle or collateral security

D No installment sale contract shall contain any provision whereby the buyer waives any right of action against the seller holder collector-repossessor or other person acting on behalf of the holder for any illegal act committed in the collection of the payments under the contract or in the repossession of the motor vehicle or collateral security

E No installment sale contract shall contain any provision whereby the buyer executes a power of attorney appointing the seller the holder a collector-repossessor or the agent of such licensee as the buyer's agent in collection of the payments under the contract or in repossession of the motor vehicle sold or collateral security This provision shall not apply to a power of attorney issued by the buyer to an attorney-at-law to be used only in the collection of the obligation by legal process

F No installment sale contract shall contain any provision relieving the holder or other assignee from liability for any legal remedies which the buyer may have had against the seller under the contract or under any separate instrument executed in connection therewith

G No installment sale contract shall require or entail the execution of any note or series of notes by the buyer which when separately negotiated will cut off as to third parties any right of action or defense which the buyer may have against the original seller

Section 16 Transfer of Installment Sale Contract

A The seller of a motor vehicle under an installment sale contract executed in the Commonwealth of Pennsylvania shall not sell transfer or assign the obligation represented by such contract to any person in Pennsylvania or elsewhere who is not licensed as a sales finance company pursuant to the provisions of this act

B A sales finance company licensed pursuant to the provisions of this act shall not sell transfer or assign the obligation represented by a motor vehicle installment sale contract executed in the Commonwealth of Pennsylvania which it has lawfully acquired to any other person in Pennsylvania or elsewhere who is not licensed as a sales finance company pursuant to the provisions of this act

C Whenever an installment sale contract is lawfully sold transferred or assigned to a person who is licensed as a sales finance company pursuant to the provisions of this act such new holder shall furnish to the buyer in such contract a written notice of such sale transfer or assignment excepting when assignment is made only to secure a bona fide commercial loan Such notice shall set forth the name and address of the new holder and shall notify the buyer of the name and address of the person authorized to receive future payments on such contract If such notice has not been given any payment or tender of payment made to and any service of notice on the last known holder by the buyer shall be binding upon any subsequent holder

D The provisions of this section shall not apply to an assignment of an aggregation of installment sale contracts which is executed by a seller or sales finance company only as collateral security for a bona fide commercial loan obtained at lawful rates of interest from a person regularly engaged in the business of lending money on the security of such assigned collateral and under which in the absence of default or other bona fide breach of the loan contract ownership of the assigned contracts remains vested in the assignor and collection of payments on such assigned contracts is made by the assignor and provided such assignment and loan contracts are not for the purpose of evading or circumventing the provisions of this act

Section 17 Insurance

A The buyer of a motor vehicle under an installment sale contract may be required to provide insurance on such motor vehicle at the buyer's expense for the protection of the seller or subsequent holder Such insurance shall be limited to insurance against substantial risk of damage destruction or theft of such motor vehicle provided however the foregoing shall not interfere with the liberty of contract of the buyer and seller to contract for other or additional insurance as security for or by reason of the obligation of the buyer and inclusion of the cost of such insurance premium in the principal amount advanced under the installment sale contract Such insurance shall be written for the dual protection of the buyer and of the seller or subsequent holder to the extent of his interest in the motor vehicle Such insurance shall be for an amount and period of time and upon terms and conditions which are reasonable and appropriate considering the type and condition of the motor vehicle the amount of the time balance and the schedule of payments in the installment sale contract

B The buyer of a motor vehicle under an installment sale contract shall have the privilege of purchasing such insurance from an agent or broker of his own selection and selecting an insurance company acceptable to the seller A seller shall not directly or indirectly demand as a condition precedent to his entering into an installment sale contract that such insurance be purchased from such seller or subsequent holder or from any company agent or broker designated by the seller or subsequent holder provided however the inclusion of the cost of the insurance premium in the installment sale contract when the buyer selects the company agent or broker shall be optional with the seller

C Whenever the seller contracts to purchase at the buyer's expense such insurance on a motor vehicle sold under an installment sale contract such insurance shall be purchased through an agent and/or broker authorized to conduct business in Pennsylvania and such insurance shall be written by an insurance company qualified to do business in Pennsylvania The status of the buyer and seller or holder as set forth in such insurance contract shall conform to the status of these parties in the installment sale contract The cost of the premium on such insurance to the buyer shall not be in excess of the amount of the premium which others are required to pay to such insurance company for similar coverage and in no event in excess of rates established in the then current published applicable manual of a recognized standard insurance rating bureau or the rates fixed by authority of the Commonwealth of Pennsylvania

D Whenever the seller contracts to purchase at the buyer's expense such insurance on a motor vehicle sold under an installment sale contract a copy of the policy or a certificate of insurance shall be delivered to the buyer within thirty (30) days of the date of the buyer's signing of the installment sale contract

E The insurance policy which is furnished to the buyer when the insurance is placed by the seller or subsequent holder at the buyer's expense shall set forth complete information as to the effective dates amounts of premiums and coverage and shall contain all the terms of the insurance contract When a certificate of insurance issued under a master policy is furnished to the buyer in lieu of an individual policy such certificate shall set forth all information as to effective dates amounts of premiums and

coverage and shall contain all the terms of the insurance contract embodied in the master policy to the same extent as would appear if an individual policy were issued and shal lgive due notice that it is not an insurance policy

F When the seller or subsequent holder has placed at the expense of the buyer insurance on a motor vehicle sold under an installment sale contract and the buyer prepays the time balance under the contract prior to the expiration date of the insurance such insurance shall remain in force unless the buyer requests cancellation thereof The seller or holder shall not cancel the insurance under such circumstances without the buyer's consent nor shall the seller or holder coerce the buyer to cancel the insurance Unexpired insurance premiums received by the seller or holder resulting from cancellation of insurance which was originally placed at the buyer's expense shall be paid to the buyer or credited to any matured unpaid installments under the contract

G When the seller contracts to purchase insurance at the buyer's expense and such insurance is cancelled by the insurance company prior to expiration the seller or subsequent holder shall place comparable insurance with another insurance company and furnish the buyer with a copy of the insurance policy subject to the same requirements of this act applicable to the original policy In the event the holder is unable to obtain such insurance in another insurance company he shall immediately notify the buyer who may then obtain such insurance from an insurance company agent or broker of his own selection and the holder shall be liable for any additional costs incurred by the buyer in rewriting such insurance for the unexpired period for which the original insurance was written The holder under these circumstances shall also be liable to the buyer for any loss suffered by the buyer through negligence on the part of the holder in promptly advising the buyer of his inability to obtain replacement insurance

Section 18 Other Costs Included in Amount Financed

A In addition to the cost of insurance premiums authorized in the preceding section of this act the seller of a motor vehicle under an installment sale contract may require the buyer to pay certain other costs incurred in the sale of a motor vehicle under such contract as follows

1 Fees payable to the Commonwealth of Pennsylvania for filing a lien or encumbrance on the certificate of title to a motor vehicle sold under an installment sale contract or collateral security thereto

2 Fees payable to a public official for filing or recording and satisfying or releasing the installment sale contract or instruments securing the buyer's obligation

3 Fees for notarization required in connection with the filing and recording or satisfying and releasing a mortgage judgment lien or encumbrance

B The seller of a motor vehicle under an installment sale contract may also contract with the buyer to pay on behalf of the buyer such other costs incidental to the sale of a motor vehicle and contracted for voluntarily by the buyer as follows

1 Fees payable to the Commonwealth of Pennsylvania for registration of the motor vehicle and issuance or transfer of registration plates

2 Fees payable to the Commonwealth of Pennsylvania for driver's license for the buyer

3 Costs of messenger service and other costs contracted for voluntarily by the buyer

C Such other costs may be charged contracted for collected or received by the seller from the buyer independently of the installment sale contract or the seller may extend credit to the buyer for the amount of such costs and include such amount in the principal amount financed under the installment sale contract

D Such other costs paid or payable by the buyer shall not exceed the amount which the seller expends or intends to expend therefor Any such costs which the seller has collected from the buyer or which have been included in the buyer's obligation under the installment sale contract which are not disbursed by the seller as contemplated shall be immediately refunded or credited to the buyer

Section 19 Finance Charges

A A seller licensed under the provisions of this act shall have the power and authority to charge contract for receive or collect a finance charge as defined in this act on any installment sale contract covering the retail sale of a motor vehicle in this Commonwealth which shall not exceed the rates indicated for the respective classification of motor vehicles as follows

Class I New Motor Vehicles Six percent (6%) per year

Class II Used Motor Vehicles of a model designated by the manufacturer by a year not more than two (2) years prior to the year in which the sale is made nine percent (9%) per year

Class III Older Used Motor Vehicles of a model designated by the manufacturer by a year more than two (2) years prior to the year in which the sale is made twelve percent (12%) per year

B Such finance charge shall be computed on the principal amount financed as determined under Section 14-B-6 of this act

C Such finance charge shall be computed at the annual rate indicated on contracts which are payable by installment payments extending for a period of one (1) year On contracts providing for installment payments extending for a period which is less than or greater than one (1) year the finance charge shall be computed proportionately

D Such finance charge may be computed on the basis of a full month for any fractional month period in excess of ten (10) days

E A minimum finance charge of ten dollars ($10.00) may be charged on any installment sale contract in which the finance charge when computed at the rates indicated results in a total charge of less than this amount

Section 20 Refinancing Installment Sale Contract

A The holder of an installment sale contract may extend the scheduled due date or defer the scheduled payment of all or part of any unpaid installment or payments or renew the unpaid time balance of such contract

B The holder may contract for receive and collect a refinance charge for such extension deferment or renewal Such refinance charge shall not exceed the amount ascertained under either of the following methods of computation at the respective rates indicated by

Option 1 Computing the refinance charge on the amount of the installment payment or payments or part thereof which is refinanced for the period of time for which each payment or part thereof is extended or deferred at the following rates on contracts orginally in the respective classification of motor vehicles set forth in the preceeding section of this act

Class I One percent (1%) per month

Class II One and one-half (1-1/2%) per month

Class III Two percent (2%) per month

Such refinance charges may be computed on the basis of a full month for any fractional month period in excess of ten (10) days

Option 2 Computing the refinance charge on the amount obtained by adding to the unpand time balance of the contract the insurance cost and other costs incidental to refinancing by adding unpaid default charges which may be accrued and by deducting any rebate which may be due to the buyer for prepayment incidental to refinancing at the rate of the fiance charge in the original contract for the term of the renewal contract and subject to the provisions of this act governing computation of the original finance charge provided however that the provisions of this act governing minimum charges and minimum prepayment rebate shall not apply in calculating refinance charges on the contract renewed under this method of computation

C The holder of an installment sale contract shall not include in any contract for refinancing such contract any cash loan to the buyer nor any credit extended to the buyer incidental to the purchase of goods or services provided however the holder of such contract may embody in such refinance contract the cost of accessories eqquipment and parts for the motor vehicle sold under such contract

and the cost of repairs and services to such motor vehicle including finance charges thereon

Section 21 Default Charges

A A default charge may be collected on any installment payment or payments which are not paid on or before the due date of such payments Such default charge shall not exceed the rate of two percent (2%) per month on the amount of the payment or payments in arrears Such default charge may be computed on the basis of a full calendar month for any fractional month period in excess of ten (10) days Such default charges may be collected when earned during the term of the contract or may be accumulated and collected at final maturity or at the time of final payment under the contract Such default charge shall be collected on any payment in default because of any acceleration provision in the contract

Section 22 Refund for Prepayment of Contract

A The buyer notwithstanding the provisions of any installment sale contract hsall have the privilege of prepaying at any time all or any port of the unpaid time balance under an installment sale contract

B Whenever all of the time balance is liquidated prior to maturity by prepayment refinincing or termination by surrender or repossession and re-sale of the motor vehicle the holder of the installment sale contract shall rebate to the buyer immediately the unearned portion of the finance charge Rebate may be made in cash or credited to the amount due on the obligation of the buyer

C The unearned finance charge to be rebated to the buyer shall be calculated at the original contract rate of charge on the total amount of full installments to become due and for the term of all subsequent full installment periods provided however the holder shall not be required to rebate any portion of such unearned finance charge which results in a net minimum finance charge on the contract less than ten dollars ($10.00) and provided further the holder shall not be required to rebate any unearned finance charge when the amount due computed as herein set forth is less than one dollar ($1.00)

Section 23 Repossession

A When the buyer shall be in default in the payment of any amount due under a motor vehicle installment sale contract or when the buyer has committed any other breach of contract which is by the contract specifically made a ground for retaking the motor vehicle the seller or any holder who has lawfully asquired such contract may retake possession thereof Unless the motor vehicle can be retaken without breach of the peace it shall be retaken by legal process but nothing herein shall be construed to authorize a violation of the criminal law

B Repossession of a motor vehicle when effected by legal process shall be made only by a duly constituted public official Repossession when effected otherwise than by legal process shall be made only by the holder including an official or full time employe thereof by a collector-repossessor licensed under this act by the person who originally sold such motor vehicle to the buyer under the installment sale contract or by any licensed seller or sales finance company including an official and full time employe thereof who is not regularly engaged in the business of making such repossessions but occasionally does so as an accommodation for other sellers or finance companies

C When replevin and sale of the motor vehicle sold under an installment sale contract or of the collateral security thereto is effected by legal process such proceedings may be commenced by the holder immediately upon any default or breach of contract by the buyer In a proceeding under these conditions the buyer shall receive such notices shall have such rights shall be liable for such costs of suit and reasonable attorney's fees as provided by the laws governing such legal proceedings

D When repossession of a motor vehicle which is the subject of an installment sale contract is effected otherwise than by legal process the holder shall immediately furnish the buyer with a written "notice of repossession" delivered in person or sent by registered mail directed to the last known address of the buyer Such notice shall set forth the buyer's rights as to the contract if the holder extends the privilege of reinstatement and redemption of the motor vehicle shall contain an itemized statement of the total amount reuqired to redeem the motor vehicle by reinstatement or payment of the contract in full shall give notice to the buyer of the holder's intent to re-sell the motor vehicle at the expiration of fifteen (15) days from the date of mailing such notice shall disclose the place at which the motor vehicle is stored and shall designate the name and address of the person to whom the buyer shall make payment or upon whom he may serve notice

E When repossession of a motor vehicle which is the subject of an installment sale contract is effected otherwise than by legal process the buyer shall be liable for costs incurred by the holder in retaking storing and repairing such motor vehicle only when all of the following conditions prevail

1 When default exceeds fifteen (15) days at the time of repossession and

2 When such costs represent actual necessary and reasonable expenses incurred by the holder in retaking storing and repairing the motor vehicle excluding any costs incurred in retaking which are charges for services of persons who are regular full time employes of the holder and

3 When such costs are supported by receipts or other satisfactory evidence of payment and records of the holder show detailed information as to nature of each item of expense the amount thereof the date of payment and to whom paid

F The administrator shall have authority to reduce the amount of or prohibit entirely any item of expense of retaking storing or repairing of a motor vehicle which appears to him to be fictitious unnecessary unreasonable or exorbitant or such as would not have been incurred by a prudent person under similar circumstances

Section 24 Reinstatement of Contract after Repossession

A Whenever a motor vehicle sold under an installment sale contract has been replevined by legal process or repossessed otherwise than by legal process because of default or other breach of contract the holder may reinstate the contract and return the motor vehicle to the buyer provided the buyer pays all past due installments or agrees with holder on mutually satisfactory arrangements accrued default charges costs of suit under the contract and authorized by this act in replevin by legal process and if default at the time of repossession exceeded fifteen (15) days expenses repairing and storage authorized by this act

B When a contract is reinstated after repossession the holder may contemporaneous therewith or subsequently thereto enter into a contract with the buyer for refinancing the obligation as provided in this act

Section 25 Redemption and Termination of Contract after Repossession

A When repossession of a motor vehicle which is the subject of an installment sale contract is effected within the Commonwealth of Pennsylvania otherwise than by legal process the holder shall retain such repossessed motor vehicle within the county in which it was retaken for a period of fifteen (15) days after mailing of notice of repossession to the buyer If such repossession is made outside of the Commonwealth of Pennsylvania the motor vehicle at the option of the holder may be retained in the vicinity of retaking for such fifteen (15) day period or brought back to the county in Pennsylvania in which it was originally sold to the buyer under such contract and retained in such county for such fifteen (15) day period

B During such fifteen (15) day period the buyer may redeem the motor vehicle and terminate the contract by payment or tender of payment to the holder of the following amounts of the conditions hereinafter indicated

1 When default at the time of repossession was less than fifteen (15) days the amount of the unpaid time balance

plus the amount of any accrued default charges authorized by this act plus any other amount lawfully due under the contract excluding costs of retaking repairing and storage less rebate of unearned finance charge

2 When default at the time of repossession exceeded fifteen (15 days the amount of the unpaid balance plus the amount of any accrued default charges authorized by this act plus costs of retaking repairing repossessing and storing authorized by this act plus any other amount lawfully due under the contract less rebate of unearned finance charge

Section 26 Sale of Motor Vehicle afatr Repossession

A When the repossessed motor vehicle under an installment sale contract is not redeemed by the buyer either by termination or reinstatement fo the contract within the fifteen (15) day notice of redemption period the buyer shall forfeit all claim to such motor vehicle and collateral security

Section 27 Deficiency Judgment

When a motor vehicle sold under an installment sale contract has been retaken and resold the buyer and his sureties or guarantors under such contract shall not be liable for any deficiency notwithstanding any provision in the contract to the contrary

Section 28 Statement of Account to Buyer

A At any time after execution of an installment sale contract and within one year after termination of such contract the holder of such contract shall furnish the buyer upon request with a complete and detailed statement of account showing

1 All amounts paid by the buyer on account of the obligation dates of payment and the allocation of such payments to reduction of the time balance refinance charges court coust attorney's fees expenses of retaking repairing storing or otherwise

2 All amounts credited to the buyer as rebates for prepayment and unexpired premiums on insurance cancelled

3 The amount of the installment payments accrued charges and expenses incurred if any which are due and payable

4 The number and amount of installment payments to become due and payable if any and the due dates thereof

B The buyer shall be furnished with one such statement of account without charge during the term of the contract or within one year after termination and the holder may require payment of a fee of fifty cents ($.50) for any additional statements

C The holder shall furnish the buyer upon request and upon payment of a fee of fifty cents ($.50) with a duplicate copy of the installment sale contract to replace the buyer's copy of such contract which is required to be furnished to the buyer without charge at the time of execution of the contract

Section 29 Payment Receipts

A Whenever payment is made on account of any installment sale contract the person receiving such payment shall at the time of receiving such payment furnish to the buyer or to the person making the payment on behalf of the buyer a complete written receipt therefor

B Such receipt shall show the date of payment the amount of the payment the nature of the payment shall identify the obligation to which such payment is applicable and shall be signed or initialed by the person receiving the payment on behalf of the holder

C When issued for payments made at the designated licensed office of the holder or mailed to such office which payments are applied to reduction of the time balance such receipt shall also set forth the unpaid time balance remaining due after crediting such payment If such payment includes default charges authorized by this act the amount of such default charges shall be set forth on the receipt independently of the payment applied to reduction of the time balance

D When the buyer elects to make such payments by mail the holder may require the buyer to supply a self-addressed stamped envelope as a condition for mailing such receipt to him if he has been previously notified of such condition

Section 30 Executed Contracts Release of Liens

A Upon payment in full of the time balance and other amounts lawfully due under an installment sale contract the holder shall

1 Return to the buyer all instruments evidencing indebtedness or constituting security under an installment sale contract which were signed by the buyer or his secureties or guarantors in conjunction with such contract excepting such instruments as are filed or recorded with a public official and retained in the files of such official and

2 Release all security interest in the motor vehicle or in collateral security to the obligation of the buyer under such contract and

3 Deliver to the buyer such good and sufficient assignfents and documents of title as may be necessary to vest the buyer with complete evidence of title

B When the final payment on an installment sale contract is made in cash money order or equivalent tender by the buyer or his authorized representative at the designated licensed office of the holder the certificate of title showing satisfaction of this encumbrance shall be delivered at the time of such tender of payment if demanded by the buyer otherwise delivery may be made at a later date in person or by mail as may be arranged between buyer and holder all other instruments shall be delivered or mailed to the buyer within fifteen (15) days of the date of final payment

Section 31 Prohibited Charges

A A licensee under this act shall not charge contract for collect or receive from the buyer directly or indirectly any further or other amount for costs charges examination appraisal service brokerage commission expense interest discount fees fines penalties or other thing of value in connection with the retail sale of a motor vehicle under an installment sale contract in excess of the cost of insurance premiums other costs the finance charges refinance charges default charges recording and satisfaction fees court costs attorney's fees and expenses of retaking repairing and stroring a repossessed motor vehicle which are authorized by the provisions of this act

B A licensee under this act shall not collect any charge whatsoever in connection with a contemplated sale of a motor vehicle under an installment contract if such contract is not consummated providing however that nothing contained herein shall affect the legal status of a deposit paid by a prospective buyer to a seller as a binder on the Contemplated purchase of a motor vehicle

C An installment sale contract wherein the seller or any subsequent hilder has charged contracted for collected or received from the buyer any prohibited costs or charges whatsoever shall be unenforcible as to such prohibited costs or charges

Section 32 Buyer's Waiver of Statutory Protection

No act agreement or statement of any buyer in any installment sale contract shall constitute a valid waiver of any provision of this act intended by the Legislature for the benefit or protection of retail installment buyers of motor vehicles

Section 33 Application of Act to Existing Contracts

The provisions of this act shall not apply to or effect the validity of any contract otherwise within the purview of this act which is made prior to the effective date of the respective provisions of this act governing such contracts

Section 34 Effect of Expiration Surrender or Revocation of License of Existing Contracts

A The expiration surrender or revocation of a license issued pursuant to this act to a seller or sales finance company shall not impair or effect the obligation of any motor vehicle installment sale contract entered into lawfully or lawfully acquired by such licensee prior to the effective date of such expiration surrender or revocation of license provided however the holder of such contracts shall forfeit the right to charge contract for receive or

collect refinance charges authorized by this act for renewal of a contract if the license of such holder expired was surrendered or was revoked prior to the date of such renewal

B A licensee whose license has expired was surrendered or was revoked may thereafter sell transfer or assign contracts entered into or acquired prior thereto to any licensed sales finance company and such cales finance company acquiring such contracts may renew such contracts in accordance with the provisions of this act

C A licensee whose license has expired was surrendered or was revoked shall not thereafter enter into new contracts for the retail sale of motor vehicles under installment sale contracts and shall not thereafter discount purchase or otherwise acquire such contracts

Section 35 Contracts Unenforcible in Pennsylvania

A No obligation of the buyer of a motor vehicle under an installment sale contract which was consummated within the Commonwealth of Pennsylvania shall be enforcible in the Commonwealth of Pennsylvania wherein the seller was not licensed as required under the provisions of this act at the time such seller entered into such installment sale contract or wherein the holder was not licensed under the provisions of this act at the time he acquired such contract The buyer under such contract shall be entitled to cancellation of the contract release of all liens the motor vehicle sold under such contract and aganist any collateral security owned by the lawyer or his securities and guarantors upon payment to the holder of the principal amount financed as set forth in the contract less all payments on account of such obligation exclusive of down payment which had been prior thereto

B Nothing in this section shall be construed to prevent the enforcement in the Commonwealth of Pennsylvania of an obligation arising from the sale of a motor vehicle made outside of the Commonwealth of Pennsylvania under an installment sale contract and entered into or executed by the buyer outside of the Commonwealth of Pennsylvania whether or not such buyer was a resident of this Commonwealth at the time he entered into such contract

Section 36 Exemptions

This act shall not affect or impair any business conducted lawfully under license issued pursuant to the act of April eighth one thousand nine hundred thirty-seven (P. L. 262) known as the "Consumer Discount Company Act" or supplements or amendments thereto

Section 37 Penalties

A Any person partner association business corporation banking institution nonprofit corporation common law trust joint stock company or any other group of individuals however organized or any owner partner member officer director trustee employe agent broker or representative thereof who or wish shall engage in this Commonwealth in business as installment seller sales finance company or collector-repossessor as defined in this act without having obtained a license as required under this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than five hunded dollars ($500) or more than five thousand dollars ($5000) or to suffer imprisonment of not less than six months or more than three (3) years or both at the discretion of the court

B Any licensee conducting business under this act as an installment seller sales finance company or collector-repossessor or any owner partner member officer director trustee employe agent broker or representative thereof who shall violate any provision of this act or shall direct or consent to such violation shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine or not more than five hundred dollars ($500) for the first offense and for each subsequent offense a like fine and/or suffer imprisonment not to exceed one (1) year in the discretion of the court

C Any licensed seller or sales finance company as holder of a motor vehicle installment sale contract who hires authorizes or permits an unlicensed collector-repossessor as defined in this act to collect payments on any such contract or to repossess any motor vehicle sold under such contract within this Commonwealth shall be guilty of a violation of this act and subject to the penalties imposed by the foregoing provisions of this section

Section 38 Repealer

All acts or parts of acts which are inconsistent herewith are hereby repealed

Section 39 Effective Dates

The provisions of this act requiring a license for sellers sales finance companies and collector-repossessors shall become effective on the first day of October one thousand nine hundred and forty-seven all other provisions of this act shall become effective sixty (60) days after final enactment of this act

On the question,

Will the House agree to the bill on third reading?

Mr. LICHTENWALTER. Mr. Speaker, I rise at this time to speak in behalf of the provisions of House Bill 817 and the companion measures which follow on today's calendar. I rise to speak in behalf of these bills because for the past two years there has been a very exhaustive and extensive study made in accordance with House Resolution 38 passed at the 1945 session, which directed the Joint State Government Commission to study and investigate the unscrupulous, unethical operations and practices of those who are engaged in the financing of automobiles and other commodities within the confines of the Commonwealth of Pennsylvania.

It was my happy privilege to be selected as Chairman of the Subcommittee of the Joint State Government Commission which conducted this particular investigation over the past twenty-four months.

I would like first to compliment the members of this Subcommittee for their untiring efforts and the time they gave to this very extensive study. I might also say that the members of the Subcommittee were greatly surprised and astounded at the revelation of information that was unfolded to them during the many months of this study.

We called before that committee many organizations in Pennsylvania who were interested because their business would be affected by the decisions made in this particular investigation. We investigated the complaints, thousands of them that had come to the Department of Banking, the Justice Department and into the Governor's Office over a period of two years, and in investigating those particular complaints we definitely sent individuals and questionnaires to the banks, the finance companies and to many others who had loaned money to the complaintants particularly in the nancing of automobiles.

There were many groups that came before the committee interested in legislation—those who were vitally affected by this act, such as the organization representing the automobile dealers, the organization representing the finance companies, the Pennsylvania Bankers' Association and many others representing state-wide organizations, who complained of the mess that we found in Pennsylvania in this matter of gouging the public of many thousands and thousands of dollars, particularly the returning veteran into Pennsylvania, his home state, trying to purchase an automobile, but who found that he had to become the victim of these many unscrupulous operators in Pennsylvania.

Now, certainly this operation is not confined alone to the Commonwealth of Pennsylvania, and I am pleased

to say that Pennsylvania has become a leader in the investigation of these types of practices and unscrupulous operations.

Governor Dewey in his message to the State Legislature of New York in the early part of this year requested the Legislature of the State of New York to organize a committee of Legislators to investigate the unscrupuous operations in the financing of automobiles and other commodities within the State of New York. So we find that Pennsylvania, as it often has been, is again a pioneer in the field of cleaning up, as this legislation would do, these unethical operations within this State.

Over this period of months we called before the committee representatives of the large nationally known finance companies—and I might say that there were complaints against a number of these companies. We brought before the committee representatives of banks—and I might say there were numerous complaints of the way they handled the operation of this automobile finance paper. We called before the committee those engaged in the financing of automobiles, small finance concerns within the confines of Pennsylvania, and again we found complaints against the way they handled this particular type of paper.

Now, I might explain that the paper complained of in these bills is the so-called bailment lease or installment sale contracts.

You are aware that if you go to purchase an automobile or other commodity or commodities on the time payment plan, you decide with the automobile dealer or the dealer in the particular commodity, to purchase on time. You then sign a bailment lease or installment sale contract, which in turn is sold to a bank or finance company or other financing institution. Of course, there has been no regulation, no law in Pennsylvania up to this time that will regulate the charge to the public on this type of paper.

The Committee has received thousands of letters saying "I have been gouged of so much money by some unscrupulous operator within the Commonwealth. What is the legal rate of interest? What is my recourse? What can I do?"

Of course, we have had to write back time and time again and say "That is the very reason why this study is being made in the Commonwealth of Pennsylvania, because you have no place to turn as far as law is concerned in the Commonwealth today, to which you can point your finger and say that is the legal rate of interest, the legal charge that can be made for services and for the loaning of this money."

So we find that is the kind of contract on which this committee discovered the highest rate of interest, namely 2.320 per cent on the purchase of an automobile.

I might say that the committee reluctantly comes before this session of the Legislature and recommends legislation to control business in Pennsylvania, but we have come to the conclusion that it is the only method that can be employed successfully in controlling these operations in this Commonwealth.

Yes, voluntary plans have been tried. Just prior to the war in the five county area around Philadelphia I believe sixteen or twenty thousand dollars was appropriated by organizations such as the Better Business Bureau, the Philadelphia Auto Trades Association and others on a voluntary plan to clean up at least in the new car field, the many unscrupulous practices that were known at that time, but the plan failed.

Recently we have had the Cleveland Plan after an eighteen months study of voluntarily trying to control these practices. From the latest information I have received from the city of Cleveland, it certainly has not been as successful as the authors of the plan had hoped and dreamed it would be, so we were faced with the proposition in the Joint State Government Commission, as to just how to truly protect many Pennsylvanians, those usually in the class least able to pay, and from whom many hundreds of thousands of dollars had been gouged during a number of years.

Now, of course there have been objections since this legislation has been introduced. As I have stated before, certainly every organization and every individual in Pennsylvania who desired to be heard over this period of twenty-four months was given a very cordial invitation to come before the committee. In fact at one time we had a public hearing in Pittsburgh when we had to send out the State Police to bring some individuals before the committee, who did not receive the invitation cordially, but were a little flustered at the request to come before the committee because of the practices we found certain companies were engaged in.

We found unscrupulous practices in connection with insurance. We found kick backs as high as thirty-five percent from insurance premiums to dealers, and we have tried in this legislation to recommend changes that will definitely give the public, the citizen of Pennsylvania, who by his or her choice desires through an installment sales contract to purchase an automobile or other commodity, proper protection by this recommended legislation.

Now, I said there have been complaints, and it is strange where we find these complaints coming from. Certainly in addressing public gatherings on this legislation, and in the work of this committee over the two year period I was aware, as all my fellow members of the Subcommittee were aware, that there were funds being solicited, slush funds for the purpose of defeating this legislation as it would appear on the calendar, it was hoped, in the 1947 session, because certainly many of the operators in the finance field over the many years have been riding the gravy train.

They were not too willing to give up the easy "take" that they enjoyed, but as I stated, we found that sometimes complaints came from strange quarters regarding this legislation.

We had finance organizations of Pennsylvania before our committee on a few occasions. They have endorsed this legislation. The Automobile Dealers' Association of Pennsylvania, including almost one hundred percent of the dealers of Pennsylvania, all of which will be licensed under this act, have endorsed this legislation. The Insurance Agents' Association of Pennsylvania and all others that might have any part or might be affected by this legislation have endorsed this legislation in its present form.

We do know that there is complaint, and I know Members of this House have received letters from bankers

of Pennsylvania against certain provisions of this bill and the companion measures. In order that you, the Members of this House might be fortified, at least clarified in your own thinking let me say that not any one individual, not the sponsors of this bill, but the Members of this committee decided to put the administration of these particular bills, if passed, under a Consumer Credit Commission.

This was nothing new. This was discussed, and there is on record a public address I made on these particular bills last October, that the Committee was considering a commission to administer the provisions of this act.

You might ask why; the bankers have asked why. Well, I would just like to devote a few minutes if I may to that situation.

Our idea in adopting the Consumer Credit Commission for the administration of this act was because of a decision of the State courts. The Securities Act was approved on April 13, 1927, and provided for the administration by the Pennsylvania Securities Commission of that particular act, after the act of 1923 had provided for its administration by the Commissioner of Banking. The principle reason for substituting the three man commission instead of the Commissioner of Banking as the administrator was because of a decision of the Court in the case of Wallace vs. Cameron, in which it was held that the Commissioner of Banking could not delegate powers vested in him under the act to any deputy or employe.

Because of the great number of hearings that were instituted by the administration of the act it was physically impossible for the Commissioner of Banking personally to conduct each hearing. For instance in the year 1926 there were 177 hearings held, and it is anticipated that in the administration of the proposed bill, House Bill 817 there will develop a similar situation.

It was for a similar reason that we felt that here were approximately three thousand automobile dealers in Pennsylvania who come under the licensing provisions of this act, that there were also approximately two hundred or three hundred finance companies heretofore unregulated and unlicensed, so that the greatest amount of work in that department would be the administration of this new act.

May I remind the Members of this House that not too many years ago we had nine hundred State banks under the supervision of the State Department of Banking. That has decreased to around three hundred. There were some seventeen or eighteen hundred building and loan associations which have today decreased to around eight or nine hundred, so that the greatest task to fall on that Department would be the administration of what we feel is necessary legislation for the protection of the public. Therefore we felt that a similar situation to that of the Securities Commission might develop here, and that was another reason why, after thorough discussion and study by the committee, we finally agreed that the bill should contain the creation of the Consumer Credit Commission which would take in the entire field of consumer credit legislation, which is an expanding field, not alone in Pennsylvania but in the Nation.

Now the complaint has come to our ears that "We do not wish dual supervision; we don't like the one hundred dollar license fee that is charged the banks and finance companies and all others dealing in this kind of paper."

Well, the committee on the one hundred dollar license fee provision certainly felt that they could not discriminate against the finance company operating on one corner of the street while the bank on the other corner engaged in buying bailment leases and installment contracts would be allowed to deal in this same type of paper without paying the same type of fee; that definitely would be discriminatory legislation. Therefore, the same fee would have to apply to all who heretofore had no regulation in this particular field of finance, and if they wanted to engage in such practice they would certainly have to come under the same licensing provisions, the same fee and bond provisions.

As far as dual supervision is concerned it is the contention of the committee that National banks will come under the provisions of this act. Certainly regardless of what we might do, there would have to be that supervision over that portion of this program that deals with automobile finance paper.

May I state here and now that of the one thousand banks in Pennsylvania, State and National, to the best of our knowledge there are only two or three hundred banks that would be affected by this legislation, because the bank that loans through dealer endorsements or loans direct to the borrower, that has a personal loan department or that operates under the Consumer Credit Act, House Bill 70 that we passed a few years ago; they certainly would not come under House Bill 817 because they are already controlled and regulated. But those banks that go out and purchase bailment paper and installment contracts where they do not deal with the consumer whatsoever, certainly would have to come under the provisions of this act and the supervision of this act. Certainly in those cases it would have to extend over these institutions dealing with that particular type of paper.

Now, we have a few of these facts and data—just a few of the facts compiled by this committee. For instance, in the field of finance companies in Pennsylvania we have found interest rates ranging from twenty per cent on an average, to one hundred twenty per cent, particularly in the metropolitan areas. In fact, we had a man from the City of Philadelphia come before the committee and very brazenly say that as a dealer on Broad Street he felt he should have and expected forty-five dollars out of every hundred dollars for financing, as his cut. When he was asked if he ever told the customers that, he said it was none of their business. So we have had that type of operation in Pennsylvania. I say that certain finance companies, certainly some of those that have handled this type of paper, a small minority in that field, definitely have been unscrupulous operators.

Then I pick up a case here of a bank presently licensed in the Commonwealth of Pennsylvania, and I find that in this particular case they had an interest rate of 42.6 per cent simple interest; another one of 29.6, another one of 27.8, another one of 42.5 and another of 59 per cent.

Of course someone says you usually save the best to the last. Here is one on a bank, licensed, operating in Pennsylvania, and I might say as far as the present banking laws are concerned, an operation on this type of paper does not come under periodical inspection—the banks can use their own discretion as to what they charge on this type of paper—this one is 62.3 per cent. On a prepayment record, that is the amount that was paid off on a prepayment of contract; the charge they made amounts to 381.4 per cent.

Then you might ask why the members of this committee felt there should be proper supervision of any act that is passed. I might state here and now, and I might state this for my committee, that we are not interested in having these bills mangled, we are not interested in the passage of bills that will be improperly administered regardless of who in the final analysis is going to do it, because it will need for the next few years proper administration to clean up the mess we find ourselves in right now in Pennsylvania.

Just for the sake of the record, some of you of course are aware of the fact that during the investigation of this committee we had the cooperation of the Bureau of Motor Vehicles, R.T.V. 4 A forms on every deal on which money was loaned on the sale of an automobile, and during the period of some months we collected thousands and thousands of those papers which were submitted for the scrutiny of your committee. Finally we had to pull out at random here and there and spot check. These are the ones I picked out for banks, between March 1 and March 15, 1946—between these clips I have these—the first 66.04, 44.8, 44.2, 59.1, 37.6, 51.4, and so forth interest rate.

Here is another group, March 1, 1946 to March 15, 1946, all on banks in Pennsylvania.

I point this out to you because we are sincere as a legislative committee, sincere in doing the best job humanly possible when we present this series of bills.

There is no idea on our part, or on the part of any Member to belittle any Department on the Hill, or the job that it can or cannot do, but in our findings and in trying to do the best for the people of Pennsylvania we felt that the recommendations involved in these particular bills were a necessary vehicle to bring about a clean-up of the undesirable, unscrupulous, unethical practices which we found being foisted upon returned Veterans and upon the citizens generally throughout this Commonwealth.

I refer in closing to the editorial in the Philadelphia Inquirer of last week on these particular measures. The final paragraph stated that of all the bills introduced at this Session of the Legislature they felt in their fight against these practices over a period of years within the Philadelphia area that there has been nothing introduced which will help more those least able to pay and those individuals in Pennsylvania who by their choice use instalment credit paper in the purchase of commodities or an automobile or whatever it may be, and that certainly their passage is essential and should not be blocked in any way.

On the question recurring,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—204

Aaronson,	Frost,	McCormack,	Sarraf,
Andrews,	Gallagher,	McCosker,	Sax,
Bane,	Getchey,	McDonald,	Scanlon,
Barrett,	Gibson,	McCullough,	Schuster,
Baumunk,	Goff,	McKinney,	Scott,
Beech,	Goodling,	McMillen,	Serrill,
Bender,	Gorman,	Mihm,	Shoemaker,
Bentzel,	Graybill,	Mikula,	Simons,
Bloom,	Greenwood,	Miller,	Smith, C. C.,
Boies,	Greer,	Mills,	Smith, C. M.,
Bonawitz,	Griffiths,	Mintess,	Snider,
Boorse,	Guthrie,	Mohr,	Sollenberger,
Bower,	Gyger,	Mooney,	Sorg,
Breisch,	Hall,	Moore, C. E.,	Sproul,
Brice,	Haller,	Moore, H. A.,	Stank,
Brown,	Haudenshield,	Morrison,	Stimmel,
Brunner,	Helm,	Murray,	Stockham,
Bucchin,	Henry,	Myers,	Stonier,
Cadwalader,	Hewitt,	Najaka,	Stuart,
Capano,	Hocker,	Naumann,	Swope,
Cassidy,	Hoffman,	Needham,	Tahl,
Chervenak,	Hoopes,	Neff,	Thomassy,
Chudoff,	Horan,	Nelson,	Thompson,
Clevenger,	Imbt,	O'Connor,	Tittle,
Cochran,	Jennings,	O'Dare,	Tompkins,
Cole,	Johnson,	O'Donnell,	Toomey,
Cook,	Johnston,	O'Neill,	Turner,
Cooper,	Jones,	Orban,	Upshur,
Cordier,	Jump,	Patten,	Vaughan,
Costa,	Kean,	Petrosky,	Verona,
Crowley,	Kelley,	Pichney,	Wachhaus,
Dague,	Kemp,	Pickens,	Wagner,
Dalrymple,	Kent,	Polaski,	Waldron,
Davison,	Kirley,	Powers,	Wallin,
De Long,	Kline,	Price,	Walton,
Demech,	Kohl,	Propert,	Waterhouse,
Dennison,	Kratz,	Ragot,	Watkins,
Depuy,	Krise,	Readinger,	Watson,
Dix,	Kurtz,	Reagan,	Weidner,
Dye,	Laughner,	Reese, D. P.,	Weiss,
Efenberg,	Layer,	Reese, R. E.,	Wescott,
Elder,	Lee,	Reilly, J. M.,	West,
Erb,	Leisey,	Reilly, W. J.,	Wheeler,
Evans,	Livingston,	Richter,	Wolf,
Ewing,	Livingstone,	Riley,	Wood,
Feola,	Loftus,	Robbins,	Worley,
Fish,	Lovett,	Robertson,	Yeakel,
Fiss,	Lyons,	Root,	Yester,
Flack,	Madden,	Rose,	Yetzer,
Fleming,	Madigan,	Rowen,	Young,
Foor,	Mazza,	Royer,	Lichtenwalter, Speaker.

NAYS—0

NOT VOTING—1

Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 818, as follows:

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Depart-

ment thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant-Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by creating the Pennsylvania Consumer Credit Commission as a departmental administrative commission within the Department of Banking fixing the compensation of the members thereof defining its powers and duties and eliminating provisions relating to the non-existent Board to License Private Bankers

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 As much as applies to the Department of Banking of section two hundred two of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" which section was amended by the acts approved the twenty-fifth day of May one thousand nine hundred forty-five (P. L. 1015) and the sixth day of June one thousand nine hundred forty-five (P. L. 1398) and amended in part by the acts approved the twenty-sixth day of March one thousand nine hundred forty-five (P. L. 63) and the thirty-first day of May one thousand nine hundred forty-five (P. L. 1214) is hereby further amended to read as follows

Section 202 Departmental Administrative Boards and Commissions and Offices The following boards commissions and offices are hereby placed and made departmental administrative boards commissions or offices as the case may be in the respective administrative departments mentioned in the preceding section as follows

* * * * *

In the Department of Banking
[Board to License Private Bankers]
Pennsylvania Consumer Credit Commission
Pennsylvania Securities Commission

* * * * *

All of the foregoing departmental administrative boards and commissions shall be organized or reorganized as provided in this act

Section 2 Sections four hundred twenty-eight and one thousand six hundred four of said act are hereby amended to read as follows

Section 428 [Board to License Private Bankers The Board to License Private Bankers shall consist of the Secretary of Banking who shall be chairman thereof the Secretary of the Commonwealth and the State Treasurer] Pennsylvania Consumer Credit Commission The Pennsylvania Consumer Credit Commission is hereby created and shall consist of three members and the Secretary of Banking ex officio The Governor shall designate one of the members of the commission as chairman thereof

Two members of the commission shall constitute a quorum and no action of the commission shall be valid unless it shall have the concurrence of at least two members A vacancy on the commission shall not impair the right of a quorum to exercise all the powers and perform all the duties of the commission

The chairman of the commission shall receive a salary at the rate of seven thousand five hundred dollars per annum The other members of the commission shall receive salaries at the rate of seven thousand dollars per annum

The commission shall appoint and fix the compensation of such employes as may be required for the proper conduct of the work of the commission subject to approval by the Governor

Section 1604 [Board to License Private Bankers Subject to any inconsistent provisions in this act contained the Board to License Private Bankers shall continue to exercise the powers and perform the duties vested in and imposed upon the said board by the act approved the nineteenth day of June one thousand nine hundred and eleven (P. L. 1060) entitled "An act to provide for licensing and regulating private banking in the Commonwealth of Pennsylvania and providing penalties for the violation thereof" its amendments and supplements] Pennsylvania Consumer Credit Commission The Pennsylvania Consumer Credit Commission shall have supervision over

(a) All persons and entities engaged within this Commonwealth in retail installment selling of motor vehicles or financing retail installment sales of motor vehicles or collecting motor vehicle installment sal contracts or repossessing motor vehicles sold under installment sale contracts and shall administer and enforce the "Motor Vehicle Sales Finance Act" and its amendments and supplements

(b) Persons and entities engaged within this Commonwealth in financing consumer credit or lending money in sums of one thousand dollars or less and shall administer and enforce the "Consumer Discount Company Act" approved the eighth day of April one thousand nine hundred thirty-seven (P. L. 262) and its amendments and supplements

(c) Persons and entities engaged within this Commonwealth in lending sums of money of three hundred dollars or less and shall administer and enforce the act approved the seventeenth day of June one thousand nine hundred fifteen (P. L. 1012) entitled "An act regulating the business of loaning money in sums of three hundred dollars ($300.00 or less either with or without security to individuals pressed by lack of funds to meet immediate necessities fixing the rate of interest and charges therefor requiring the licensing of lenders and prescribing penalties for the violation of this act" and its amendments and supplements

(d) Persons and entities engaged within this Commonwealth in the business of pawnbroking and shall administer and enforce the "Pawnbrokers License Act" approved the sixth day of April one thousand nine hundred thirty-seven (P. L. 200) and its amendments and supplements

Section 3 The provisions of this act shall become effective sixty days after final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—204.

Aaronson,	Frost,	McCormack,	Sarraf,
Andrews,	Gallagher,	McCosker,	Sax,
Bane,	Getchey,	McDonald,	Scanlon,
Barrett,	Gibson,	McCullough,	Schuster,
Baumunk,	Goff,	McKinney,	Scott,
Bentzel,	Goodling,	McMillen,	Serrill,
Beech,	Gorman,	Mihm,	Shoemaker,
Bender,	Graybill,	Mikula,	Simons,
Bloom,	Greenwood,	Miller,	Smith, C. C.,
Boies,	Greer,	Mills,	Smith, C. M.,
Bonawitz,	Griffiths,	Mintess,	Snider,
Boorse,	Guthrie,	Mohr,	Sollenberger,
Bower,	Gyger,	Mooney,	Sorg,
Breisch,	Hall,	Moore, C. E.,	Sproul,
Brice,	Haller,	Moore, H. A.,	Stank,
Brown,	Haudenshield,	Morrison,	Stimmel,
Brunner,	Helm,	Murray,	Stockham,
Bucchin,	Henry,	Myers,	Stonier,
Cadwalader,	Hewitt,	Najaka,	Stuart,
Capano,	Hocker,	Naumann,	Swope,
Cassidy,	Hoffman,	Needham,	Tahl,
Chervenak,	Hoopes,	Neff,	Thomassy,
Chudoff,	Horan,	Nelson,	Thompson,
Clevenger,	Imbt,	O'Connor,	Tittle,
Cochran,	Jennings,	O'Dare,	Tompkins,
Cole,	Johnson,	O'Donnell,	Toomey,
Cook,	Johnston,	O'Neill,	Turner,
Cooper,	Jones,	Orban,	Upshur,
Cordier,	Jump,	Patten,	Vaughan,
Costa,	Kean,	Petrosky,	Verona,
Crowley,	Kelley,	Pichney,	Wachhaus,
Dague,	Kemp,	Pickens,	Wagner,
Dalrymple,	Kent,	Polaski,	Waldron,
Davison,	Kirley,	Powers,	Wallin,
De Long,	Kline,	Price,	Walton,
Demech,	Kohl,	Propert,	Waterhouse,
Dennison,	Kratz,	Ragot,	Watkins,
Depuy,	Krise,	Readinger,	Watson,
Dix,	Kurtz,	Reagan,	Weidner,
Dye,	Laughner,	Reese, R. E.,	Weiss,
Efenberg,	Layer,	Reese, D. P.,	Wescott,
Elder,	Lee,	Reilly, J. M.,	West,
Erb,	Leisey,	Reilly, W. J.,	Wheeler,
Evans,	Livingston,	Richter,	Wolf,
Ewing,	Livingstone,	Riley,	Wood,
Feola,	Loftus,	Robbins,	Worley,
Fish,	Lovett,	Robertson,	Yeakel,
Fiss,	Lyons,	Root,	Yester,
Flack,	Madden,	Rose,	Yetzer,
Fleming,	Madigan,	Rowen,	Young,
Foor,	Mazza,	Royer,	Lichtenwalter, Speaker.

NAYS—0.

NOT VOTING—1.

Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 819, as follows:

An Act to further amend section one of the act approved the seventeenth day of June one thousand nine hundred fifteen (P. L. -912) entitled "An act regulating the business of loaning money in sums of three hundred ($300) dollars or less either with or without security to individuals pressed by lack of funds to meet immediate necessities fixing the rates of interest and charges therefor requiring the licensing of lenders and prescribing penalties for the violation of this act" by transferring the powers and duties heretofore imposed upon the Secretary of Banking and the Department of Banking to the Pennsylvania Consumer Credit Commission providing for the receipt of certain license fees by and their deposit in a fund for the use of the commission and relieving licensees from payment of cost of examinations of their businesses

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one of the act approved the seventeenth day of June one thousand nine hundred fifteen (P. L. 1012) entitled "An act regulating the business of loaning money in sums of three hundred ($300) dollars or less either with or without security to individuals pressed by lack of funds to meet immediate necessities fixing the rates of interest and charges therefore requiring the licensing of lenders and prescribing penalties for the violation of this act" as last amended by the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 989) is hereby further amended to read as follows

Section 1 Be it enacted &c That on and after the passage of this act it shall be unlawful for any person persons partnership association or corporation within this Commonwealth to make a loan of money credit goods or things in action in the amount or of the value of three hundred ($300) dollars or less either with or without security to individuals pressed by lack of funds to meet immediate necessities and charge contract for or receive on any such loan a rate of interest discount fines charges or consideration greater than six per centum (6%) per annum without first obtaining a license from the [Secretary of Banking] Pennsylvania Consumer Credit Commission hereinafter called the commission in accordance with the provisions of this act

(a) Any person or persons firm corporation or association applying for the same under oath and in the form prescribed by the [Secretary of Banking] commission and paying the sum of one hundred ($100 dollars may in the discretion of the [Secretary of Banking] commission except as hereinafter provided obtain a license for carrying on the said business The said license shall be issued by the [Secretary of Banking] commission and shall expire the first day of June next following the date of its issuance but no abatement of said charge shall be made if licenses are issued for less than one year Every such license shall be renewed annually on the first day of June in each year No license shall be granted to any corporation unless and until such corporation shall in writing and in due form to be first approved by and filed by the [Secretary of Banking] commission appoint an agent resident in the Commonwealth of Pennsylvania upon whom all judicial and other process or legal notice directed to such corporation may be served and in the case of the death removal from the Commonwealth or any legal disability or disqualification of any such agent service of such process or notice may be made upon the [Secretary of Banking] commission The said [Secretary of Banking] commission shall have the power to reject any application for license if [he] it is satisfied that the financial responsibility experience character and general fitness of the applicant or applicants are not such as to command the confiedence of the community and to warrant the conclusion that the business will be honestly transacted in accordance with the intent and purpose of this act or if [he] it is not satisfied that allowing such applicant to engage in business will promote the convenience and advantage of the community in which the business of the applicant is to be conducted or if it shall appear to the [Secretary of Banking] commission that the business of the applicant is or is to be substantially that generally conducted by pawnbrokers The said [Secretary of Banking] commission may upon the expiration of thirty (30) days written notice to the licensee forwarded by registered mail to the address of the place of business of such

licensee as shown in the application for license stating the contemplated if the licensee shall violate any of the provisions of this act or if the licensee shall violate any rule or regulation made by the [Secretary of Banking] commission under and within the authority of this act or if the licensee shall fail to comply with any demand rule or regulation lawfully made by the [Secretary of Banking] commission under and within the authority of this act or if the licensee shall fail to pay the cost of an examination by the [Secretary of Banking] commission or [his] its authorized representative or if the licensee has failed to maintain in effect the bond required under the provisions of this act or if the licensee shall fail to file the annual report to the [Secretary of Banking] commission within the time stipulated in this act or if any fact or condition exists which if it had existed at the time of original application for such license clearly would have warranted the [Secretary of Banking] commission originally in refusing to issue such license Whenever the [Secretary of Banking] commission shall issue a notice of intention to revoke a license issued pursuant to this act the licensee may within ten (10) days of the date of such notice file with the [Secretary of Banking] commission an application for a hearing before the [Department of Banking] commission Upon receipt of such application the [Secretary of Banking] commission shall fix the time and place for such hearing After such hearing the [Secretary of Banking] commission may recall the notice of intention to revoke the license or [he] it may after the expiration of thirty (30) days written notice to the licensee of such intention revoke the license Whenever the [Secretary of Banking] commission issues a notice of intention to revoke a license and the licensee does not file an application for a hearing before the [Department of Banking] commission as in this act provided or whenever the [Secretary of Banking] commission issues a notice of intention to revoke a license after a hearing before the [Department of Banking] commission the licensee may within the period of thirty days provided in the notice appeal from such action to the court of common pleas of Dauphin County Whenever such license is revoked the [Secretary of Banking] commission shall not issue another to said licensee until the expiration of at least one year from the date of revocation of such license and not at all if such licensee shall have been convicted of a violation of this act for a second offense under the provisions of section six (6) thereof When a license is not renewed or when a license is surrendered or when a license has been revoked by the [Secretary of Banking] commission the licensee shall forfeit the privilege of granting new loans at interest permitted under this act and shall also forfeit the right to collect interest in excess of 6% per annum on outstanding loans In addition to said license fee said licensee shall pay for the examination by said [Secretary of Banking] commission as hereinafter provided Every such applicant shall execute and file a bond to the Commonwealth of Pennsylvania in the penal sum of five thousand ($5000) dollars with the [Secretary of Banking] commission to be approved by [him] it for the faithful observance of all laws relating to such business Said bond shall be executed by a surety company authorized by the laws of Pennsylvania to transact business within the Commonwealth and such bond shall be renewed and refiled annually not later than the first day of June in each year All license fees received by the Pennsylvania Consumer Credit Commission under this act shall be deposited in the State Treasury to the credit of a special fund for the use of the commission in administering this and other laws of the Commonwealth placed under its administration All unexpended license fees heretofore received by the Secretary of Banking under this act shall be transferred by the State Treasurer from the Banking Department Fund to the credit of the special fund of the Pennsylvania Consumer Credit Commission

(b) The license shall state fully the name or names of the person persons partnership association or corporation authorized to do business thereunder and the location of the office or place of business in which the business is to be conducted Such license shall be kept posted in a conspicuous place in the office where the business is transacted No licensee shall transact or solicit business under any other name or at any other office or place of business than that named in the license Not more than one office or place of business shall be maintained under the license and no loans or advancements shall be made applications received notes or contracts signed or payments received at any other place of business than that designated in the license But in case of a removal the [Secretary of Banking] commission may on application indorse thereon a transfer to the new place of business with the date of transfer and from the time of such indorsement the new place so designated shall be deemed the place designated in the license A licensee shall not conduct th business of making loans under this act within any office room or place of business in which any other business is solicited or engaged in or in association or conjunction therewith except as may be authorized in writing by the [Secretary of Banking] commission

(c) The [Secretary of Banking] commission shall [either personally or] by such person or persons as [he] it may appoint for the purpose at least once a year and oftener if [he] it deems it advisable investigate the business and affairs of every such licensee and for that purpose shall have free access to the vaults books and papers thereof and other sources of information with regard to the business of such licensee and shall ascertain the condition of the business and whether it has been transacted in accordance with the law and the rules and regulations lawfully made by the [Secretary of Banking] commission Said [Secretary of Banking] commission and every examiner appointed by [him] it shall have authority to examine under oath or affirmation any person whose testimony relative to the business of any such licensee may be required on any such examination [The cost of every such examination shall be paid by the licensee so examined and said Secretary of Banking may maintain an action for the recovery of such costs in any court of competent jurisdiction]

(d) The [Secretary of Banking] commission is hereby authorized and empowered to make general rules and regulations governing advertising of licensees' contracts with borrowers computation of interest charges books records and accounts of licensees and treatment of collateral and [he] it is further authorized and empowered to make specific demands rulings and requirements for the proper conduct of the business contemplated by this act and for the enforcement of this act which rules and regulations shall have the force and effect of law

(e) For the purpose of discovering violations of this act or securing information required by [him] it hereunder the [Secretary of Banking] commission or the examiners appointed by [him] it may at any time investigate the business and examine the books accounts records and files used therein of every person persons partnerships association or corporation who or which shall be engaged in the business of making loans or who or which shall advertise or offer to make loans whether such person shall act or claim to act as principal agent or broker or under or without the authority of this act For this purpose the [Secretary of Banking] commission shall have free access to the office and places of business books accounts papers records files safes and vaults of all such persons

(f) The [Secretary of Banking] commission shall be authorized to require the attendance and testimony of witnesses and the production of any books accounts records papers and correspondence relating to such business which the [Secretary of Banking] commission has authority by this act to consider or investigate and for this purpose the [Secretary of Banking] commission may sign subpoenas administer oaths and affirmations examine witnesses and receive evidence In case of disobedience of any subpoena or the contumacy of any witness appearing before the [Secretary of Banking] commission the [Secretary of Banking] commission may invoke the aid of the court of common pleas of Dauphin County or any court

of common pleas of the Commonwealth and such court shall thereupon issue an order requiring the person subpoenaed to obey the subpoena or to give evidence or to produce books accounts records papers and correspondence relative to the matter in question Any failure to obey such order of the court may be punished as for contempt of court

(g) Every person persons partnership association or corporation licensed under this act shall annually on or before the first day of March file a report with the [Secretary of Banking] commission giving such information as the [Secretary of Banking] commission may require concerning the business and operations during the previous calendar year of such licensed place of business conducted by such licensee within this Commonwealth Such report shall be made under oath and shall be in the form prescribed by the [Secretary of Banking] commission

Section 2 The provisions of this act shall become effective sixty days after final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—204.

Aaronson,	Frost,	McCormack,	Sarraf,
Andrews,	Gallagher,	McCosker,	Sax,
Bane,	Getchey,	McCullough,	Scanlon,
Barrett,	Gibson,	McDonald,	Schuster,
Baumunk,	Goff,	McKinney,	Scott,
Beech,	Goodling,	McMillen,	Serrill,
Bender,	Gorman,	Mihm,	Shoemaker,
Bentzel,	Graybill,	Mikula,	Simons,
Bloom,	Greenwood,	Miller,	Smith, C. C.,
Boies,	Greer,	Mills,	Smith, C. M.,
Bonawitz,	Griffiths,	Mintess,	Snider,
Boorse,	Guthrie,	Mohr,	Sollenberger,
Bower,	Gyger,	Mooney,	Sorg,
Breisch,	Hall,	Moore, C. E.,	Sproul,
Brice,	Haller,	Moore, H. A.,	Stank,
Brown,	Haudenshield,	Morrison,	Stimmel,
Brunner,	Helm,	Murray,	Stockham,
Bucchin,	Henry,	Myers,	Stonier,
Cadwalader,	Hewitt,	Najaka,	Stuart,
Capano,	Hocker,	Naumann,	Swope,
Cassidy,	Hoffman,	Needham,	Tahl,
Chervenak,	Hoopes,	Neff,	Thomassy,
Chudoff,	Horan,	Nelson,	Thompson,
Clevenger,	Imbt,	O'Connor,	Tittle,
Cochran,	Jennings,	O'Dare,	Tompkins,
Cole,	Johnson,	O'Donnell,	Toomey,
Cook,	Johnston,	O'Neill,	Turner,
Cooper,	Jones,	Orban,	Upshur,
Cordier,	Jump,	Patten,	Vaughan,
Costa,	Kean,	Petrosky,	Verona,
Crowley,	Kelley,	Pichney,	Wachhaus,
Dague,	Kemp,	Pickens,	Wagner,
Dalrymple,	Kent,	Polaski,	Waldron,
Davison,	Kirley,	Powers,	Wallin,
De Long,	Kline,	Price,	Walton,
Demech,	Kohl,	Propert,	Waterhouse,
Dennison,	Kratz,	Ragot,	Watkins,
Depuy,	Krise,	Readinger,	Watson,
Dix,	Kurtz,	Reagan,	Weidner,
Dye,	Laughner,	Reese, D. P.,	Weiss,
Efenberg,	Layer,	Reese, R. E.,	Wescott,
Elder,	Lee,	Reilly, J. M.,	West,
Erb,	Leisey,	Reilly, W. J.,	Wheeler,
Evans,	Livingston,	Richter,	Wolf,
Ewing,	Livingstone,	Riley,	Wood,
Feola,	Loftus,	Robbins,	Worley,
Fish,	Lovett,	Robertson,	Yeakel,
Fiss,	Lyons,	Root,	Yester,
Flack,	Madden,	Rose,	Yetzer,
Fleming,	Madigan,	Rowen,	Young,
Foor,	Mazza,	Royer,	Lichtenwalter, Speaker.

NAYS—0.

NOT VOTING—1.

Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 820, as follows:

An Act to amend the title of and the act approved the eighth day of April one thousand nine hundred thirty-seven (P. L. 262) entitled "An act relating to consumer credit in amounts of one thousand dollars ($1000) or less requiring licenses from the Secretary of Banking restricting licenses to domestic business corporations fixing minimum capital requirements conferring certain powers on the Secretary of Banking limiting interests and other charges providing certain exemptions and imposing penalties" by defining the term "commission" transferring the powers and duties heretofore imposed upon the Secretary of Banking to the Pennsylvania Consumers Credit Commission providing for the use by the said commission of certain funds and relieving licensees from payment of cost of examinations of their businesses

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title of the act approved the eighth day of April one thousand nine hundred thirty-seven (P. L. 262) entitled "An act relating to consumer credit in amounts of one thousand dollars ($1,000) or less requiring licenses from the Secretary of Banking restricting licenses to domestic business corporations fixing minimum capital requirements conferring certain powers on the Secretary of Banking limiting interest and other charges providing certain exemptions and imposing penalties" is hereby amended to read as follows

An Act relating to consumer credit in amounts of one thousand dollars ($1000) or less requiring licenses from the [Secretary of Banking] Pennsylvania Consumer Credit Commission restricting licenses to domestic business corporations fixing minimum capital requirements conferrng certain powers on the [Secretary of Banking] said commission limiting interest and other charges providing certain exemptions and imposing penalties

Section 2 Section 2 of said act is hereby amended by adding at the end thereof a new paragraph to read as follows

Section 2 Definitions The following terms shall be construed in the act to have the following meanings except in those instances where the context clearly indicates otherwise

* * * * *

"Commission" means the Pennsylvania Consumer Credit Commission

Section 3 Subsection B of section 3 and sections 4 5 6 8 9 10 11 12 15 16 17 and the first paragraph of section 18 of said act are hereby amended to read as follows

Section 3 License Required

* * * * *

B On and after the effective date of this act no domestic business corporation organized under or existing by virtue of the Business Corporation Law of this Commonwealth and no director officer employe agent or member of such corporation shall engage or continue to engage in this Commonwealth either as principal employe agent or broker in the business of negotiating or making loans or advances of money or credit in the amount or value of one thousand dollars ($1000) or less and charge collect contract for or receive interest discount bonus fees fines commissions charges or other considerations which aggregate in excess of six per cent (6%) per year on the amount actually loaned or advanced or on the unpaid principal

balances when the contract is payable by stated installments without first obtaining a license from the [Secretary of Banking of the Commonwealth of Pennsylvania] commission in accordance with the provisions of this act

Section 4 Application for Licenses The application for such license shall be in writing under oath and in the form prescribed by the [Secretary of Banking] commission The application shall contain the corporate title of the applicant which shall include the words "Consumer Discount Company" the street and number if any office building and room number if any city borough township or municipality and county where the business is to be conducted date of incorporation name and residence address of all directors and such other information as the [Sercetary of Banking] commission may require

A separate application on the prescribed form shall be filed for each place of business conducted by a licensee

Section 5 License Bond A bond in the penal sum of five thousand dollars ($5,000) shall accompany every application for license Such bond shall be executed by a surety company authorized by the laws of Pennsylvania to transact business within this Commonwealth The bond shall be renewed and refiled annually not later than June first The bond shall be executed to the Commonwealth of Pennsylvania and shall be for the use of the Commonwealth and for any person or persons who may have a cause of action against the licensee The condition of the bond shall be that the licensee will comply with the abide by all the provisions of this act and all the rules and regulations of the [Secretary of Banking] commission lawfully issued in accordance with this act and that the licensee will pay to the Commonwealth to the [Secretary of Banking] commission or to any person or persons any and all monies that may come due to the Commonwealth to the [Secretary of Banking] commission or to any person or persons from the said licensee under and by virtue of the provisions of this act If any person shall be aggrieved by the misconduct of a licensee and shall recover judgment against such licensee such person may on any execution issued under such judgment maintain an action upon the bond of the licensee in any court havingjurisdiction of the amount claimed provided the [Secretary of Banking] commission assents thereto

A separate bond shall be provided for each place of business conducted by a licensee

Section 6 License Fee A license fee of one hundred dollars ($100) shall accompany each application for license under this act All licenses shall expire on June first annually The license fee of one hundred dollars ($100) shall be paid annually on or before June first No abatement of the said license fee shall be made if the license is issued for less than one year An additional license fee of one hundred dollars ($100) shall be paid for each place of business conducted by a licensee

All license fees and fines received by the [Secretary of Banking] commission under this act shall be deposited in the State Treasury to the credit of the [Banking Department Fund] special fund of the Pennsylvania Consumers Credit Commission for the use of the [Secretary of Banking] commission in administering this [act] and other laws of the Commonwealth placed under its administration All unexpended license fees heretofore received by the Secretary of Banking under this act shall be transferred by the State Treasurer from the Banking Department Fund to the credit of the special fund of the Pennsylvania Consumer Credit Commission

Section 8 Issuance of License The [Secretary of Banking] commission if he approves the application for license shall issue to each applicant a certificate showing the name of the corporation and address of the place of business Such license shall be posted in a conspicuous place in the office of the licensee so that it will be in full view of the public at all times A license may not be transferred or assigned A licensee may with the approval of the [Secretary of Banking] commission change his place of business to another location within the same municipality A licensee desiring to change his place of business shall give written notice thereof to the [Secretary of Banking] commission and return the license certificate to the [Secretary of Banking] commission if [he] it approves the removal of the place of business shall endorse on the license [his] its approval of the change of address and the daote thereof which shall thereafter be the authority for the operation of such business under such license at the new location No change in the place of business of a licensee to a location outside the original municipality shall be permitted Provided however A licensee may obtain a new license for a place of business in a new location in a municipality other than that in which the original place of business was located Only one place of business may be operated under the same license

A licensee may operate more than one place of business by obtaining a separate license by filing an application for each additional place of business and by furnishing a bond for each additional place of business and by paying the license fee provided in this act for each additional place of business

Section 9 Records Required Licensees operating under the provisions of this act shall maintain adequate and complete records of all business transacted containing such information and in such form as shall be prescribed by the [Secretary of Banking] commission by general rule or regulation The records of licensees shall be maintained in the English language The records of licensees shall be retained for a period of two years after the date of final payment on any contract

Section 10 Reports to the [Secretary of Banking] Commission Licensees operating under the provisions of this act shall annually on or before the first day of March file a report with the [Secretary of Banking] commission giving such revelant information concerning the business and operations during the previous calendar year as the the [Secretary of Banking] commission may require Such report shall be made under oath and shall be in the form prescribed by the [Secretary of Banking] commission A Separate report shall be filed for each place of business maintained by a licensee The [Secretary of Banking] commission may at any time upon thirtp (30) days notice require a licensee to file special reports in addition to the annual report For failure to file such reports within the time specified the licensee shall pay to the [Secretary of Banking] commission a penalty of ten dollars ($10) for each calendar day which such report ot overdue but the [Secretary of Banking] commission may in [his] its discretion relieve a licensee of any portion or of all such fine Such fine which has not been paid by the licensee and for the payment of which the licensee has not been relieved may be collected by the [Secretary of Banking] commission from the bonding company which has executed the bond required under this act and the [Secretary of Banking] commission may maintain an action for the recovery of such fine in any court of competent jurisdiction

Section 11 Examinations by the [Secretary of Banking] Commission The [Secretary of Banking] and any person designated by [him] it for the purpose may at any time investigate the business and affairs and examine the books accounts papers records documents and files therein of every licensee and of every person who shall be engaged in business contemplated by this act whether such person shall act or claim to act as principal agent or broger or under or without the authority of this act For this purpose the [Secretary of Banking] commission shall have free access to the offices and places of business books accounts papers records documents files safes and vaults of all such persons A person who is not licensed under this act if he advertises or solicits business as principal agent or broker for which a license is required by the provisions of this act and the [Secretary of Banking] commission and any person designated by [him] it for that purpose is in such cases authorized to examine the books accounts papers records documents files safes and vaults of such persons for the purpose of discovering violations of this act

[The cost of every examination of the business of a licensee by the Secretary of Banking or his duly au-

thorized representative shall be paid by the licensee so examined and the Secretary of Banking may collect such costs from the licensee or from the surety company which has executed the bond required under this act and he may maintain an action for the recovery of such costs in any court of competent jurisdiction]

Section 12 Authority of the [Secretary of Banking] Commission The [Secretary of Banking] commission shall have the power to reject any application for license if [he] it is satisfied that the financial responsibility experience character and general fitness of the person or persons shown on the application for license as officers and directors of the applicant corporation are not such as to command the confidence of the community and to warrant the conclusion that the business will be operated honestly fairly and within the intent and purpose of this act and in accordance with the general laws of this Commonwealth or if [he] it is not satisfied that allowing such applicant to engage in business will promote the convenience and advantage of the community in which the business of the applicant is to be conducted Provided however That no license may be issued if any director officer employe or agent of the applicant corporation has been convicted under this act for engaging in business contemplated by this act without having obtained a license under this act or if any director officer employe or agent of the applicant corporation was a director officer employe or agent of a corpratin which had been convicted of a second offense violation of this act and had its license revoked

The [Secretary of Banking] commission upon thirty (30) days' written notice to the licensee forwarded by registered mail to the place of business of such licensee as shown on the application for license stating the contemplated action and in general the grounds therefore may revoke any license if the licensee shall violate any provision of this act or if the licensee shall violate any rule or regulation issued by the [Secretary of Banking] commission under and within the authority of this act or if a licensee shall fail to comply with any demand rule or regulation lawfully made by the [Secretary of Banking] commission under and within the authority of this act or if the licensee shall refuse to permit the [Secretary of Banking] commission or [his] its designated representative to make examinations authorized by this act or if the licensee shall fail to pay the cost of examination by the [Secretary of Banking] commission or [his] its duly authorized representative or if the licensee has failed to maintain in effect the bond required under the provisions of this act or if the licensee has failed to maintain records prescribed by the [Secretary of Banking] commission or if the licensee has failed to file the annual report to the [Secretary of Banking] commission within the time stipulated in this act or if the licensee having failed to file the annual report within the stipulated time has not paid the fine required under this act or if any fact or condition exists or is discovered which if it had existed or had been discovered at the time of filing of the application for such license would have warranted the [Secretary of Banking] commission in refusing to issue such license Whenever the [Secretary of Banking] commission has issued a notice of intention to revoke a license the licensee may within the period of thirty (30) days provided in the notice appeal from such action to the courts of Dauphin County Whenever such license is revoked the [Secretary of Banking] commission shall not issue another license to the licensee until the expiration of at least one year from the date of revocation of said license and not at all if such licensee or any officer director employe or agent thereof shall have been convicted for a second offense violation of this act

The [Secretary of Banking] commission is hereby authorized and empowered to issue rules and regulations governing the records to be maintained by licensees the statements of contract to be given consumers the receipts for payment of contracts to be given consumers the foreclosure and replevin of real or personal property upon default and the procedure for sale of real or personal property upon default and [he] it is further authorized and empowered to issue such general rules and regulations as may be necessary for the rotection of the public for insuring the proper conduct of the business contemplated by this act and for the enforcement of this act which rules and regulations shall have the force and effect of law

The [Secretary of Banking] commission shall be authorized to require the attendance and testimony of witnesses and the production of any books accounts papers records documents and files relating to such business which the [Secretary of Banking] commission has authority by this act to investigate and for this purpose the [Secretary of Banking] commission may sign subpoenas administer oaths and affirmations examine witnesses and receive evidence In case of disobedience of any subpoena or the contumacy of any witness appearing before the [Secretary of Banking] commission the [Secretary of Banking] commission may invoke the aid of the courts of Dauphin County or any court of the Commonwealth and such court shall thereupon issue an order requiring the person subpoenaed to obey the subpoena or to give evidence or to produce books accounts papers records documents and files relative to the matter in question Any failure to obey such order of the court may be punished by such court as a contempt thereof

Section 15 Statement of Contract A licensee shall furnish to the consumer a statement setting forth the type of contract description of the security on the contract he dae of the contract the total amount due on the contract he date upon which the contract is due or the dates upon which the installment payments are payable the amount of such installment payments and a statement indicating the basis for computing default charges No default charges may be collected if the statement of contract does not give due notice of the licensee's intention to collect default charges This statement of the contract shall contain such additional information as the [Secretary of Banking] commission may require

Section 16 Receipts for Payment A licensee shall furnish at the time of payment of a contract or at the time of payment of any installment on a contract a receipt setting forth the date of the payment the amount paid and the amount remaining due and identifying the contract upon which the payment is to apply If the payment includes charges for default the receipt shall show the amount of such charges separately The receipt of payment shall contain such additional information as the [Secretary of Banking] commission may require

Section 17 Scope of Act This act shall not affect any existing laws special or general authorizing a charge for the loan of money in excess of interest at the legal rate This act shall not apply to any person persons partnership association or corporation operating under the laws related to banking institutions building and loan associations credit unions or licensed under the Small Loans Act approved June seventeen one thousand nine hundred fifteen and supplements or amendments or licensed by the [Secretary of Banking of the Commonwealth of Pennsylvania] commission under the provisions of any other statute This act shall not apply to any bona fida sale of personal property by a person regularly engaged in the sale of such personal property wherein the purchaser may pay any part or all of the purchase price in stated installments nor to any such bona fide sale under a conditional sale contract lease or bailment wherein the urchaser lessee or bailee has the option of becoming or is bound to become the owner of the property upon full compliance with the terms of the agreement

Section 18 Penalties Any person partnership association foreign business corporation nonprofit corporation common law trust joint stock company or any other group of individuals organized or any domestic business corporation which has not obtained a license from the [Secretary of Banking of the Commonwealth of Pennsylvania] commission in accordance with the provisions of this act or any partner director officer employe agent or member thereof who shall engage in the business of negotiating or making loans or advances of money or credit in the amount or value of one thousand dollars ($1000) or less and charge

collect contract for or receive interest discount bonus fees fines commissions charges or other considerations which aggregate in excess of six per cent (6%) per year on the amount actually loaned or advanced or on the unpaid principal balances when the contract is payable by stated installments shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than five hundred dollars ($500) or more than five thousand dollars ($5000) and/or suffer imprisonment not less than six (6) months nor more than three (3) years in the discretion of the court

Section 4 The provisions of this act shall become effective sixty days after final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—204.

Aaronson,	Frost,	McCormack,	Sarraf,
Andrews,	Gallagher,	McCosker,	Sax,
Bane,	Getchey,	McCullough,	Scanlon,
Barrett,	Gibson,	McDonald,	Schuster,
Baumunk,	Goff,	McKinney,	Scott,
Beech,	Goodling,	McMillen,	Serrill,
Bender,	Gorman,	Mihm,	Shoemaker,
Bentzel,	Graybill,	Mikula,	Simons,
Bloom,	Greenwood,	Miller,	Smith, C. C.,
Boies,	Greer,	Mills,	Smith, C. M.,
Bonawitz,	Griffiths,	Mintess,	Snider,
Boorse,	Guthrie,	Mohr,	Sollenberger,
Bower,	Gyger,	Mooney,	Sorg,
Breisch,	Hall,	Moore, C. E.,	Sproul,
Brice,	Haller,	Moore, H. A.,	Stank,
Brown,	Haudenshield,	Morrison,	Stimmel,
Brunner,	Helm,	Murray,	Stockham,
Bucchin,	Henry,	Myers,	Stonier,
Cadwalader,	Hewitt,	Najaka,	Stuart,
Capano,	Hocker,	Naumann,	Swope,
Cassidy,	Hoffman,	Needham,	Tahl,
Chervenak,	Hoopes,	Neff,	Thomassy,
Chudoff,	Horan,	Nelson,	Thompson,
Clevenger,	Imbt,	O'Connor,	Tittle,
Cochran,	Jennings,	O'Dare,	Tompkins,
Cole,	Johnson,	O'Donnell,	Toomey,
Cook,	Johnston,	O'Neill,	Turner,
Cooper,	Jones,	Orban,	Upshur,
Cordier,	Jump,	Patten,	Vaughan,
Costa,	Kean,	Petrosky,	Verona,
Crowley,	Kelley,	Pichney,	Wachhaus,
Dague,	Kemp,	Pickens,	Wagner,
Dalrymple,	Kent,	Polaski,	Waldron,
Davison,	Kirley,	Powers,	Wallin,
De Long,	Kline,	Price,	Walton,
Demech,	Kohl,	Propert,	Waterhouse,
Dennison,	Kratz,	Ragot,	Watkins,
Depuy,	Krise,	Readinger,	Watson,
Dix,	Kurtz,	Reagan,	Weidner,
Dye,	Laughner,	Reese, D P.,	Welsh,
Efenberg,	Layer,	Reese, R E.,	Wescott,
Elder,	Lee,	Reilly, J. M.,	West,
Erb,	Leisey,	Reilly, W. J.,	Wheeler,
Evans,	Livingston,	Richter,	Wolf,
Ewing,	Livingstone,	Riley,	Wood,
Feola,	Loftus,	Robbins,	Worley,
Fish,	Lovett,	Robertson,	Yeakel,
Fiss,	Lyons,	Root,	Yester,
Flack,	Madden,	Rose,	Yetzer,
Fleming,	Madigan,	Rowen,	Young,
Foor,	Mazza,	Royer,	Lichtenwalter, Speaker.

NAYS—0.

NOT VOTING—1.

Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 821, as follows:

An Act to amend the title of and the act approved the sixth day of April one thousand nine hundred thirty-seven (P. L. 200) entitled "An act licensing and regulating the business of pawnbrokers providing for the issuance of licenses by the Secretary of Banking authorizing the Secretary of Banking to make examinations and issue regulations limiting the interest and charges on loans and prescribing penalties for the violation of this act" by defining the term "commission" transferring the powers and duties heretofore imposed upon the Secretary of Banking to the Pennsylvania Consumer Credit Commission providing for the use by said commission of certain funds and relieving licensees from payment of cost of examinations of their businesses

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title of the act approved the sixth day of April one thousand nine hundred thirty-seven (P. L. 200) entitled "An act licensing and regulating the business of pawnbrokers providing for the issuance of licenses by the Secretary of Banking authorizing the Secretary of Banking to make examinations and issue regulations limiting the interest and charges on loans and prescribing penalties for the volation of this act" is hereby amended to read as follows

An Act licensing and regulating the business of pawnbrokers providing for the issuance of licenses by the [Secretary of Banking] Pennsylvania Consumer Credit Commission authorizing the [Secretary of Banking] said commission to make examinations and issue regulations limiting the interest and charges on loans and prescribing penalties for the violation of this act

Section 2 Section two of said act is hereby amended by adding at the end thereof a new paragraph to read as follows

Section 2 Definitions The following terms shall be construed in this act to have the following meanings except in those instances where the context indicates otherwise

* * * * *

"Commission" means the Pennsylvania Consumer Credit Commission

Section 3 Sections three four five six seven eight nine ten eleven clause A of section twelve and sections thirteen fourteen twenty and thirty of said act are hereby amended to read as follows

Section 3 License Required No person partnership association business corporation nonprofit corporation common law trust jointstock company or any group f individuals hwever organized shall on and after the effective date of this act engage or continue to engage in business as a pawnbroker in this Commonwealth except as authorized by this act and without first obtaining a license from the [Secretary of Banking] commission

Section 4 Application for License The application for such license shall be in writing under oath and in the form prescribed by the [Secretary of Banking] commission and shall contain the name and address of the residence of the applicant and if the applicant is a partnership association joint-stock company or common law trust of every member thereof and if the applicant is a business corporation or nonprofit corporatoin of each officer and director thereof also the county and municipality with street and number if any office building and room number if any where the business is to be conducted and such further information as the [Secretary of Banking] commission may require The application shall be signed by the individual owner if the applicant is an individual by all the partners if the applicant is a partnership by two officers if the applicant is an association joint-stock company or common law

trust and by the president and secretary if the applicant is a business corporation or a nonprofit corporation

Section 5 License Bond A bond in the penal sum of two thousand ($2000.00) dollars shall accompany every application for license The bond shall be executed by a surety company authorized by the laws of Pennsylvania to transact business within this Commonwealth The [Secretary of Banking] commission may in lieu of such surety company bond accept a bond executed by the applicant for license if such bond is secured by the deposit with the [Secretary of Banking] commission of cashiers checks treasurers checks or certificates of deposit of a banking institution or readily marketable securities approved by the [Secretary of Banking] commission Such collateral deposited in lieu of a surety company bond shall be deposited for safekeeping by the [Secretary of Banking] commission in the office of the State Treasurer The bond shall be renewed and refiled annually not later than October first in each year The bond shall be executed to the Commonwealth of Pennsylvania The bond shall be for the use of the Commonwealth and for any person or persons who may have a cause of action against the pawnbroker as a license under this act The condition of the bond shall be that the pawnbroker will comply with and abide by all the provisions of this act and all rules and regulations of the [Secretary of Banking] commission lawfully issued under this act and will pay to the Commonwealth to the [Secretary of Banking] commission or to any person or persons any and all moneys that may come due to the Commonwealth to the [Secretary of Banking] commission or to any person or persons from the said pawnbroker under and by virtue of the provisions of this act A separate bond shall be required for each place of business conducted by a pawnbroker If any person shall be aggrieved by the misconduct of a pawnbroker and shall recover judgment against him therefor such person may on any execution issued under such judgment maintain an action upon the bond of the pawnbroker in any court having jurisdiction of the amount claimed provided the [Secretary of Banking] commission assents thereto

Section 6 License Fee Every application for license under this act shall be accompanied by an annual license fee of one hundred ($100.00) dollars All licenses shall expire on October first annually No abatement of the said license fee shall be made if the license is issued for less than one year Every license shall be renewed annually on the first day of October and an additional license fee of one hundred ($100.00) dollars shall be paid for the next ensuing license year

All license fees and fines by the [Secretary of Banking] commission shall be deposited in the State Treasury to the credit of the [Banking Department Fund] special fund of the Pennsylvania Consumer Credit Commission for the use of the [Secretary of Banking] commission in administering this act and other laws of the Commonwealth plaved under its administration All unexpended license fees heretofore received by the Secretary of Banking under this act shall be transferred by the State Treasurer from the Banking Department Fund to the credit of the special fund of the Pennsylvania Consumer Credit Commission

Section 7 Issuance of License The [Secretary of Banking] commission if [he] it approves the application for license shall issue to each pawnbroker a certificate showing the name of the pawnbroker and the address of the place of business Such license shall be posted in a conspicuous place in the office of the pawnbroker so that it shall be in full view of the public at all times Such license may not be transferred or assigned Whenever a pawnbroker shall change his place of business to another location within the same city borough or township he shall at once give written notice thereof to the [Secretary of Banking] commission and return the license certificate to the [Secretary of Banking] commission for amendment The [Secretary of Banking] commission if [he] it approves the removal shall endorse on the license in writing his record of the change of adress and the date thereof which shall be the authority for the operation of such business under such license at such new location No change in the place of business of a pawnbroker to a location outside the original city borough or township shall be permitted under the same license Not more than one place of business may be operated under the same license

If a pawnbroker operates more than one place of business additional licenses may be obtained by filing a separate application for each additional place of business and furnishing an additional bond for each additional place of business and paying the license fee provided in this act for each such place of business

Section 8 Powers of the [Secretary of Banking] Commission The [Secretary of Banking] commission shall have the power to reject any application for license if [he] it is satisfied that the financial responsibility experience character and general fitness of the applicant or applicants is not such as to command the confidence of the community and to warrant the conclusion that the business will be operated honestly fairly and within the laws of this Commonwealth or if [he] it is not satisfied that allowing such applicant to engage in business will promote the convenience and advantage of the community in which the business of the applicant is to be conducted Provided however That no license may be issued to an applicant who has been convicted under this act for engaging in the business of pawnbroking in this Commonwealth without having obtained a license under this act

The [Secretary of Banking] commission may upon thirty (30) days' writen notice to the pawnbroker forwarded by registered mail to the place of business of such pawnbroker as shown in the application for license stating the contemplated action and in general the grounds therefor revoke any license if the pawnbroker shall violate any provision of this act or if the pawnbroker shall violate any rule or regulation made by the [Secretary of Banking] commission under and within the authorinty of this act or if a pawnbroker shall fail to comply with any demand rule or regulation lawfully made by the [Secretary of Banking[commission under and within the authority of this act or if the pawnbroker shall fail to pay the cost of examination by the [Secretary of Banking] commission or [his] it authorized representative or if the pawnbroker has failed to maintain in effect the bond required under the provisions of this act or if the pawnbroker shall fail to file the annual report of the [Secretary of Banking] commission within the time stipulated in this act or if any fact or condition exists which if it had existed at the time of original application for such license clearly would have warranted the [Secretary of Banking] commission originally in refusing to issue such license Whenever the [Secretary of Banking] commission shall issue a notice of intention to revoke a license issued pursuant to this act the pawnbroker may within the period of thirty (30) days provided in the notice appeal from such action to the court of common pleas of a county in which the pawnbroker's licensed place of business is situated Whenever such license is revoked the [Secretary of Banking] commission shall not issue another to the said pawnbroker until the expiration of at least one year from the date of revocation of such license and not at all if such pawnbroker shall have been convicted for a deliberate violation of this act or for a second offense

The [Secretary of Banking] commission may require a pawnbroker licensed under this act to file special reports in addition to the annual report required under this act

The [Secretary of Banking] commission is hereby authorized and empowered to issue rules and regulations governing the records to be maintained by a pawnbroker licensed under this act and [he] it is further authorized and empowered to issue such general rules and regulations as may be necessary for the protection of the public and to insure the proper conduct of such business and for the enforcement of this act which rules and regulations shall have the force and effect of law

Section 9 Examination by the [Secretary of Banking] Commission The [Secretary of Banking] commission and any person designated by [him] it for that purpose may at any time investigate the business and examine the

books accounts records and files therein of every pawnbroker and of every person who or which shall be engaged in the business of pawnbroking whether such person shall act or claim to act as principal or agent or under or without the authority of this act For this purpose the [Secretary of Banking] commission shall have free access to the office and places of business books accounts papers records files safes and valuts of all such persons A person who is not licensed under this act shall be presumed to be engaged in the business of pawnbroking if he advertises or solicits business as a pawnbroker as defined in this act and the [Secretary of Banking] commision is in such cases authorized to examine the books accounts papers files safes and valuts of such person for the purpose of discovering violations of this act

[The costs of every examination of the business of a licensed pawnbroker by the Secretary of Banking shall be paid by the pawnbroker so examined and the Secretary of Banking may collect such costs from the surety company which has executed the bond required under this act and he may maintain an action for the recovery of such costs in any court of competent jurisdiction]

Section 10 Reports to the [Secretary of Banking] Commission Every pawnbroker licensed under this act shall annually on or before the first day of March file a report with the [Secretary of Banking] commission giving such relevant information as the [Secretary of Banking] commission may require concerning the business and operations during the previous calendar year of such licensed place of business conducted by the pawnbroker within this Commonwealth Such report shall be made under oath and shall be in the form prescribed by the [Secretary of Banking] commission For failure to file such report within the time specified a pawnbroker shall pay to the [Secretary of Banking] commission a penalty of ten ($10.00) dollars for each calendar day which such report is overdue but the [Secretary of Banking] commission may in [his] its discretion relieve a pawnbroker of any portion or all of such fine

Section 11 Records Required Pawnbrokers licensed under this act shall maintain adequate records of all business transacted containing such in formation and in such form as shall be prescribed by the [Secretary of Banking] commission by general rule or regulation The records of pawnbrokers shall be maintained in the English language The records of a pawnbroker shall be retained for a period of two years after the date of the payment of any loan or in case the loan is not paid the records of a pawnbroker shall be retained for a period of two (2) years after the date of the sale of the pledge

Section 12 Interest and Charges A pawnbroker shall not charge contract for or receive interest in excess of six per cent (6%) per year on any loan

In addition to interest at the rate of six per cent (6%) per year a pawnbroker may charge and collect from the pledger fees for storage insurance investigation and other services which shall be

A Not more than two per cent (2%) per month for the first three (3) months and one and one-fourth per cent (1¼%) per month thereafter nor less than one per cent (1%) per month on loans of fifty dollars ($50.00) or less including renewals thereof and one per cent (1%) per month on loans in excess of fifty dollars ($50.00) for which jewelry watches gems gold or sterling ware has been pledged Provided however That the [Secretary of Banking] commission shall upon the effective date of this act fix the fees within the limitations prescribed and thereafter the [Secretary of Banking] commission may increase or decrease such fees within the limitations prescribed

Section 13 Identity of Pledger At the time of granting an original loan the pawnbroker shall enter upon his records in the form and manner designated by the [Secretary of Banking] commission a description of the pledger so as to identify the pledger

Section 14 Pawn Ticket At the time of granting a loan and upon the subsequent renewal of any loan the pawnbroker shall furnish to the pledger a pawn ticket which is serially numbered and which shall contain the following information name and address of the pawnbroker the name and address of the pledger name and address of disclosed principal if any the date of the loan the amount actually loaned the serial number of the loan description of the pledge due date of the loan the total amount of principal interest and charges required to redeem the pledge on the due date a statement setting forth that the pledge may be sold after ninety (90) days of the due date of the loan if not redeemed A pawnbroker may insert additional provisions on the pawn ticket not inconsistent with this act and he shall insert such other provisions as may be required by the [Secretary of Banking] commission

A duplicate copy of the pawn ticket shall be retained by the pawnbroker for his record

The pawnbroker shall require the pledger to surrender the original pawn ticket when the pledge is released or the loan is renewed

Section 20 Care of Pledge A pawnbroker shall be liable for partial or total loss of a pledge or for damage thereto when caused by failure by the pawnbroker to exercise reasonable care in regard thereto or by fire theft or burglary resulting from failure by the pawnbroker to exercise reasonable care in regard thereto and he shall not be liable in the absence of an express written agreement to the contrary for the loss of a pledge or part thereof or for damage thereto which could not have been avoided by the exercise of such feasonable care The burden of proof to establish reasonable care shall be upon the pawnbroker The [Secretary of Banking] commission may require a pawnbroker to carry adequate insurance on pledges if the financial responsibility of the pawnbroker does not assure adequate protection to the pledger,

Section 30 Scope of Act This act shall not affect any existing laws special or general authorizing a charge for the loan of money in excess of interest at the legal rate This act shall not apply to any person persons partnership association or corporation operating under the laws relating to banking institutions building and loan associations credit unions or conducting business under a license issued by the [Secretary of Banking of teh Commonwealth of Pennsylvania] commission under the provisions of any other statute

This act shall not prevent or preclude any municipality from imposing other and further requirements or regulations of pawnbrokers not inconsistent with this act or the rules and regulations issued by the [Secretary of Banking] commission pursuant thereto nor shall such municipality be prevented or precluded from providing such further supervision of pawnbrokers as may be deemed necessary or advisable for the police purposes of such municipality or from enforcing the same Any such provisions or requirements under existing laws ordinances or regulations of any municipality not inconsistent with this act shall remain in full force and effect

A pawnbroker shall not be authorized to engage in business unless he shall have obtained a license from the municipality if the municipality requires such a license to be obtained The fee for such a license shall not exceed two hundred dollars ($200.00) in the case of cities of the first and cities of the second class and one hundred dollars ($100.00) elsewhere

The municipality issuing such license may for violation of police regulations suspend such license for a period of thirty (30) days Immediately upon such suspension the municipality shall give written notice to the [Secretary of Banking] commission who shall within thirty (30) days thereafter conduct a hearing to ascertain if the license required by this act shall be revoked

However if after such hearing the [Secretary of Banking] commission shall determine that the license required by this act shall not be revoked written notice thereof shall be given to the municipality and thereupon the suspension of municipal license shall be automatically dissolved by operation of law

Licenses issued by municipalities shall impose no conditions inconsistent with the provisions of this act

Whenever any pawnbroker shall make a complete and accurate report to the local police authorities and sahll comply with this act and such regulations of the [Secre-

tary of Banking] commission as may hereafter be adopted pursuant thereto such conduct on the part of the pawnbroker shall be evidence of the innocence of such pawnbroker of any crime of receiving stolen goods notwithstanding the fact that the articles may in fact be stolen Provided That nothing contained in this section shall be interpreted as limiting or interfering with the title to or right of possession of the lawful owner of such articels

Section 4 The provisions of this act shall become effective sixty days after final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—204

Aaronson,	Frost,	McCormack,	Sarraf,
Andrews,	Gallagher,	McCosker,	Sax,
Bane,	Getchey,	McCullough,	Scanlon,
Barrett,	Gibson,	McDonald,	Schuster,
Baumunk,	Goff,	McKinney,	Scott,
Beech,	Goodling,	McMillen,	Serrill,
Bender,	Gorman,	Mihm,	Shoemaker,
Bentzel,	Graybill,	Mikula,	Simons,
Bloom,	Greenwood,	Mills,	Smith, C. C.,
Boies,	Greer,	Miller,	Smith, C. M.,
Bonawitz,	Griffiths,	Mintess,	Snider,
Boorse,	Guthrie,	Mohr,	Sollenberger,
Bower,	Gyger,	Mooney,	Sorg,
Breisch,	Hall,	Moore, C. E.,	Sproul,
Brice,	Haller,	Moore, H. A.,	Stank,
Brown,	Haudenshield,	Morrison,	Stimmel,
Brunner,	Helm,	Murray,	Stockham,
Bucchin,	Henry,	Myers,	Stonier,
Cadwalader,	Hewitt,	Najaka,	Stuart,
Capano,	Hocker,	Naumann,	Swope,
Cassidy,	Hoffman,	Needham,	Tahl,
Chervenak,	Hoopes,	Neff,	Thomassy,
Chudoff,	Horan,	Nelson,	Thompson,
Clevenger,	Imbt,	O'Connor,	Tittle,
Cochran,	Jennings,	O'Dare,	Tompkins,
Cole,	Johnson,	O'Donnell,	Toomey,
Cook,	Johnston,	O'Neill,	Turner,
Cooper,	Jones,	Orban,	Upshur,
Cordier,	Jump,	Patten,	Vaughan,
Costa,	Kean,	Petrosky,	Verona,
Crowley,	Kelley,	Pichney,	Wachhaus,
Dague,	Kemp,	Pickens,	Wagner,
Dalrymple,	Kent,	Polaski,	Waldron,
Davison,	Kirley,	Powers,	Wallin,
De Long,	Kline,	Price,	Walton,
Demech,	Kohl,	Propert,	Waterhouse,
Dennison,	Kratz,	Ragot,	Watkins,
Depuy,	Krise,	Readinger,	Watson,
Dix,	Kurtz,	Reese, D. P.,	Weidner,
Dye,	Laughner,	Reese, R. E.,	Weiss,
Efenberg,	Layer,	Reilly, J. M.,	Wescott,
Elder,	Lee,	Reilly, W. J.,	West,
Erb,	Leisey,	Richter,	Wheeler,
Evans,	Livingston,	Riley,	Wolf,
Ewing,	Livingstone,	Robbins,	Wood,
Feola,	Loftus,	Robertson,	Worley,
Fish,	Lovett,	Reagan,	Yeakel,
Fiss,	Lyons,	Root,	Yester,
Flack,	Madden,	Rose,	Yetzer,
Fleming,	Madigan,	Rowen,	Young,
Foor,	Mazza,	Royer,	Lichtenwalter, Speaker.

NAYS—0

NOT VOTING—1

Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 822, as follows:

An Act to add section four point one to the act approved the first day of June one thousand nine hundred forty-five (P. L. 1353) entitled "An act relating to chattel mortgages on any chattel or chattels of any kind or description including but not limited to livestock poultry farm machinery farm equipment and crops grown growing or to be grown designating the operation and effect of the lien of such mortgages providing for the filing indexing and docketing of such mortgages and related instruments in prothonotaries' offices and prescribing prothonotaries' fees providing for the filing in Pennsylvania of similar lien instruments originally filed or recorded in other states regulating the assignment release satisfaction and extension of the lien of such mortageges prescribing methods of foreclosure defining defaults and violations and fixing penalties" limiting and regulating the liability of chattels for subsequent purchases

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the first day of June one thousand nine hundred forty-five (P. L. 1358) entitled "An act relating to chattel mortgages on any chattel or chattels of any kind or description including but not limited to livestock poultry farm machinery farm equipment and crops grown growing or to be grown designating the operation and effect of the lien of such mortgages providing for the filing indexing and docketing of such mortgages and related instruments in prothonotaries' offices and prescribing prothonotaries' fees providing for the filing in Pennsylvania of similar lien instruments originally filed or recorded in other states regulating the assignment release satisfaction and extension of the lien of such mortgages prescribing methods of foreclosure defining defaults and violations and fixing penalties" is hereby amended by adding after section four thereof a new section to read as follows

Section 4.1 (a) Where a buyer makes additional purchases of chattels under any chattel mortgage executed under and pursuant to this act from a seller from whom he had previously purchased chattels under the same or a previous chattel mortgage or mortgages and where the amounts due on such previous purchase or purchases shall not have been fully paid and where the chattels are purchased for any use other than a commercial or business use such chattel mortgage may provide that the chattels previously purchased shall be security for the purchase price of the chattels subsequently purchased but only until such time as the purchase price of the previous purchase or purchases is fully paid

(b) When such subsequent purchase is made the entire amount of all payments made previous to the subsequent purchase shall be deemed to have been applied toward the payment of the previous purchase or purchases and each payment thereafter received shall be deemed to be allocated to all of the various purchases in the same proportion or ratio as the original cash prices of the various purchases bear to one another Where the rate of installment payments is increased in connection with the additional purchase the subsequent payments at the seller's election may be deemed to be allocated as follows an amount equal to the original rate to the previous purchase and an amount equal to the increase to the subsequent purchase Provided That the amount of any initial or down payment on the subsequent purchase shall be deemed to be allocated in its entirety to such purchase

(e) The provisions of this section shall not apply to cases involving equipment parts or other merchandise attached or affixed to chattels previously purchased or repairs or services rendered by the sellers in connection therewith at the buyer's requests

Section 2 The provisions of this act shall become effective on the first day of January one thousand nine hundred forty-eight

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—204

Aaronson,	Frost,	McCormack,	Sarraf,
Andrews,	Gallagher,	McCosker,	Sax,
Bane,	Getchey,	McCullough,	Scanlon,
Barrett,	Gibson,	McDonald,	Schuster,
Baumunk,	Goff,	McKinney,	Scott,
Beech,	Goodling,	McMillen,	Serrill,
Bender,	Gorman,	Mihm,	Shoemaker,
Bentzel,	Graybill,	Mikula,	Simons,
Bloom,	Greenwood,	Miller,	Smith, C. C.,
Boies,	Greer,	Mills,	Smith, C. M.,
Bonawitz,	Griffiths,	Mintes-,	Snider,
Boorse,	Guthrie,	Mohr,	Sollenberger,
Bower,	Gyger,	Mooney,	Sorg,
Breisch,	Hall,	Moore, C. E.,	Sproul,
Brice,	Haller,	Moore, H. A.,	Stank,
Brown,	Haudenshield,	Morrison,	Stimmel,
Brunner,	Helm,	Murray,	Stockham,
Bucchin,	Henry,	Myers,	Stonier,
Cadwalader,	Hewitt,	Najaka,	Stuart,
Capano,	Hocker,	Naumann,	Swope,
Cassidy,	Hoffman,	Needham,	Tahl,
Chervenak,	Hoopes,	Neff,	Thomassy,
Chudoff,	Horan,	Nelson,	Thompson,
Clevenger,	Imbt,	O'Connor,	Tittle,
Cochran,	Jennings,	O'Dare,	Tompkins,
Cole,	Johnson,	O'Donnell,	Toomey,
Cook,	Johnston,	O'Neill,	Turner,
Cooper,	Jones,	Orban,	Upshur,
Cordier,	Jump,	Patten,	Vaughan,
Costa,	Kean,	Petrosky,	Verona,
Crowley,	Kelley,	Pichney,	Wachhaus,
Dague,	Kemp,	Pickens,	Wagner,
Dalrymple,	Kent,	Polaski,	Waldron,
Davison,	Kirley,	Powers,	Wallin,
De Long,	Kline,	Price,	Walton,
Demech,	Kohl,	Propert,	Waterhouse,
Dennison,	Kratz,	Ragot,	Watkins,
Depuy,	Krise,	Readinger,	Watson,
Dix,	Kurtz,	Reagan,	Weidner,
Dye,	Laughner,	Reese, D. P.,	Weiss,
Efenberg,	Layer,	Reese, R. E.,	Wescott,
Elder,	Lee,	Reilly, J. M.,	West,
Erb,	Leisey,	Reilly, W. J.,	Wheeler,
Evans,	Livingston,	Richter,	Wolf,
Ewing,	Livingstone,	Riley,	Wood,
Feola,	Loftus,	Robbins,	Worley,
Fish,	Lovett,	Robertson,	Yeakel,
Fiss,	Lyons,	Root,	Yester,
Flack,	Madden,	Rose,	Yetzer,
Fleming,	Madigan,	Rowen,	Young,
Foor,	Mazza,	Royer,	Lichtenwalter, Speaker.

NAYS—0

NOT VOTING—1

Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 823, as follows:

An Act to add section eleven point one to the act approved the twelfth day of May one thousand nine hundred twenty-five (P. L. 603) entitled "An act concerning conditional sales and to make uniform the law relating thereto" ilmiting and regulating liability of goods foı subsequent purchases

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the twelfth day of May one thousand nine hundred twenty-five (P. L. 603) entitled "An act concerning conditional sales and to make uniform the law relating thereto" is hereby amended by adding after section eleven thereof a new section to read as follows

Section 11.1 Additional Purchases (a) Where a buyer makes additional purchases of goods under a conditional sale contract from a seller from whom he had previously purchased goods under a conditional sale contract or contracts and where the amount due under such previous conditional sale contract or contracts shall not have been fully paid and where the goods are purchased for any use other than a commercial or business use such conditional sale contract may provide that the goods purchased under the previous contract or contracts shall be security for the purchase price of the goods purchased under the subsequent contract but only until such time as the purchase price under the previous contract or contracts is fully paid

(b) When such subsequent purchase is made the entire amount of all payments made previous to the subsequent purchase shall be deemed to have been applied toward the payment of the previous purchase or purchases and each payment thereafter received shall be deemed to be allocated to all of the various purchases in the same proportion or ratio as the original cash prices of the various purchases bear to one another Where the rate of installment payments is increased in connection with the additional purchase the subsequent payments at the seller's election may be deemed to be allocated as follows an amount equal to the original rate to the previous purchase and an amount equal to the increase to the subsequent purchase Provided That the amount of any initial or down payment on the subsequent purchase shall be deemed to be allocated in its entirety to such purchase

(c) The provisions of this section shall not apply to cases involving equipment parts or other mechandise attached or affixed to goods previously purchased or repairs or services rendered by the seller in connection therewith at the buyer's request

Section 2 The provisions of this act shall become effective the rst day of January one thousand nine hundred forty-eight

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—204

Aaronson,	Frost,	McCormack,	Sarraf,
Andrews,	Gallagher,	McCosker,	Sax,
Bane,	Getchey,	McCullough,	Scanlon,
Barrett,	Gibson,	McDonald,	Schuster,
Baumunk,	Goff,	McKinney,	Scott,
Beech,	Goodling,	McMillen,	Serrill,
Bender,	Gorman,	Mihm,	Shoemaker,
Bentzel,	Graybill,	Mikula,	Simons,
Bloom,	Greenwood,	Miller,	Smith, C. C.,
Boies,	Greer,	Mills,	Smith, C. M.,
Bonawitz,	Griffiths,	Mintess,	Snider,
Boorse,	Guthrie,	Mohr,	Sollenberger,
Bower,	Gyger,	Mooney,	Sorg,
Breisch,	Hall,	Moore, C. E.,	Sproul,
Brice,	Haller,	Moore, H. A.,	Stank,
Brown,	Haudenshield,	Morrison,	Stimmel,
Brunner,	Helm,	Murray,	Stockham,
Bucchin,	Henry,	Myers,	Stonier,

Cadwalader,	Hewitt,	Najaka,	Stuart,
Capano,	Hocker,	Naumann,	Swope,
Cassidy,	Hoffman,	Needham,	Tahl,
Chervenak,	Hoopes,	Neff,	Thomassy,
Chudoff,	Horan,	Nelson,	Thompson,
Clevenger,	Imbt,	O'Connor,	Tittle,
Cochran,	Jennings,	O'Dare,	Tompkins,
Cole,	Johnson,	O'Donnell,	Toomey,
Cook,	Johnston,	O'Neill,	Turner,
Cooper,	Jones,	Orban,	Upshur,
Cordier,	Jump,	Patten,	Vaughan,
Costa,	Kean,	Petrosky,	Verona,
Crowley,	Kelley,	Pichney,	Wachhaus,
Dague,	Kemp,	Pickens,	Wagner,
Dalrymple,	Kent,	Polaski,	Waldron,
Davison,	Kirley,	Powers,	Wallin,
De Long,	Kline,	Price,	Walton,
Demech,	Kohl,	Propert,	Waterhouse,
Dennison,	Kratz,	Ragot,	Watkins,
Depuy,	Krise,	Readinger,	Watson,
Dix,	Kurtz,	Reagan,	Weidner,
Dye,	Laughner,	Reese, D. P.,	Weiss,
Efenberg,	Layer,	Reese, R. E.,	Wescott,
Elder,	Lee,	Reilly, J. M.,	Wheeler,
Erb,	Leisey,	Reilly, W. J.,	West,
Evans,	Livingston,	Richter,	Wolf,
Ewing,	Livingstone,	Riley,	Wood,
Feola,	Loftus,	Robbins,	Worley,
Fish,	Lovett,	Robertson,	Yeakel,
Fiss,	Lyons,	Root,	Yester,
Flack,	Madden,	Rose,	Yetzer,
Fleming,	Madigan,	Rowen,	Young,
Foor,	Mazza,	Royer,	Lichtenwalter, Speaker.

NAYS—0

NOT VOTING—1

Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate splendid vote of confidence.

The SPEAKER pro tempore. The Chair requests the Speaker to return to the rostrum.

Just before returning to the rostrum I would say that I think it was a great compliment to the Speaker of this House to have the marvelous attention and order of the Members preserved during his address on these bills. I have seen many important debates in this House, but at no time have I ever seen more attention and more respect paid to the Speaker. That is as it should be, and I compliment the Speaker on the respect in which he is held by this House.

THE SPEAKER (Franklin H. Lichtenwalter) IN THE CHAIR

The SPEAKER. The Chair thanks the gentleman from Delaware for his very able presiding.

The Chair also thanks the Members for their very splendid vote of confidence

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 824, as follows:

An Act limiting and regulating liability of goods wares and merchandise purchased under bailment lease contracts for subsequent purchases and limiting the rights of bailors in certain cases

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Where a bailee makes additional purchases of goods wares or merchandise under a bailment lease from a bailer from whom he had previously purchased goods wares or merchandise under a bailment lease or leases and where the amounts due on such previous bailment lease or leases shall not have been fully paid and where the goods wares or merchandise are purchased for any use other than a commercial or business use such bailment lease may provide that the goods wares or merchandise previously purchased shall be security for the purchase price of the goods wares or merchandise last purchased but only until such time as the purchase price under the previous bailment lease or leases is fully paid

Section 2 When such subsequent purchase is made the entire amount of all payments made previous to the last purchase shall be deemed to have been applied toward the payment of the previous purchase or purchases and each payment thereafter received shall be deemed to be allocated to all of the various purchases in the same proportion or ratio as the original cash prices of the various purchases bear to one another Where the rate of installment payments is increased in connection with the additional purchase the subsequent payments at the bailer's election may be deemed to be allocated as follows an amount equal to the original rate to the previous purchase and an amount equal to the increase to the subsequent purchase Provided That the amount of any initial or down payment on the subsequent purchase shall be deemed to be allocated in its entirety to such purchase

Section 3 No bailment lessor shall replevy or repossess any goods wares or merchandise until and unless allocation of payments by the bailment lessee shall have been made by the bailment lessor as required under section 2 of this act

Section 4 The provisions of this act shall not apply to cases involving equipment parts or other merchandise attached or affixed to goods previously purchased or repairs or services rendered by the bailer in connection therewith at the bailee's request

Section 5 The provisions of this act shall become effective the rst day of January one thousand nine hundred forty-eight

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—204

Aaronson,	Gallagher,	McCosker,	Sax,
Andrews,	Getchey,	McCullough,	Scanlon,
Bane,	Gibson,	McDonald,	Schuster,
Barrett,	Goff,	McKinney,	Scott,
Baumunk,	Goodling,	McMillen,	Serrill,
Beech,	Gorman,	Mihm,	Shoemaker,
Bender,	Graybill,	Mikula,	Simons,
Bentzel,	Greenwood,	Miller,	Smith, C. C.,
Bloom,	Greer,	Mills,	Smith, C. M.,
Boies,	Griffiths,	Mintess,	Snider,
Bonawitz,	Guthrie,	Mohr,	Sollenberger,
Boorse,	Gyger,	Mooney,	Sorg,
Bower,	Hall,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenshield,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Bucchin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,
Clevenger,	Jennings,	O'Dare,	Tompkins,
Cochran,	Johnson,	O'Donnell,	Toomey,
Cole,	Johnston,	O'Neill,	Turner,
Cook,	Jones,	Orban,	Upshur,
Cooper,	Jump,	Patten,	Vaughan,
Cordier,	Kean,	Petrosky,	Verona,

Costa,	Kelley,	Pichney,	Wachhaus,
Crowley,	Kemp,	Pickens,	Wagner,
Dague,	Kent,	Polaski,	Waldron,
Dalrymple,	Kirley,	Powers,	Wallin,
Davison,	Kline,	Price,	Walton,
De Long,	Kohl,	Propert,	Waterhouse,
Demech,	Kratz,	Ragot,	Watkins,
Dennison,	Krise,	Readinger,	Watson,
Depuy,	Kurtz,	Reagan,	Weidner,
Dix,	Laughner,	Reese, D. P.,	Weiss,
Dye,	Layer,	Reese, R. E.,	Wescott,
Efenberg,	Lee,	Reilly, J. M.,	West,
Elder,	Leisey,	Reilly, W. J.,	Wheeler,
Erb,	Livingston,	Richter,	Wolf,
Evans,	Livingstone,	Riley,	Wood,
Ewing,	Loftus,	Robbins,	Worley,
Feola,	Lovett,	Robertson,	Yeakel,
Fish,	Lyons,	Root,	Yester,
Fiss,	Madden,	Rose,	Yetzer,
Flack,	Madigan,	Rowen,	Young,
Fleming,	Mazza,	Royer,	Lichtenwalter,
Foor	McCormack,	Sarraf,	Speaker.
Frost,			

NAYS—0

NOT VOTING—1

Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS PASSED OVER

There being no objection

House Bill No. 869, Printer's No. 490,

was passed over at the request of Mr. SORG.

There being no objection

House Bill No. 958, Printer's No. 432,

House Bill No. 1040, Printer's No. 397 and

House Bill No. 1043, Printer's No. 433

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1232, as follows:

An Act authorizing the Secretary of Highways with the approval of the Governor to take over as State Highways public roads which connect existing State Highway routes with free interstate bridges and providing for construction reconstruction and maintenance at the expense of the Commonwealth

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Secretary of Highways with the approval of the Governor is hereby authorized to take over as a State Highway route any public road which forms a connection between a State Highway route and a free interstate bridge which is being maintained by the Commonwealth of Pennsylvania and an adjoining state

Section 2 The construction reconstruction and maintenance of any public road taken over as a State Highway route under the provisions of this act shall be at the expense of the Commonwealth of Pennsylvania under the provisions of present or future laws governing State Highways

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Gallagher,	McCosker,	Sax,
Andrews,	Getchey,	McCullough,	Scanlon,
Bane,	Gibson,	McDonald,	Schuster,
Barrett,	Goff,	McKinney,	Scott,
Baumunk,	Goodling,	McMillen,	Serrill,
Beech,	Gorman,	Mihm,	Shoemaker,
Bender,	Graybill,	Mikula,	Simons,
Bentzel,	Greenwood,	Miller,	Smith, C. C.,
Bloom,	Greer,	Mills,	Smith, C. M.,
Boies,	Griffiths,	Mintess,	Snider,
Bonawitz,	Guthrie,	Mohr,	Sollenberger,
Boorse,	Gyger,	Mooney,	Sorg,
Breisch,	Hall,	Moore, C. E.,	Sproul,
Brice,	Haller,	Moore, H. A.,	Stank,
Brown,	Haudenshield,	Morrison,	Stimmel,
Brunner,	Helm,	Murray,	Stockham,
Bucchin,	Henry,	Myers,	Stonier,
Cadwalader,	Hewitt,	Najaka,	Stuart,
Capano,	Hocker,	Naumann,	Swope,
Cassidy,	Hoffman,	Needham,	Tahl,
Chervenak,	Hoopes,	Neff,	Thomassy,
Chudoff,	Horan,	Nelson,	Thompson,
Clevenger,	Imbt,	O'Connor,	Tittle,
Cochran,	Jennings,	O'Dare,	Tompkins,
Cole,	Johnson,	O'Donnell,	Toomey,
Cook,	Johnston,	O'Neill,	Turner,
Cooper,	Jones,	Orban,	Upshur,
Cordier,	Jump,	Patten,	Vaughan,
Costa,	Kean,	Petrosky,	Verona,
Crowley,	Kelley,	Pichney,	Wachhaus,
Dague,	Kemp,	Pickens,	Wagner,
Dalrymple,	Kent,	Polaski,	Waldron,
Davison,	Kirley,	Powers,	Wallin,
De Long,	Kline,	Price,	Walton,
Demech,	Kohl,	Propert,	Waterhouse,
Dennison,	Kratz,	Ragot,	Watkins,
Depuy,	Krise,	Readinger,	Watson,
Dix,	Kurtz,	Reagan,	Weidner,
Dye,	Laughner,	Reese, D. P.,	Weiss,
Efenberg,	Layer,	Reese, R. E.,	Wescott,
Elder,	Lee,	Reilly, J. M.,	West,
Erb,	Leisey,	Reilly, W. J.,	Wheeler,
Evans,	Livingston,	Richter,	Wolf,
Ewing,	Livingstone,	Riley,	Wood,
Feola,	Loftus,	Robbins,	Worley,
Fish,	Lovett,	Robertson,	Yeakel,
Fiss,	Lyons,	Root,	Yester,
Flack,	Madden,	Rose,	Yetzer,
Fleming,	Madigan,	Rowen,	Young,
Foor,	Mazza,	Royer,	Lichtenwalter,
Frost,	McCormack,	Sarraf,	Speaker.

NAYS—1

Bower,

NOT VOTING—1

Trout.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 1, as follows:

An Act to further amend section three hundred forty-one of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges

including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" further defining and amplifying the powers of foreign insurance companies with relation to real property in this Commonwealth

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section three hundred forty-one of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" as amended by the act approved the fifteenth day of July one thousand nine hundred thirty-five (P. L. 1019) is hereby further amended to read as follows

Section 341 Power of Foreign Insurance Companies Et Cetera With Regard to Real Estate and Certain Other Property Any foreign or alien insurance company joint stock company or association authorized to transact business within this Commonwealth may acquire hold mortgage lease and transfer real property or any interest therein in this Commonwealth enter into agreements with one or more other insurance companies authorized to do business in this Commonwealth whereby the companies to such agreements shall participate in ownership management and control of real estate held by such company or by a corporation whose stock is held by such company and may invest in the capital stock and obligations of corporations organized for the purpose of acquiring real estate in this Commonwealth or interests therein in the same manner and subject to the same limitations as provided in this act for domestic insurance companies All the rights privileges and duties now by law accorded to and imposed upon lien creditors purchasing at judicial sales are hereby extended to such foreign and alien insurance companies

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—193

Aaronson,	Getchey,	McCosker,	Scott,
Andrews,	Gibson,	McCullough,	Serrill,
Bane,	Goff,	McDonald,	Shoemaker,
Barrett,	Goodling,	McKinney,	Simons,
Baumunk,	Gorman,	McMillen,	Smith, C. C.,
Beech,	Graybill,	Mihm,	Smith, C. M.,
Bender,	Greenwood,	Mikula,	Snider,
Bentzel,	Greer,	Miller,	Sollenberger,
Bloom,	Griffiths,	Mintess,	Sorg,
Boies,	Guthrie,	Mohr,	Sproul,
Bonawitz,	Gyger,	Moore, C. E.,	Stank,
Boorse,	Hall,	Moore, H. A.,	Stimmel,
Bower,	Haller,	Morrison,	Stockham,
Breisch,	Haudenshield,	Murray,	Stonier,
Brice,	Helm,	Myers,	Stuart,
Brown,	Henry,	Najaka,	Swope,
Brunner,	Hewitt,	Naumann,	Tahl,
Bucchin,	Hocker,	Needham,	Thomassy,
Cadwalader,	Hoffman,	Neff,	Thompson,
Capano,	Hoopes,	Nelson,	Tittle,
Cassidy,	Horan,	O'Connor,	Tompkins,
Chervenak,	Imbt,	O'Dare,	Toomey,
Chudoff,	Jennings,	O'Donnell,	Turner,
Clevenger,	Johnson,	O'Neill,	Upshur,
Cochran,	Johnston,	Patten,	Vaughan,
Cook	Jones,	Petrosky,	Verona,
Cordier,	Jump,	Pichney,	Wachhaus,
Costa,	Kean,	Pickens,	Wagner,
Crowley,	Kelley,	Polaski,	Waldron,
Dague,	Kemp,	Powers,	Wallin,
Dalrymple,	Kent,	Price,	Walton,
Davison,	Kirley,	Propert,	Waterhouse,
De Long,	Kline,	Ragot,	Watkins,
Demech,	Kohl,	Readinger,	Watson,
Dennison,	Kratz,	Reagan,	Weidner,
Depuy,	Krise,	Reese, D. P.,	Weiss,
Dix,	Kurtz,	Reilly, J. M.,	Wescott,
Dye,	Laughner,	Reilly, W. J.,	West,
Efenberg,	Layer,	Riley,	Wheeler,
Elder,	Lee,	Robbins,	Wolf,
Erb,	Leisey,	Robertson,	Wood,
Ewing,	Livingston,	Root,	Worley,
Feola,	Livingstone,	Rose,	Yeakel,
Fish,	Loftus,	Rowen,	Yester,
Fiss,	Lyons,	Royer,	Yetzer,
Flack,	Madden,	Sarraf,	Young,
Fleming,	Madigan,	Sax,	Lichtenwalter,
Foor	Mazza,	Scanlon,	Speaker.
Gallagher,	McCormack,		

NAYS—11

Cole,	Frost,	Mooney,	Richter,
Cooper,	Lovett,	Orban,	Schuster,
Evans,	Mills,	Reese, R. E.,	

NOT VOTING—1

Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration Senate Bill No. 2, as follows:

An Act to further amend the act approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance; amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" repealing sections four hundred four four hundred five and four hundred six thereof and adding new sections restating and changing requirements relating to the investment of the capital reserves and surplus of and relating to the real estate which may be held by life insurance companies and authorizing agreements between or among insurance companies concerning ownership and control of real estate owned by such companies or by corporations the stock of which is held or to be acquired by such companies

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections four hundred four four hundred five and four hundred six of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insur-

ance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" as last amended by the act approved the twenty-fourth day of May one thousand nine hundred forty-five (P. L. 977) are hereby repealed.

Section 2 Said act is hereby amended by adding after section four hundred three four new sections to read as follows

Section 404 Investment of Capital and Reserves—Subject to the provisions of section four hundred six point one the capital and not less than three-fourths (¾) of the reserves of any life insurance company organized under the laws of this Commonwealth shall be invested in the following classes of investment

(a) Government Obligations Bonds notes or obligations issued assumed or guaranteed by the United States or the Dominion of Canada or by any State District or Territory of the United States

(b) Governmental Subdivision or Public Instrumentality Obligations Valid and legally authorized bonds notes or obligations issued assumed or guaranteed by

(1) any city town county borough township municipality school district poor district water sewer drainage road or other governmental district or division located in the United States or any State District or Territory thereof or by

(2) any public instrumentality of one or more of the fore-going if by statutory or other legal requirements applicable thereto such bonds or other evidences of indebtedness of such instrumentality are payable as to principal and interest from taxes levied or by law required to be levied upon all taxable property or all taxable income within the jurisdiction of the governmental unit or units of which it is an instrumentality or from revenues pledged or otherwise appropriated or by law required to be provided for the purpose of such payment

(c) Railroad and Public Utility Obligations Bonds notes or obligations issued assumed or guaranteed by any solvent railroad or public utility corporation or public utility business trust incorporated or existing under the laws of the United States or of any State District or Territory thereof

(d) Other Corporate Obligations Bonds notes or obligations issued assumed or guaranteed by any other corporation or business trust incorporated or existing under the laws of the United States or of any State District or Territory thereof whose income available for fixed charges for the period of five (5) fiscal years next preceding the date of investment shall have averaged not less than one and one-half (1½) times its average annual fixed charges applicable to such period As used in this subsection the term "income available for fixed charges" shall mean income after deducting operating and maintenance expenses depreciation and depletion and taxes other than Federal or State income taxes but including extraordinary non-recurring items of income or expense appearing in the regular financial statements of the corporation or business trust and the term "fixed charges" shall include interest on funded and unfunded debt and amortization of debt discount and expense If income is determined in reliance upon consolidated income statements of parent and subsidiary corporations or business trusts such income shall be determined after provision for Federal and State income taxes of subsidiaries and after proper allowance for minority stock interest if any and the required coverage of fixed charges shall be computed on a basis including fixed charges and preferred dividends of subsidiaries other than those payable by subsidiaries to the parent corporation or business trust or to any other of such subsidiaries

In applying an income test under this section to any issuing, assuming or guaranteeing corporation or business trust whether or not in legal existence during the whole of the five (5) year period next preceding the date of investment which has at any time or times after the beginning of such period acquired the assets or the outstanding shares of capital stock of any other corporation or business trust by purchase merger consolidation or otherwise substantially as an entirety or has been reorganized pursuant to the bankruptcy law the income of such other predecessor or constitutent corporation or business trust or of the corporation or business trust so reorganized available for interest and dividends for such portion of such period as shall have preceded acquisition or reorganization may be included in the income of such issuing assuming or guaranteeing corporation or business trust for such portion of such period as may be determined in accordance with adjusted or pro forma consolidated income statements covering such portion of such period and giving effect to all stock or shares outstanding and all fixed charges existing immediately after acquisition or reorganization

(e) Trustees' Receivers' or Equipment Trust Obligations (1) Certificates notes or obligations issued by trustees or receivers of any corporation or business trust created or existing under the laws of the United States or of any State District or Territory thereof which or the assets of which are being administered under the direction of any court having jurisdiction if such obligation is adequately secured as to principal and interest

(2) Equipment trust obligations or certificates which are adequately secured or other adequately secured instruments evidencing an interest in transportation equipment wholly or in part within the United States and a right to receive determined portions of rental purchase or other fixed obligatory payments for the use or purchase of such transportation equipment

(f) Acceptances and Bills of Exchange Bank and bankers' acceptances and other bills of exchange of the kind and maturities made eligible pursuant to law for purchase in the open market by Federal Reserve Banks

(g) Real Estate Loans Ground rents and bonds notes or other evidences of indebtedness secured by mortgages or trust deeds upon unencumbered real property located in any State District or Territory of the United States and in investments in the equity of the seller under contracts for deeds covering the entire balance due on bona fide sales of such real property provided that a loan guaranteed or insured in full by the administrator of veterans' affairs pursuant to the provisions of the Federal Servicemen's Readjustment Act of 1944 as heretofore or hereafter amended may be subject to a prior encumbrance Real property shall not be considered to be encumbered within the meaning of this section by reason of the existence of instruments reserving mineral oil water or timber rights rights of way sewer rights rights in walls or driveways by reason of liens inferior to the lien securing the loan of the insurance company or liens for taxes or assessments not yet delinquent or by reason of building restrictions or other restrictive covenants or by reason of any lease under which rents or profits are reserved to the owner if in any event the security for such loan is a first lien upon such real property and if there is no condition or right of re-entry or forfeiture under which such lien can be cut off subordinated or otherwise disturbed No mortgage or trust deed loan or investment in a seller's equity under a contract for deed made or acquired by the insurance company on any one property shall at the date of investment exceed two-thirds (2/3) of the value of the real property securing the loan or subject to such contract provided that such limitation in respect to value shall not apply to a loan which is

(1) insured by or for which a commitment to insure has been made by the Federal Housing Administrator or Commissioner pursuant to the provisions of the Federal National Housing Act as heretofore or hereafter amended

(2) guaranteed by the Administrator of Veterans' Affairs pursuant to the provisions of the Federal Servicemen's Readjustment Act of 1944 as heretofore or hereafter amended except that if only a portion of a loan

is so guaranteed such limitation shall apply to the portion not so guaranteed

(3) insured by the Administrator pursuant to the provisions of the Federal Servicemen's Readjustment Act of 1944 as heretofore or hereafter amended or

(4) upon real estate under lease to a corporation or business trust incorporated or existing under the laws of the United States or any State District or Territory thereof whose income available for fixed charges for the period of five (5) fiscal years next preceding the date of investment shall have averaged not less than one and one-half (1½) times its average annual fixed charges applicable to such period if there is pledged and assigned as additional security for the loan and for application thereon sufficient of the rentals payable under the lease to provide for repayment of the loan within the unexpired term of the lease

(h) Purchase Money Securities Purchase money mortgages or like securities received by it upon the sale or exchange of real property acquired pursuant to section four hundred six

(i) Federal Housing Administrators Debentures Debentures issued by the Federal Housing Administrator or Commissioner in settlement of claims pursuant to the Federal National Housing Act as heretofore or hereafter amended

(j) National Mortgage Association Securities Securities of national mortgage associations or similar national mortgage credit institutions organized under the Federal National Housing Act as heretofore or hereafter amended

(k) Federal Land Bank Bonds Farm loan bonds issued by Federal Land Banks

(l) Loans Upon Leaseholds Loans upon leasehold estates on unencumbered real estate located in any State District or Territory of the United States Provided That no such loan shall exceed two-thirds (2/3) of the value of the leasehold at the date of investment unless such loan is guaranteed or insured by or for which a commitment to guarantee or insure such loan has been made by the Federal Housing Administrator or Commissioner pursuant to the provisions of the Federal National Housing Act as heretofore or hereafter amended Provided further That the terms of any such loan shall require repayments of principal at least once in each year in amounts sufficient to repay the loan within the term of the leasehold unexpired at the date of investment

(m) Policy Loans Loans upon the security of its own policies not exceeding the net value of the policy at the time of making the loan

(n) Savings and Loan Shares Shares of any Federal Savings and Loan Association or of any building and loan or savings and loan association to the extent that the withdrawal or repurchasable value of such shares is insured by the Federal Savings and Loan Insurance Corporation under the Federal National Housing Act as heretofore or hereafter amended

(o) Federal Savings and Loan Insurance Corporation obligations bonds notes or obligations issued assumed or guaranteed by the Federal Savings and Loan Insurance Corporation under the provisions of the Federal National Housing Act as heretofore or hereafter amended

(p) Federal Home Loan Bank obligations bonds notes or obligations issued assumed or guaranteed by the Federal Home Loan Bank or issued assumed or guaranteed by the Federal Home Loan Bank Board under the provisions of the Federal Home Loan Bank Act as heretofore or hereafter amended

(q) International Bank obligations in bonds notes or obligations issued assumed or guaranteed by the international bank for reconstruction and development

(r) Real Estate Such real estate located in any State District or Territory of the United States as such company is authorized to hold under subsection (a) (b) (c) or (d) of section four hundred six

Section 405 Investment of Surplus and Balance of Reserves Subject to the provisions of section four hundred six point one any surplus funds and the balance of the reserves of any life insurance company organized under the laws of this Commonwealth may be invested in the following classes of investment

(a) Classes Stated in Section 404 Any of the classes of investment stated in section four hundred four

(b) Corporate Stock or Shares Stock or shares of any solvent corporation incorporated under the laws of the United States or any State District or Territory thereof or of the Dominion of Canada or any Province thereof

(c) Corporate Obligations Bonds notes or obligations issued assumed or guaranteed by any solvent corporation or business trust incorporated or existing under the laws of the United States or any State District or Territory thereof or of the Dominion of Canada or any Province thereof

(d) Real Estate Such real estate located in any State District or Territory of the United States as it is authorized to hold under subsection (e) or (f) of section four hundred six

(e) Canadian Governmental Subdivision Obligations Valid and legally authorized bonds notes or obligations issued assumed or guaranteed by any Province county city town village municipality or political subdivision of the Dominion of Canada

(f) Collateral Loans Loans upon the pledge of securities stated in this section or section four hundred four provided the value of the security at the date of investment shall be at least twenty per cent (20%) more than the amount loaned thereon

Section 406 Real Estate Which May be Purchased Held or Conveyed Subject to the provisions of section four hundred six point one it shall be lawful for any life insurance company organized under the laws of this Commonwealth to purchase receive hold and convey real estate or any interest therein

(a) Required for its convenient accommodation in the transaction of its business with reasonable regard to future needs

(b) Acquired in satisfaction or on account of loans mortgages liens judgments or decrees previously owing to it in the course of its business

(c) Acquired in part payment of the consideration of the sale of real property owned by it if the transaction shall result in a net reduction in the company's investment in real estate

(d) Reasonably necessary for the purpose of maintaining or enhancing the sale value of real property previously acquired or held by it under subsection (a) (b) or (c) of this section

(e) Purchased leased or owned for the purpose of maintenance or construction and maintenance of housing projects consisting of apartment tenement or other dwelling houses which projects may include accommodations for retail stores shops offices and other community services reasonably incidental thereto and any improvement thereon but not hotels

(f) Purchased leased or owned for the purpose of renting for business commercial or industrial use or for development improvement maintenance or construction and maintenance for such purposes as an investment for the production of income

Section 406.1 General Investment Provisions and Restrictions Investment under authority of section four hundred four or four hundred five and holding of real estate under authority of section four hundred six by any life insurance company organized under the laws of this Commonwealth shall be subject to the following provisions

(a) The Insurance Commissioner may permit such company to invest sufficient of its capital and reserves in the securities of a foreign government in order to comply with the laws of such foreign government and transact business in such foreign country

(b) No investment shall be made in any unincorporated business or enterprise other than a business trust

(c) No investment shall be made in any loan upon personal security but nothing in this act shall be construed to prevent the taking of a bona fide obligation

with legal interest in payment of any premium or the making of a collateral loan as provided in section four hundred five

(d) No investment shall be made in any loan upon the stock sharer or obligation of such company or any other insurance company transacting like classes of business

(e) No investment shall be made in the stock or shares of such company or any other insurance company transacting like classes of business or of any corporation the owners of whose stock or shares may on account of ownership thereof become liable to any assessment other than for taxes or salaries or wages for services rendered to the corporation

(f) No investment in a single mortgage shall exceed ten thousand dollars ($10,000) or an amount equal to two per cent (2%) of such companys total admitted assets as of the thirty-first day of December next preceding the date of investment whichever is the greater

(g) No investment shall be made which would result in total investments in or in loans upon any of the following classes of investment of an amount in excess of the percentage of such company's admitted assets on the thirty-first day of December next preceding the date of investment which is specified in the class

(1) Stock or shares of any one corporation other than stock or shares of a corporation incorporated for a purpose stated in subsection (e) or (f) of section four hundred six all of whose stock or shares except directors' qualifying shares was at the time of acquisition owned by such insurance company or by insurance companies authorized to do business in this Commonwealth two per cent (2%)

(2) Common Stock or common shares of corporations excluding stock or shares of corporations incorporated for a purpose stated in subsection (e) or (f) of section four hundred six and excluding stock or shares guaranteed by corporations whose obligations would be eligible for investment under section four hundred four five per cent (5%)

(3) Stock or shares of corporations incorporated for a purpose stated in subsection (e) or (f) of section four hundred six and real estate or interest therein purchased leased or owned under authority of such subsections ten per cent (10%)

(4) Obligations and stock or shares of corporations or business trusts incorporated or existing under the laws of the Dominion of Canada or any Province thereof and bonds or evidences of indebtedness issued assumed or guaranteed by any Province of the Dominion of Canada or any county city town municipality or political subdivision located in the Dominion of Canada or any Province thereof five per cent (5%)

(h) The cost to such a company of improvements of each parcel of real estate acquired under subsection (f) of section four hundred six plus costs incurred by it in improving and developing such parcel shall be written down annually on the books of the company at a rate which will average not less than two per cent (2%) of such cost or costs for each year or part of a year the parcel is held after the date of acquisition

(i) Any parcel of real estate acquired by a company under any other subsection of section four hundred six may be held under authority of subsection (e) or (f) of section four hundred six upon transfer on the company's books as a real estate investment for the purpose stated in such subsection in which event the date of transfer shall be considered to be the date of acquisition in applying the provisions of this section to a parcel so transferred and for the purpose of applying the limitation of clause three of subsection (g) of this section the cost of the parcel shall be considered to be its book value on the date of transfer plus the estimated cost of improvement or development under any improvement or development program contemplated by the company

(j) Any such company may own hold maintain improve manage lease collect or receive income from sell transfer convey or assign any real estate or interest therein after acquisition thereof under authority of section four hundred six subject to the provisions of such section and of this section Provided That within such reasonable time as the Insurance Commissioner shall direct by written notice to such company any such company shall sell and dispose of any real estate or interest therein held by it under authority of subsection (b) (c) or (d) of section four hundred six and which shall have been so held for a period of more than five (5) years provided the Commissioner after due notice and hearing shall have found that such real estate or interest therein should be disposed of by such company in the interest of its policyholders' and that the interest of the company will not suffer materially by a forced sale except that any such company heretofore organized having the power to receive and execute trusts may take receive and hold estates and property real and personal which may be granted committed transferred or conveyed to it with its consent upon any trust or trusts whatsoever at any time or times or by any court of the United States or of this Commonwealth and may administer fulfill and discharge the duties of such trusts

(k) With the approval of the Insurance Commissioner such company may enter into agreements with one or more insurance companies authorized to do business in this Commonwealth whereby such companies shall participate in ownership management and control of real estate held or to be acquired by such company or companies under subsection (e) or (f) of section four hundred six or held by a corporation whose stock is held or to be acquired by such company or companies

(l) Subject to subsection (k) of this section no such company shall enter into any agreement to withhold any of its property from sale and the disposition of its property shall be at all times within the control of its board of directors or trustees

(m) No provision of this act shall be so construed as to prevent any such company from investing any of its capital reserve or surplus funds as authorized by acts or parts of acts not repealed by this act or from holding any of such funds in cash or deposits in banks or trust companies or from acquiring or holding property taken in reorganization or foreclosure proceedings or which may be obtained in satisfaction of or on account of any debt previously contracted

(n) Any such company may continue its investment of any of its capital reserve or surplus funds in any corporate bonds notes or obligations held by it on the effective date of this amendment under authority of section four hundred four as amended by the act approved the twelfth day of May 1939 (P. L. 131)

(o) No security or investment of a class stated in subfive shall by this act be authorized or permitted for investment of reserve funds of any such company if at the date of investment its total investment in classes of investment stated in section four hundred four is less than its capital and three-fourths (¾) of its reserves

(p) No such company shall acquire by purchase from the United States any housing project acquired by the Federal Works Administrator or the National Housing Administrator under the provisions of the act of Congress approved October 14 1940 as amended by the act approved April 29 1941 The Act approved June 28 1941 and the Act approved January 21 1942

(q) If any investment is made in a manner not authorized by this act the officers directors and trustees making or authorizing such investment shall be personally liable for any loss occasioned thereby

Section 3 The provisions of this act shall become effective immediately upon final enactment

On the question,

Will the House agree to the bill on third reading?

Mr. CLARENCE M. SMITH. Mr. Speaker, on last Wednesday a large number of our Members supported an amendment to this proposed bill, which we felt would

insure housing for all. The deliberations of this body were not in accordance with our wishes. We feel that as legislators we dare not harbor selfish and narrow prejudices, and that although the door to properly decent housing be not opened to all, we cannot by a negative vote close that door to some who need this provision, and so on behalf of the gentleman from Allegheny, Mr. Brown, and myself, in the fond hope that many will find their dream houses come true, we pledge our support to the bill.

Mr. UPSHUR. Mr. Speaker, I rise at this time in defense of Senate Bill No. 2. I put forth every effort to have an amendment attached to this bill, and since the majority of Members of this House did not see fit to uphold this amendment, I have no other alternative but to abide by the will of the majority.

In this democracy of ours, there is no man bigger than the party he represents, and regardless of how he feels, he must abide by the decision of the majority.

I will not at this time go on record of denying other groups from enjoying the benefits and privileges of good housing which this bill will bring about, but I do hope that with the confidence that this Legislature is placing in the insurance companies of this Commonwealth, that they will see fit to construct such houses and apartments that both Veterans and minorities will have the benefits and privileges that they may also enjoy.

I have no animosity toward the Members of this House who did not see fit to vote for this amendment, and at the same time, I wish to take this opportunity to extend to the Members of this House my sincere gratitude and appreciation to those who saw fit to vote to uphold the amendment.

Mr. Speaker, Members of the House, I shall cast my vote in the affirmative for Senate Bill No. 2.

Mr. CHUDOFF. Mr. Speaker, I still cannot conscientiously vote for this bill. Much was said last week that this bill will give G. I. Veterans' houses. If that were true I would be the first one to be for it. There is nothing in this bill to give any support for the belief that the insurance companies will build low rent housing or provide housing especially for Veterans. On the contrary this bill will leave the insurance companies free to build where it will give them the greatest return on their money. They have never even suggested that they will build G. I. houses or Veterans' houses. It is tragic to have so many Veterans' feel that they will get legislation from which they will get no benefit.

Mr. TURNER. Mr. Speaker, I have been for a long time opposed to opening this field to the life insurance companies. Those of you who were here in the session of 1945 know that I introduced a measure which I felt met the situation because at that time the arguments in favor of the admission of life insurance companies to this field were that they would build slum clearance and low cost housing developments to take care of low income groups.

We therefore enacted a bill which we felt would permit them to do that. In the two years that have transpired there has been no building of that kind. In this session these measures were introduced and immediately they were clothed with the argument that they were for the purpose of enabling the G. I. and the Veteran to secure a home, and from that standpoint they have had the active support of the servicemen in this House and in this State.

I still believe that there are inherent dangers in this legislation. In the first place I do not believe that the materials are available any more to the life insurance companies than they are to many of our builders.

I do not believe that materials will be any more available than they are to a great many of our builders unless the life insurance companies by their great purchasing power are able to control and corral the building materials which will then prevent the average builder in our community from having an opportunity to secure the supplies which he needs.

When you speak of the GI needing his home, just remember that there are also GI's that have entered the building game. I know of three in my immediate neighborhood, all of whom on their return from the service entered the building field, and it seems to me that they should also have their opportunity in the sun, their opportunity in life to build for themselves a business and give them an opportunity to earn a support for themselves and their families.

I do not believe that this bill is quite so concerned with the little fellow now as it is with the bigger builders. However, I predict that if the life insurance companies enter this field as they are promising to do, that in some future session, not to far distant, you will find that the small builder—and when I say small builder I do not mean the little itinerant local builder—I mean those who build in large quantities—I believe you will find that they have been driven from the field.

One of the great problems of this country has been the consolidation and merger of large corporations and the stifling of small business. The control that has been put on small business has made it very difficult for the small business man to exist, and yet the very backbone of America and of Pennsylvania is the small business man.

It is not the large corporations that pay the largest amount of taxes. The taxes that go to support the Commonwealth of Pennsylvania come mainly from small business, which is the backbone of the Commonwealth. It is small business that forms the framework upon which we hang our industry and business and agriculture in Pennsylvania. Therefore, I say to you that if you permit these great corporations with their tremendous capital, with their tremendous surplus and their tremendous funds to enter into this field to finance the purchase of materials in great quantities and to corner the market, that you are going to stifle the small business that exists in this State in the building industry.

I have listened to a great many arguments and I have talked to a great many men. I admit that this House has shown by its actions and by bills that it has passed that this House is in favor of this measure overwhelmingly.

On the off chance—and I think it is a very off chance, that these bills will produce building operations for the benefit of the G. I., I voted for Senate Bill No. 1 and intend to vote for No. 2, because I believe that in two years more there will be another Legislature here that will have a chance to review the record as I have tried to review it to you tonight about the happenings since the Session

of 1945, when we might know more whether we could get low cost housing as a result of this legislation. So in 1947 it is clothed and draped with the flag and carried by the G. I.'s in the hope that they are going to get homes—and I hope it is true, but you will return in 1949 and know by the record and have an opportunity to determine whether this was a wise procedure or not.

Mr. ANDREWS. Mr. Speaker, I voted for Senate Bill No. 1. I do not have the faintest idea of voting for Senate Bill No. 2. I find this measure objectionable from many points. First it comes into this House and into the committee with an inferior imprimitur upon it. It is a measure that the insurance companies don't want amended, and that is supposed to be a reason, a compelling reason, why it should not be amended.

I am opposed to banking legislation that the bankers say must not be amended. I am opposed to all "must" legislation designed to serve some special interest. This bill is objectionable from any point. Whenever any case will not stand on its own feet nowadays you dress it in uniform, wave the flag, and as the gentleman from Delaware said, say the soldiers want it.

Now, this is an insurance company bill. Review the record in this State and in New York State and in the Union and ask yourselves why we have an Insurance Department? It is because insurance companies can't be trusted; you have to regulate them. Some of the greatest scandals that ever disgraced this nation have been brought about in insurance company offices. Charles Evans Hughes was President for one day on the election returns until they changed, because he uncovered a collosal insurance scandal.

Now, if the insurance companies had any idea of building houses they would have brought in a housing bill. They do not have the faintest notion of building houses now. They are looking for an investment field, and they are not looking for an investment field now; they know as you know that there will be a drastic decline in real estate values in this country and in this State.

They are stuck with three per cent and four per cent contracts. They have only been making two and a half per cent, so they want to be in a position when the real estate market crashes and goes to the bottom to go out and invest their money in what will be a profitable investment.

I say to you again that if there could be building we have enough practical builders in the State of Pennsylvania. The insurance companies say that they have money to lend, and if building was feasible now on any large scale, your large scale builders would be building with borrowed money.

Now, to raise the question as to the advisability of permitting insurance companies to be involved in the risk incident to ownership and management and equity based upon a mortgage is one thing, and the responsibility in ownership and in management is another thing. When we open the door to insurance companies to own property and to manage property we subject them to all the risks incident to what we call private enterprise. Insurance companies have no right to risk their money, because it is your money.

Now, Members of the House, I want to reinforce what the gentleman from Delaware has said once again, that if it were possible to build houses, if materials were available, if housing was in the wood, the builders in Pennsylvania would be putting up so many houses that you couldn't count them.

What is there inherent in the management of an insurance company that enables it to conquer a housing situation that the experienced builders in Pennsylvania cannot even touch? This bill is false on its face; it doesn't mean what it says; it has been brought into this House with a "must" back of it. The insurance companies don't want any amendment, and I'll tell you, knowing insurance companies in the State of Pennsylvania, and having some notion of the ones that have failed and the ones that have been crooked, that when you see an insurance company bill that cannot be amended, look out for it, it is a dangerous, an inherently dangerous proposition.

I agree with the gentleman from Delaware that quite likely this bill will pass, and I want to go on record that if this bill passes the insurance companies will not in the immediate future build any houses and they will not go into the real estate game in a big way from the ownership and management point of view until the bottom falls out of the real estate market.

Mr. SORG. Mr. Speaker, I am going to vote for Senate Bill No. 2, and I am going to vote for it without reservation. I see nothing reprehensible in it, and without guaranteeing that tomorrow morning at ten o'clock or within one day after this bill is passed there will be low cost housing immediately, I only want to say that in voting for the measure I realize that there is a housing situation in the State of Pennsylvania, and I feel here is at least the possibility of some measure of approaching that particular problem. If they have some money to put into housing or any other kind of real estate in the State of Pennsylvania I say "Come on in."

Mr. ANDREWS. Mr. Speaker, I desire to interrogate the Majority leader.

The SPEAKER. Will the Majority leader, Mr. Sorg, permit himself to be interrogated?

Mr. SORG. I shall, Mr. Speaker.

Mr. ANDREWS. Mr. Speaker, has the Majority leader given any suggestion to this House that permanent investment in real estate at the present level is a good thing, a good long term investment over the years?

Mr. SORG. Mr. Speaker, I must indirectly answer the question of the gentleman, that if a housing authority were here, or any other similar measure to solve this problem were introduced, it would still be the money of the little fellow that would be used for it, and we need that housing now, whether it is a good investment or a bad one.

Mr. ANDREWS. Mr. Speaker, I thank the gentleman. He answered honestly. Neither he nor any other man of judgment could say that real estate at present levels was a safe long term investment of trust funds.

Mr. SORG. Mr. Speaker, if the House will have patience, I only want to say that it is just as safe for the one as it is for the other.

On the question recurring,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—157

Aaronson,	Greenwood,	Mikula,	Shoemaker,
Beech,	Greer,	Miller,	Simons,
Bender,	Griffiths,	Mintess,	Smith, C. C.,
Bentzel,	Guthrie,	Mohr,	Smith, C. M.,
Bloom,	Gyger,	Mooney,	Snider,
Bonawitz,	Helm,	Moore, C. E.,	Sollenberger,
Boorse,	Henry,	Moore, H. A.,	Sorg,
Bower,	Hewitt,	Morrison,	Sproul,
Breisch,	Hocker,	Murray,	Stimmel,
Brice,	Hoffman,	Myers,	Stockham,
Brown,	Hoopes,	Najaka,	Stonier,
Brunner,	Imbt,	Naumann,	Stuart,
Cadwalader,	Jennings,	Needham,	Thomassy,
Cassidy,	Johnson,	Neff,	Thompson,
Clevenger,	Johnston,	Nelson,	Tittle,
Cook	Jones,	O'Dare,	Tompkins,
Cordier,	Jump,	O'Donnell,	Toomey,
Costa,	Kelley,	O'Neill,	Turner,
Dalrymple,	Kemp,	Patten,	Upshur,
Davison,	Kent,	Pichney,	Vaughan,
De Long,	Kirley,	Powers,	Verona,
Demech,	Kline,	Price,	Wachhaus,
Dennison,	Kohl,	Propert,	Wagner,
Depuy,	Kratz,	Ragot,	Waldron,
Dye,	Kurtz,	Readinger,	Wallin,
Efenberg,	Laughner,	Reese, D. P.,	Walton,
Elder,	Layer,	Reese, R. E.,	Waterhouse,
Erb,	Lee,	Reilly, J. M.,	Watkins,
Ewing,	Leisey,	Reilly, W. J.,	Watson,
Feola,	Livingston,	Riley,	Weidner,
Fish,	Livingstone,	Robbins,	Weiss,
Flack,	Loftus,	Robertson,	Wescott,
Fleming,	Madigan,	Rose,	West,
Frost,	Mazza,	Rowen,	Wolf,
Gallagher,	McCormack,	Royer,	Wood,
Getchey,	McCosker,	Sarraf,	Worley,
Gibson,	McDonald,	Sax,	Yeakel,
Goodling,	McKinney,	Schuster,	Young,
Gorman,	McMillen,	Scott,	Lichtenwalter,
Graybill,	Mihm,		Speaker.

NAYS—29

Andrews,	Cochran,	Horan,	Reagan,
Bane,	Cooper,	Lovett,	Scanlon,
Barrett,	Crowley,	Lyons,	Serrill,
Baumunk,	Dix,	Mills,	Stank,
Boies,	Evans,	Orban,	Swope,
Bucchin,	Foor,	Petrosky,	Yester,
Chervenak,	Haller,	Polaski,	Yetzer,
Chudoff,			

NOT VOTING—19

Capano,	Hall,	McCullough,	Root,
Cole,	Haudenshield,	O'Connor,	Tahl,
Dague,	Kean,	Pickens,	Trout,
Fiss,	Krise,	Richter,	Wheeler,
Goff,	Madden,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

BILL PASSED OVER

There being no objection

Senate Bill No. 47, Printer's No. 73,

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 109, as follows:

An Act to amend section one of the act approved the tenth day of April one thousand nine hundred forty-five (P. L. 187) entitled "An act to provide for the receiving as evidence in any court office or other place in this State official findings records reports or certified copies thereof of death presumed death missing or other status issued by the Secretaries of War and Navy and other Federal officers and employees" providing that official statements of missing in action shall be prima facie evidence of death of the person therein named

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one of the act approved the tenth day of April one thousand nine hundred forty-five (P. L. 187) entitled "An act to provide for the receiving as evidence in any court office or other place in this State official findings records reports or certified copies thereof of death presumed death missing or other status issued by the Secretaries of War and Navy and other Federal officers and employes" is hereby amended to read as follows

Section 1 A written finding of missing in action or presumed death made by the Secretary of War the Secretary of the Navy or other officer or employee of the United States authorized to make such findings pursuant to the Federal Missing Persons Act (56 Stat 143 1092 and Pamphlet Laws 408 Ch 371 2d Sess 78th Cong 50 U S C App Supp 1001-17) as now or hereafter amended or a duly certified copy of such finding shall be received in any court office or other place in this State as prima facie evidence of the death of the person therein found to be missing in action or dead and the date circumstances and place of his disappearance

And said bill having been read at length the tihrd time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—204

Aaronson,	Frost,	McCormack,	Sarraf,
Andrews,	Gallagher,	McCosker,	Sax,
Bane,	Getchey,	McCullough,	Scanlon,
Barrett,	Gibson,	McDonald,	Schuster,
Baumunk,	Goff,	McKinney,	Scott,
Beech,	Goodling,	McMillen,	Serrill,
Bender,	Gorman,	Mihm,	Shoemaker,
Bentzel,	Graybill,	Mikula,	Simons,
Bloom,	Greenwood,	Miller,	Smith, C. C.,
Boies,	Greer,	Mills,	Smith, C. M.,
Bonawitz,	Griffiths,	Mintess,	Snider,
Boorse,	Guthrie,	Mohr,	Sollenberger,
Bower,	Gyger,	Mooney,	Sorg,
Breisch,	Hall,	Moore, C. E.,	Sproul,
Brice,	Haller,	Moore, H. A.,	Stank,
Brown,	Haudenshield,	Morrison,	Stimmel,
Brunner,	Helm,	Murray,	Stockham,
Bucchin,	Henry,	Myers,	Stonier,
Cadwalader,	Hewitt,	Najaka,	Stuart,
Capano,	Hocker,	Naumann,	Swope,
Cassidy,	Hoffman,	Needham,	Tahl,
Chervenak,	Hoopes,	Neff,	Thomassy,
Chudoff,	Horan,	Nelson,	Thompson,
Clevenger,	Imbt,	O'Connor,	Tittle,
Cochran,	Jennings,	O'Dare,	Tompkins,
Cole,	Johnson,	O'Donnell,	Toomey,
Cook,	Johnston,	O'Neill,	Turner,
Cooper,	Jones,	Orban,	Upshur,
Cordier,	Jump,	Patten,	Vaughan,
Costa,	Kean,	Petrosky,	Verona,
Crowley,	Kelley,	Pichney,	Wachhaus,
Dague,	Kemp,	Pickens,	Wagner,
Dalrymple,	Kent,	Polaski,	Waldron,
Davison,	Kirley,	Powers,	Wallin,
De Long,	Kline,	Price,	Walton,
Demech,	Kohl,	Propert,	Waterhouse,
Dennison,	Kratz,	Ragot,	Watkins,

Depuy,	Krise,	Readinger,	Watson,
Dix,	Kurtz,	Reagan,	Weidner,
Dye,	Laughner,	Reese, D P.,	Weiss,
Efenberg,	Layer,	Reese, R E.,	Wescott,
Elder,	Lee,	Reilly, J. M.,	West,
Erb,	Leisey,	Reilly, W. J.,	Wheeler,
Evans,	Livingston,	Richter,	Wolf,
Ewing,	Livingstone,	Riley,	Wood,
Feola,	Loftus,	Robbins,	Worley,
Fish,	Lovett,	Robertson,	Yeakel,
Fiss,	Lyons,	Root,	Yester,
Flack,	Madden,	Rose,	Yetzer,
Fleming,	Madigan,	Rowen,	Young,
Foor,	Mazza,	Royer,	Lichtenwalter, Speaker.

NAYS—0

NOT VOTING—1

Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 221, as follows:

An Act to add section sixteen point one to the act approved the seventeenth day of June one thousand nine hundred thirteen (P. L. 507 entitled "An act to provide revenue for State and county purposes and in cities coextensive with counties for city and county purposes imposing taxes upon certain classes of personal property providing for the assessment and collection of the same providing for the duties and compensation of prothonotaries and recorders in connection therewith and modifying existing legislation which provided for raising revenue for State purposes" by extending the time for payment of the tax without interest in certain cases staying distraint of execution on such taxes and requiring counties to make certain refunds

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the seventeenth day of June one thousand nine hundred thirteen (P. L. 507 entitled "An act to provide revenue for State and county purposes and in cities coextensive with counties for city and county purposes imposing taxes upon certain classes of personal property providing for the assessment and collection of the same providing for the duties and compensation of prothonotaries and recorders in connection therewith and modifying existing legislation which provided for raising revenue for State purposes" is hereby amended by adding immediately following section sixteen a new section to read as follows

Section 16.1 (a) Any tax imposed by section one of this act due and payable by any individual for any year during any part of which he served in the armed services of the United States in World War II may be satisfied upon payment prior to January first one thousand nine hundred forty-nine of the tax as originally due without the addition thereto of any interest or other penalty

(b) Distraint or execution shall be stayed until January first one thousand nine hundred forty-nine in the case of any lien arising from any such tax imposed by section one of this act due and payable by any individual for any year during any part of which he served in the armed forces of the United States in World War II

(c) The county shall refund any payment made by any individual on account of interest or penalty on any tax imposed by section one of this act for any year during any part of which such individual served in the armed forces of the United States in World War II provided written application for such refund is made to the county commissioners prior to January first one thousand nine hundred forty-eight

And said bill having been read at length the tihrd time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—204

Aaronson,	Frost,	McCormack,	Sarraf,
Andrews,	Gallagher,	McCosker,	Sax,
Bane,	Getchey,	McCullough,	Scanlon,
Barrett,	Gibson,	McDonald,	Schuster,
Baumunk,	Goff,	McKinney,	Scott,
Beech,	Goodling,	McMillen,	Serrill,
Bender,	Gorman,	Mihm,	Shoemaker,
Bentzel,	Graybill,	Mikula,	Simons,
Bloom,	Greenwood	Miller,	Smith, C. C.,
Boies,	Greer,	Mills,	Smith, C. M.,
Bonawitz,	Griffiths,	Mintess,	Snider,
Boorse,	Guthrie,	Mohr,	Sollenberger,
Bower,	Gyger,	Mooney,	Sorg,
Breisch,	Hall,	Moore, C. E.,	Sproul,
Brice,	Haller,	Moore, H. A.,	Stank,
Brown,	Haudenshield,	Morrison,	Stimmel,
Brunner,	Helm	Murray,	Stockham
Bucchin,	Henry,	Myers,	Stonier,
Cadwalader,	Hewitt,	Najaka,	Stuart,
Capano,	Hocker,	Naumann,	Swope,
Cassidy,	Hoffman,	Needham,	Tahl,
Chervenak,	Hoopes,	Neff,	Thomassy,
Chudoff,	Horan,	Nelson,	Thompson,
Clevenger,	Imbt,	O'Connor,	Tittle,
Cochran,	Jennings,	O'Dare,	Tompkins,
Cole,	Johnson,	O'Donnell,	Toomey,
Cook,	Johnston,	O'Neill,	Turner,
Cooper,	Jones,	Orban,	Upshur,
Cordier,	Jump,	Patten,	Vaughan,
Costa	Kean,	Petrosky,	Verona,
Crowley,	Kelley,	Pichney,	Wachhaus,
Dague,	Kemp,	Pickens,	Wagner,
Dalrymple,	Kent,	Polaski,	Waldron,
Davison,	Kirley,	Powers,	wallin,
De Long,	Kline,	Price,	Walton,
Demech,	Kohl,	Propert,	Waterhouse,
Dennison,	Kratz,	Ragot,	Watkins,
Depuy,	Krise,	Readinger,	Watson,
Dix,	Kurtz,	Reagan,	Weidner,
Dye,	Laughner,	Reese, D. P.,	Weiss,
Efenberg,	Layer,	Reese, R E.,	Wescott,
Elder,	Lee,	Reilly, J. M.,	West,
Erb	Leisey,	Reilly, W. J.,	Wheeler,
Evans,	Livingston,	Richter,	Wolf,
Ewing,	Livingstone,	Riley	Wood,
Feola,	Loftus,	Robbins,	Worley,
Fish,	Lovett,	Robertson,	Yeakel,
Fiss	Lyons,	Root,	Yester,
Flack	Madden,	Rose,	Yetzer,
Fleming,	Madigan,	Rowen,	Young,
Foor,	Mazza,	Royer,	Lichtenwalter, Speaker.

NAYS—0

NOT VOTING—1

Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The bill having been called up from the postponed calendar by Mrs. DYE.

The House resumed the consideration on third reading of House Bill No. 839, as follows:

An Act to amend the title and to further amend the act approved the thirteenth day of May one thousand nine

hundred twenty-seven (P. L. 988) entitled "An act providing for and regulating the State registration of nurses and licensed attendants the annual recording of registration certificates and regulating the profession of nursing and repealing certain existing laws" providing for the registration and licensing of practical nurses and the biennial recording of certificates

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title of the act approved the thirteenth day of May one thousand nine hundred twenty-seven (P. L. 988) entitled "An act providing for and regulating the State registration of nurses and licensed attendants the annual recording of registration certificates and regulating the profession of nursing and repealing certain existing laws" is hereby amended to read as follows

An Act providing for and regulating the State registration of nurses and licensed [attendants the annual] practical nurses the biennial recording of registration certificates and regulating the profession of nursing and repealing certain existing laws"

Section 2 Section one of said act as amended by the act approved the twenty-ninth day of April one thousand nine hundred thirty-five (P. L. 93) is hereby further amended to read as follows

Section 1 Be it enacted &c That the State Board of Examiners for Registration of Nurses hereinafter called the board shall adopt a seal and shall establish by-laws and regulations not inconsistent with law for its own government and for the execution of all of the laws which it is its duty to enforce or administer It shall meet annually for organization on a date to be fixed by the by-laws and at such other times as it may designate Its officers shall be elected for a term of one year and shall serve until their successors are elected All vacancies arising in said offices shall be filled by the board in like manner for the unexpired term It shall not have any power in any way to fix prices or in any way control the compensation received by the registered nurse or licensed [attendant] practical nurse

Section 3 Section two of said act is hereby amended to read as follows

Section 2 The board shall once every year and at such other times and under such conditions as shall be provided by the by-laws examine all applicants eligible for examination to determine their qualifications for registration as registered nurses or licensed [attendants] practical nurses and shall issue to each person passing said examination to the satisfaction of the board a proper certificate setting forth that such person has been registered as specified thereon

Section 4 Section three of said act as last amended by the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 514) is hereby further amended to read as follows

Section 3 No application for original registration as a registered nurse shall be considered unless accompanied by a fee of ten ($10.00) dollars Every applicant to be eligible for examination as a registered nurse must furnish evidence satisfactory to the board that he or she is twenty-one years of age or over is a citizen of the United States is of good moral character has completed work equal to a standard high school course as evaluated by the Department of Public Instruction and [has graduated from a school of nursing which gives at least two years' course of instruction or has received instruction in different schools of nursing connected with hospitals for periods of time amounting to at least a two years' course as aforesaid and then graduated which] shall be a graduate in good standing and hold a diploma from an approved school of nursing which (a) gives a course of not less than three years in an accredited hospital having a daily average of at least one hundred patients and whose program provides either in said hospital or in another accredited hospital professional experience in the nursing care of medical surgical obstetrical pediatric and psychiatric patients or (b) gives a course of not less than three years including the work outlined in (a) above in an approved hospital now having a daily average of less than one hundred patients but over fifty patients which hospital has affiliation providing not less than six months of experience in which may be obtained such added experience as in the opinion of the board will meet the requirements under (a) or (c) is established in a university or college which may be associated with approved institutions and agencies giving supplemental related training and shall be associated with an accredited public or private hospital or hospitals in giving a combined course of preclinical and clinical training the clinical portion of which shall include professional experience in the nursing care of the types of patients enumerated in and shall be in the opinion of the board the equivalent of the work required under (a) above Such school or combination of schools [of nursing] must be on the approved list issued by the State Board of Examiners for Registration of Nurses as hereinafter provided Provided That a graduate nurse registered in any state of the United States where the requirements for registration in the judgment of the board are at least equal to the requirements of law for such nurses in Pennsylvania may at the discretion of the board be registered without examination upon application in writing on forms provided by the board and upon the payment of a fee of ten ($10.00) dollars And provided that any applicant who is a citizen of the United States and who was eligible for examination for registration in the Commonwealth of Pennsylvania as a registered nurse prior to September first one thousand nine hundred and thirty-eight may upon application in writing on forms provided by the board and upon the payment of a fee of ten ($10.00) dollars be granted registration by examination based upon the submission of evidence showing that he or she had met the requirements for registration in the State of Pennsylvania which obtained at the time of his or her graduation from an accredited school of nursing or without examination if the applicant shall show to the satisfaction of the board that he or she graduated prior to June first one thousand nine hundred and twelve from a reputable hospital or sanitarium or training school where a systematic course of practical instruction in nursing was given This amendment shall become effective immediately upon final enactment and continue for the duration of the present war between the United States and any foreign country and one year after cessation of hostilities

Section 5 Sections four and five of said act as amended by the act approved the twenty-ninth day of April one thousand nine hundred thirty-five (P. L. 93) are hereby further amended to read as follows

Section 4 No application for original registration as a licensed [attendant] practical nurse shall be considered unless accompanied by a fee of [five ($5.00)] ten ($10.00) dollars Every applicant for examination as a licensed [attendant] practical nurse must furnish evidence satisfactory to the board that he or she is [twenty-one] nineteen years of age or over is a citizen of the United States is of good moral character has completed the work equal to the first eight grades of elementary education as evaluated by the Department of Public Instruction and has satisfactorily completed a course of training of not less than nine months as prescribed by the said board in some institution [for the mentally sick in a convalescent home or in any institution of a similar nature not having a school of nursing] approved by the board or has had training which in the opinion of the board warrants the examination of said person for registration as a licensed [attendant] practical nurse for the care of the sick

Provided That the board may admit to examination for registration as a licensed practical nurse any applicant who shall within one year from the date of the approval of this act make application therefor and who shall furnish evidence satisfactory to the board that he or she is nineteen years of age or over is a citizen of the United States is of good moral character has satisfactorily completed the work in eight grades of elementary education has been lawfully and reputably employed in practical nursing in Pennsylvania for at least one year prior to the approval of this act except that all or part of the required

experience of any applicant acquired while in the armed services of the United States may have been acquired outside of the State of Pennsylvania and who has been a bona fide resident of the State of Pennsylvania for one year immediately preceding the passage of this act

And provided further That an applicant who is a graduate of a school for practical nurses located in another state and approved by the appropriate agency of such state who has been licensed as a practical nurse or attendant in that state and who meets the foregoing requirements as to age citizenship and character may at the discretion of the board be registered as a licensed practical nurse in Pennsylvania without examination

Section 5 The board shall [on or before March first of each year publish and distribute a list of all registered nurses and licensed attendants to whom have been issued "Certificates of Record" as hereinafter provided for the current year and shall] at intervals regulated by its by-laws prepare and make available for public distribution lists of all schools of nursing or combination of schools [of nursing] approved by it the graduates of which shall be eligible for examination as registered nurses and shall prescribe courses of training the satisfactory completion of which shall make applicants eligible for examination as licensed [attendants] practical nurses Provided That the removal of any school from the approved list shall not make any bona fide student therein at the time of said removal ineligible for examination

Section 6 Section six of said act is hereby amended to read as follows

Section 6 Any person who has a valid certificate of registration as a registered nurse or licensed [attendant] practical nurse and who has a "Certificate of Record" for the current [year] period as hereinafter provided may practice as such and use the title Registered Nurse and the abbreviation RN or the title Licensed [Attendant] Practical Nurse and the abbreviation [L A] L P N as the case may be This act shall not be construed so as to affect in any way the right of persons to nurse gratuitously or for hire or to nurse and use the term 'practical nurse' the purpose of this legislation being to secure the registration of those nurses and licensed [attendants] practical nurses only who are properly qualified therefor and to prevent the use of titles or abbreviations which would tend to mislead or deceive the public nor shall anything contained herein be considered as conferring any authority to practice medicine or to undertake the treatment and cure of disease in violation of the laws of this Commonwealth

Section 7 Section seven of said act as amended by the act approved the twenty-ninth day of April one thousand nine hundred thirty-five (P. L. 93) is hereby further amended to read as follows

Section 7 Each person registered with the board as a registered nurse or licensed [attendant shall annually] practical nurse shall biennially on or before the first day of November of each even numbered year cause his or her certificate to be recorded in the office of the board The fee for such recording shall be [one $1.00) dollar] two ($2.00) dollars for the certificate of a registered nurse [and fifty cents] or for the certificate of a licensed [attendant] practical nurse The form and method of such recording of certificates shall be provided for by the board in such manner as will enable the board to carry into effect the purposes of this act

Section 8 Sections eight nine and ten of said act are hereby amended to read as follows

Section 8 Each person causing his or her certificate of registration to be recorded as required by law shall be given a card called a "Certificate of Record" showing the [year] period for which it is valid and which shall entitle the recipient to practice as set forth thereon

Section 9 It shall be unlawful for any one without a valid "Certificate of Record" as provided for herein to practice as a registered nurse or licensed [attendant] practical nurse or in any way hold himself or herself out to be such and he or she shall upon conviction thereof before any magistrate alderman or justice of the peace in the county where the offense shall have been committed be subject to a fine of not less than ten ($10.00) dollars and not more than one hundred ($100.00) dollars to be collected by summary conviction as like fines are now collected by law or in case of nonpayment of the fine to undergo an imprisonment in the county jail for a period not exceeding ten (10) days Provided That any person so convicted shall have the right to appeal as in any other case of summary conviction

Section 10 After the passage of this act it shall be unlawful for any person without a valid certificate of registration to practice as or profess to be a registered nurse or licensed [attendant] practical nurse or assume or use either of said titles or use the abbreviations R N [L A] L P N or any other letters or figures indicative of his or her being a registered nurse or licensed [attendant] practical nurse or unless lawfully entitled to practice as a graduate nurse at the time this act becomes effective to use the title graduate nurse or any equivalent thereof unless graduated from a school of nursing approved at the time of such graduation The board shall have the power through any of its members or employes to institute any prosecutions under this act Every person who shall violate any of the provisions of this section or shall wilfully make make false representations to the said board in applying for registration as aforesaid shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than fifty ($50.00) dollars and not more than two hundred ($200.00) dollars for each offense or in case of nonpayment of the fine to undergo an imprisonment in the county jail for a period not exceeding thirty (30) days

Section 9 Section eleven of said act as last amended by the act approved the eleventh day of April one thousand nine hundred forty-five (P. L. 204) is hereby further amended to read as follows

Section 11 The board may suspend or revoke any certificate of registration in any case where the board shall find

(a) That said registrant is guilty of a crime or of gross immorality

(b) That said registrant is unfit or incompetent by reason of negligence habits or other causes

(c) That said registrant has wilfully or repeatedly violated any of the provisions of this act or of the by-laws and regulations of the board

(d) That said registrant has committed fraud or deceit in the practice of nursing or in securing his or her admission to such practice

(e) That said registrant has been convicted or has pleaded guilty or entered a plea of nolo contendere or has been found guilty by a judge or jury of a crime or has been dishonorably discharged or discharged under circumstances amounting to a dishonorable discharge from the military forces of the United States or of any other country

(f) That said registrant is an habitual drunkard or is addicted to the use of morphine cocaine or other drugs having a similar effect or if he or she shall become mentally incompetent

(g) That any registrant is continuing to practice as a registered nurse or as a licensed [attendant] practical nurse when such registrant knows he o rshe has an infectious communicable or contagious disease

(h) That said registrant has been guilty of unprofessional conduct or such conduct as to require a suspension or cancellation in the public interest

Such suspension or revocation shall be made only in accordance with the by-laws and regulations of the board but any suspension or revocation shall only be by unanimous vote of the members of the board after a [full and fair] hearing fixed thereon before the board upon the question of a suspension or a revocation and after thirty days' notice of the time and place of said hearing and a copy of the charges preferred have been sent by registered mail to the holder of the certificate at his or her last known address Any person aggrieved by the action of the board in suspending or revoking a certificate of registration may appeal therefrom within thirty days after such action to the court of common pleas of Dauphin County which court shall hear the matter de novo and shall enter such order affirming modifying or revising the

action of the board as to it shall appear proper The action of the court on any such appeal shall be final The board by unanimous action and in accordance with its by-laws and regulations may reissue a certificate of registration to a person who has had the same suspended or revoked under the provisions of this section providing that in case of revocation an interval of one year has elapsed since the date of such revocation

And said bill having been read at length the tihrd time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—126

Aaronson,	Gorman,	Moore, H. A.,	Smith, C. C.,
Andrews,	Greer,	Morrison,	Smith, C. M.,
Bane,	Guthrie,	Murray,	Snider,
Beech,	Gyger,	Naumann,	Sollenberger,
Bentzel,	Helm,	Needham,	Sorg,
Boorse,	Hoffman,	Neff,	Stimmel,
Bower,	Hoopes,	Nelson,	Stockham,
Breisch,	Horan,	O'Connor,	Swope,
Brunner,	Imbt,	O'Dare,	Tahl,
Bucchin,	Jones,	O'Donnell,	Thomassy,
Capano,	Jump,	O'Neill,	Thompson,
Chervenak,	Kelley,	Patten,	Turner,
Chudoff,	Kemp,	Petrosky,	Upshur,
Clevenger,	Kent,	Pichney,	Vaughan,
Cooper,	Kline,	Pickens,	Verona,
Costa,	Kratz,	Polaski,	Wagner,
Davison,	Laughner,	Powers,	Waldron,
De Long,	Lee,	Price,	Wallin,
Demech,	Leisey,	Ragot,	Walton,
Dix,	Livingston,	Reilly, W. J.,	Watkins,
Dye,	Loftus,	Richter,	Watson,
Efenberg,	Madigan,	Riley,	Weiss,
Elder,	Mazza,	Robertson,	West,
Erb,	McCormack,	Root,	Wheeler,
Ewing,	McCullough,	Rose,	Wood,
Feola,	McKinney,	Rowen,	Worley,
Fiss,	Mihm,	Sarraf,	Yeakel,
Fleming,	Mikula,	Sax,	Yester,
Foor,	Mintess,	Scanlon,	Yetzer,
Frost,	Mohr,	Scott,	Lichtenwalter,
Gallagher,	Mooney,	Serrill,	Speaker.
Gibson,	Moore, C. E.,	Shoemaker,	

NAYS—51

Barrett,	Dennison,	Kirley,	Reilly, J. M.,
Baumunk,	Evans,	Kohl,	Robbins,
Bender,	Fish,	Layer,	Schuster,
Bloom,	Flack,	Livingstone,	Simons,
Bonawitz,	Goodling,	Lovett,	Sproul,
Cadwalader,	Graybill,	Lyons,	Stonier,
Cassidy,	Greenwood,	Madden,	Stuart,
Cochran,	Griffiths,	McDonald,	Tittle,
Cole,	Haller,	Myers,	Wachhaus,
Cook,	Henry,	Najaka,	Waterhouse,
Cordier,	Hocker,	Orban,	Wolf,
Crowley,	Johnston,	Propert,	Young,
Dalrymple,	Kean,	Reese, R. E.,	

NOT VOTING—28

Boies,	Hall,	McCosker,	Royer,
Brice,	Haudenshield,	McMillen,	Stank,
Brown,	Hewitt,	Miller,	Tompkins,
Dague,	Jennings,	Mills,	Toomey,
Depuy,	Johnson,	Readinger,	Trout,
Getchey,	Krise,	Reagan,	Weidner,
Goff,	Kurtz,	Reese, D. P.,	Wescott,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

CONCURRENT RESOLUTION

RECALLING HOUSE BILL No. 35 FROM GOVERNOR

Mr. SORG offered a resolution which was read, considered and adopted as follows:

In the House of Representatives, May 5, 1947.

Resolved (if the Senate concurs), that House Bill No. 35, Printer's No. 442, entitled "An act to further amend the act approved the twenty-fifth day of July one thousand nine hundred thirteen (P. L. 1024) entitled 'An act to protect the public health and welfare by regulating the employment of females in certain establishments with respect to their hours of labor and the conditions of their employment by establishing certain sanitary regulations in the establishments in which they work by requiring certain abstracts and notices to be posted by providing for the enforcement of this act by the Commissioner of Labor and Industry and others by prescribing penalties for violations thereof by defining the procedure in prosecutions and by repealing all acts and parts of acts inconsistent with the provisions thereof' changing hours of labor and restrictions relative to age in certain employments and extending provisions to include additional persons," be recalled from the Governor for further consideration.

Ordered, That the Clerk present the same to the Senate for concurrence.

RESOLUTION

Mr. DEMECH offered a resolution which was filed with the Clerk under the Rules.

BILL ON SECOND READING

Mr. O'CONNOR asked and obtained unanimous consent to call up House Bill No. 1185, Printer's No. 516, on page 14 of today's calendar, bills on second reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1185, entitled:

An Act to further amend section one of the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 844) entitled as amended "An act authorizing the Commonwealth of Pennsylvania or any department or division thereof and counties cities boroughs incorporated towns townships school districts vocational school districts and institution districts to make contracts of life health hospitalization medical services and accident policies for the benefit of employes thereof and contracts for pensions for such employes and providing for the payment of the cost thereof" by extending the provisions of this act to elected and appointed officers

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

SENATE MESSAGES

HOUSE BILL CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 554.

An Act providing that in cities of the first class in all cases where taxes are due and unpaid upon a single tract

of land and it is desired to divide such tract into separate parcels the Board of Revision of Taxes may apportion such taxes ratably between or among the parcels so divided and providing that upon payment of the taxes and proper costs on any such parcel it shall be released from the lien

With the information that the Senate has passed the same without amendment.

TIME OF NEXT MEETING

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, May 5, 1947.

Resolved (if the House of Representatives concur) That when the Senate adjourns this week it reconvene on Monday, May 12, 1947, at three o'clock p. m., Eastern Standard Time, and when the House of Representatives adjourns this week it reconvene on Monday, May 12, 1947 at 3:30 o'clock p. m., Eastern Standard Time.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, presented extracts from the Journal of the Senate:

Senate Bills for concurrence 372, 491, 556 and 613.

Amended House Bills returned for concurrence 875.

Amended Senate Bills concurred in by Senate 313.

Resolution concurred in by Senate relative to Palestine question.

FORMER MEMBERS WELCOMED

The SPEAKER. The Chair, was informed earlier that there were two former members of the House present, the gentleman from Berks, Mr. Marks, and the gentleman from Berks, Mr. McAtee.

COMMITTEE MEETINGS

Cities—Third Class, Room No. 521, Tuesday, May 6, 1947, at 10 a. m., D. S. T.

Counties, Room No. 329, Tuesday, May 6, 1947, at 11:30 a. m., D. S. T.

Judiciary, Room No. 438, Tuesday, May 6, 1947, at 11 a. m., D. S. T

Military Affairs, Room No. 329, Tuesday, May 6, 1947, at 10:30 a. m., D. S. T.

Public Utilities, Room No. 323, Tuesday, May 6, 1947, at 10 a. m., D. S. T.

Workmen's Compensation, Room No. 330, Tuesday, May 6, 1947, at 10 a. m., D. S. T.

ADJOURNMENT

Mr. O'DARE. Mr. Speaker, I move that this House do now adjourn until Tuesday, May 6, 1947 at 12:00 noon, Eastern Standard Time.

The motion was agreed to, and (at 6:09 p. m., E. S. T.) the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1947. 137th of the General Assembly.

Vol. 30. HARRISBURG, PA., TUESDAY, MAY 6, 1947. No. 51.

SENATE

TUESDAY, May 6, 1947

The Senate met at 2:00 o'clock, p. m., Eastern Standard Time.

The PRESIDENT pro tempore (M. Harvey Taylor) in the Chair.

PRAYER

The Chaplain, Rev. W. MURRAY YOUNG offered the following prayer:

O God of love so strong and true, we praise Thee that Nature has broken forth in rapturous beauty—glorious Springtime, how delicate with the fragrance of Heaven; how sacred in her virtuous guise! Oh that men would praise the Lord for His goodness and for His wonderful works to the children of men.

Heavenly Father we thank Thee for days gone by; we trust Thee for the days ahead. O Trinity of Purity, Wisdom, and Power, fill the hours with steady and well-measured counsel, honoring our blessed State and Nation whose servants we are. Keep us calm amid discussions, and self-possessed when the storm breaks or confusion threatens. We beseech Thee to attend our Governor, our Lieutenant-Governor, and this honorable Senate. Bless all who are dear and near to the members of this body by the ties of love and memory. In the name of Him who is able to keep us from falling and to present us faultless before His throne, we offer this petition. Amen!

JOURNAL APPROVED

The PRESIDENT pro tempore. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. TALLMAN and Mr. MALLERY, further reading was dispensed with, and the Journal was approved.

The PRESIDENT pro tempore. As this is going to be a very calm session, the Chair will, at this time, call to the rostrum Senator Heyburn, from Delaware County, to preside.

The PRESIDING OFFICER (Weldon B. Heyburn) in the Chair.

HOUSE MESSAGES

HOUSE CONCURS IN SENATE CONCURRENT RESOLUTION

The Clerk of the House of Representatives being introduced informed the Senate that the House has concurred in resolution from the Senate as follows:

TIME OF NEXT MEETING

In the Senate, May 5, 1947.

Resolved (if the House of Representatives concur) That when the Senate adjourns this week it reconvene on Monday, May 12, 1947, at three o'clock p. m., Eastern Standard Time, and when the House of Representatives adjourns this week it reconvene on Monday, May 12, 1947 at 3:30 o'clock p. m., Eastern Standard Time.

RESOLUTION RECALLING FROM THE GOVERNOR HOUSE BILL No. 35, PRINTER'S No. 442

He also presented extract from the Journal of the House of Representatives, which was twice read as follows, considered and agreed to:

In the House of Representatives, May 5, 1947.

Resolved (if the Senate concur), That House Bill No. 35, Printer's No. 442, entitled:

An Act to further amend the act, approved the twenty-fifth day of July, one thousand nine hundred thirteen (P. L. 1024), entitled "Female Labor Law," changing hours of labor and restrictions relative to age in certain employments; and extending provisions to include additional persons.

be recalled from the Governor for further consideration.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE CONCURS IN SENATE BILL No. 1

He also returned to the Senate, Senate Bill No. 1, entitled:

An Act to further amend section three hundred forty-one of the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 682), entitled "An act relating to insurance amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance, exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," further defining and amplifying the powers of foreign insurance companies with relation to real property in this Commonwealth.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 2

He also returned to the Senate, Senate Bill No. 2, entitled:

An Act to further amend the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by State Workmen's Insurance Fund; providing penalties; and repealing existing laws," repealing sections four hundred four, four hundred five, and four hundred six thereof, and adding new sections restating and changing requirements relating to the investment of the capital reserves and surplus of and relating to the real estate which may be held by life insurance companies; and authorizing agreements between or among insurance companies concerning ownership and control of real estate. owned by such companies or by corporations the stock of which is held or to be acquired by such companies.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 109

He also returned to the Senate, Senate Bill No. 109, entitled:

An Act to amend section one of the act, approved the tenth day of April one thousand nine hundred forty-five (P. L. 187), entitled "An act to provide for the receiving, as evidence in any court, office, or other place in this State, official findings, records, reports, or certified copies thereof, of death, presumed death, missing or other status issued by the Secretaries of War and Navy, and other Federal officers and employees," providing that official statements of missing in action shall be prima facie evidence of death of the person therein named.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 221

He also returned to the Senate, Senate Bill No. 221, entitled:

An Act to add section sixteen point one to the act, approved the seventeenth day of June, one thousand nine hundred thirteen (P. L. 507), entitled "An act to provide revenue for State and county purposes, and, in cities coextensive with counties, for city and county purposes; imposing taxes upon certain classes of personal property; providing for the assessment and collection of the same, providing for the duties and compensation of prothonotaries and recorders in connection therewith; and modifying existing legislation which provided for raising revenue for State purposes," by extending the time for payment of the tax without interest in certain cases; staying distraint or execution on such taxes; and requiring counties to make certain refunds.

with the information that the House has passed the same without amendments.

HOUSE BILLS FOR CONCURRENCE

He also presented for concurrence bills of the House, as follows:

House Bill No. 106, entitled:

An Act requiring that all meetings of legislative bodies of political subdivisions and of boards, commissions and authorities created by or operating as agencies of political subdivisions at which ordinances, resolutions, rules, regulations and other actions are adopted to be open to the public; permitting the holding of executive sessions from which the public is excluded but prohibiting the adoption of ordinances, resolutions, rules, regulations, and actions at such sessions.

Which was committed to the Committee on Local Government.

House Bill No. 429, entitled:

An Act to further amend section eleven of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 748), entitled as amended "The Pennsylvania Securities Act," changing provisions relating to display or advertisement of fact of registration.

Which was committed to the Committee on Judiciary General.

House Bill No. 735, entitled:

An Act to amend sections four thousand three hundred twenty, four thousan three hundred twenty-one, four thousand three hundred twenty-two, four thousand three hundred twenty-three, four thousand three hundred twenty-four and four thousand three hundred twenty-five of the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "Third Class City Law," by requiring cities to establish a Firemen's Pension Fund and to make contributions to such fund, and providing for and regulating the management and operation of such fund.

Which was committed to the Committee on Local Government.

House Bill No. 817, entitled:

An Act defining and regulating certain installment sales fo motor vehicles; prescribing the conditions under which such sales may be made and regulating the financing thereof; regulating and licensing persons engaged in the business of making or financing such sales; prescribing the form, contents and effect of instruments used in connection with such sales and the financing thereof; prescribing certain rights and obligations of buyers, sellers, persons financing such sales and others; limiting incidental charges in connection with such instuments; and fixing maximum interest rates for delinquencies, extensions and loans; regulating insurance in connection with such sales; regulating repossessions, redemptions, resales and deficiency judgments, and the rights of parties with respect thereto; authorizing extensions, loans and forbearances related to such sales; authorizing investigations and examinations of persons engaged in the business of making or financing such sales; prescribing penalties; and repealing certain acts.

Which was committed to the Committee on Banking.

House Bill No. 818, entitled:

An Act to further amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "Administrative Code of 1929" by creating the Pennsylvania Consumer Credit Commission as a departmental administrative commission within the Department of Banking fixing the compensation of the members thereof; defining its powers and duties; and eliminating provisions relating to the non-existent Board to License Private Bankers.

Which was committed to the Committee on Banking.

House Bill No. 819, entitled:

An Act to further amend section one of the act, approved the seventeenth day of June, one thousand nine hundred fifteen (P. L. 1012), entitled "Small Loan Act (Loan Brokers Registration)" by transferring the powers and duties heretofore imposed upon the Secretary of Banking and the Department of Banking to the Pennsylvania Consumer Credit Commission; providing for the receipt of certain license fees by, and their deposit in, a fund for the use of the commission; and reliving licensees from payment of cost of examinations of their businesses.

Which was committed to the Committee on Banking.

House Bill No. 820, entitled:

An Act to amend the title of, and the act, approved the eighth day of April, one thousand nine hundred thirty-seven (P. L. 262), entitled "Consumer Discount Comany Act" by defining the term "commission"; transferring the powers and duties heretofore imposed upon the Secretary of Banking to the Pennsylvania Consumer Credit Commission; providing for the use by the said commission of certain funds; and relieving licensees from payment of cost of examination of their businesses.

Which was committed to the Committee on Banking.

House Bill No. 821, entitled:

An Act to amend the title of, and the act approved the sixth day of April, one thousand nine hundred thirty-seven (P. L. 200), entitled "Pawnbrokers License Act" by defining the term "commission"; transferring the powers and duties heretofore imposed upon the Secretary of Banking to the Pennsylvania Consumer Credit Commission; providing for the use by the said commission of certain funds; and relieving licensees from payment of cost of examinations of their businesses.

Which was committed to the Committee on Banking.

House Bill No. 822, entitled:

An Act to add section four point one to the act, approved the first day of June, one thousand nine hundred forty-five (P. L. 1359), entitled "An act relating to chattel mortgages on any chattel or chattels of any kind or description, including, but not limited to, livestock, poultry, farm machinery, farm equipment and crops, grown, growing or to be grown; designating the operation and effect of the lien of such mortgages; providing for the filing, indexing and docketing of such mortgages and related instruments in prothonotaries' offices; and prescribing prothonotaries' fees; providing for the filing in Pennsylvania of similar lien instruments originally filed or recorded in other states; regulating the assignment, release, satisfaction and extension of the lien of such mortgages; prescribing methods of foreclosure; defining defaults and violations; and fixing penalties," limiting and regulating the liability of chattels for subsequent purchases.

Which was committed to the Committee on Banking.

House Bill No. 823, entitled:

An Act to add section eleven point one to the act, approved the twelfth day of May one thousand nine hundred twenty-five (P. L. 603), entitled "An act concerning conditional sales and to make uniform the law relating thereto," limiting and regulating liability of goods for subsequent purchases.

Which was committed to the Committee on Banking.

House Bill No. 824, entitled:

An Act limiting and regulating liability of goods, wares and merchandise, purchased under bailment lease contracts, for subsequent purchases; and making certain contracts void and unenforceable.

Which was committed to the Committee on Banking.

House Bill No. 839, entitled:

An Act to amend the title and to further amend the act, approved the thirteenth day of May, one thousand nine hundred twenty-seven (P. L. 988), entitled "Nurses Registration Law," providing for the registration and licensing of practical nurses and the biennial recording of certificates.

Which was committed to the Committee on Education.

House Bill No. 1232, entitled:

An Act authorizing the Secretary of Highways with the approval of the Governor to take over as State Highway public roads which connect existing State Highway routes with free interstate bridges and providing for construction reconstruction and maintenance at the expense of the Commonwealth.

Which was committed to the Committee on Highways.

RESOLUTION INTRODUCED AND REFERRED

Mr. DiSILVESTRO. Mr. President and members of the Senate, protests have poured in concerning increases in prices of food and clothing, notwithstanding the lifting of price control by the government. Millions of dollars are being withdrawn from the banks, and government bonds are being disposed of by the wage-earner to keep pace with the increased cost of living. How long this condition can continue without dire results to our economic system is a matter of conjecture. A depression, however, is in the offing, and it will leave in its wake starvation, poverty and general distress. A repetition of the disaster of 1929 is going to come as sure as death and taxes unless it is averted with more intelligence and foresight than was displayed during the twenties. And I predict that American labor and the people will endure it with less docility than in 1929. Incidents are to-day occurring quickly and will require immediate and bold action to stave them off.

Governor Duff very wisely warned us about these critical times in which we are living. President Truman, realizing the great danger that attaches to inflation, has requested immediately reduction in prices. This already serious situation will be further aggravated when and if rent-control ceases to exist.

The head of the National Association of Wholesalers re-emphasizes what President Truman has already stated, and I quote: "The price level is too high and it is out of relationship with the income level of most wage earners, and that a consumer-buying resistance has set in which might bring a threat of major depression."

We can appreciate what damage has been done to our people through the deliberate hiking of prices on the necessities of life. President Truman's plea apparently has fallen upon deaf ears. The industrialist, the manufacturer, and the producer obviously do not realize the danger confronting us, and greedy, selfish and unscrupulous as ever, continue to pour gold into their overflowing coffers, at the expense of the public. I wonder whether they have lost their sense of values. I further wonder whether they have ceased to view things in the

proper perspective. Their shortsighted policy of gouging the public is now having its repercussions and will in time act as a bomerang. I am of the firm opinion that their present conduct will pave the way for some form of ism. The times call for the exercise of prudence and extreme care—immediate planning and action should be the order of the day, and let us look to the future as well as to the present. Otherwise they are courting disaster and will bring about a condition they loathe, and that is government control and regulation.

It is high time that the practice of soaking the poor and wage earner should be discontinued particularly, when his earning power is being reduced and unemployment is increasing. At the present rate a depression is in the offing and the big money men unwittingly are hastening the day. If anything, they ought to plan counter-depression measures. It seems to me they intend to sit and await events in vacuous expectation that Providence will perform a miracle. The idea of watchful waiting and trusting to luck has proven to be a fallacy. Their very silence and inactivity, and above all, the business men's shortsightedness, brought on the debacle of 1929.

Our wage earners are entitled to the primary wants of life—food, clothing and shelter. Without it there is great danger to our civilization. I therefore say to them with all the emphasis at my command—keep the prices of food, clothing and shelter within the range of our people.

As representatives of the people—we owe a duty to them; immediate action is necessary.

Mr. President, on behalf of Senator Jaspan and myself, I offer the following resolution.

RESOLUTION

COMMITTEE BE APPOINTED TO MAKE IMMEDIATE STUDY OF PRESENT INDUSTRIAL, ECONOMIC AND SOCIAL CONDITIONS AND DETERMINE WAYS OF DETERRING BUSINESS DECLINE

Mr. DiSILVESTRO. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Messrs. DiSILVESTRO and JASPAN offered the following resolution which was twice read as follows, and referred to the Committee on Public Health and Welfare:

In the Senate, May 6, 1947.

Whereas, The primary needs of human life are food, clothing and shelter; and

Whereas, The Federal government during the war regulated the prices of food, clothing and shelter; and

Whereas, The Federal government has abandoned price control except as to sugar, rice and rents and there is a strong likelihood that Congress will shortly abandon rent control; and

Whereas, It was hoped that when the Federal government relinquished price control, prices would go down and actually did go down for a short time but today without any price control, prices have risen approximately twenty-five per cent (25%) above the prices as fixed by the government under O.P.A. During the same interval, unemployment has increased and the actually amount paid to many employes has gone down. Consequently, a great many persons cannot meet the higher costs of living without depleting their savings and many others have already depleted their savings and have been obliged to borrow money or to obtain credit on a large scale and there is great danger that they will be unable to meet their obligations when they fall due because of present conditions, the result of which will bring about bankruptcies, choas, confusion and a depression; and

Whereas, The facts above recited are well known to intelligent people in every walk of life, yet many industrialists have little regard for the needs and wants of the average wage earner and the people at large because of the lure for immediate profits of large proportions. They hope to get their abnormal profits before the industrial collapse sets in—the desperate race is on! This is an extremely dangerous situation and if some action is taken at once, it may be possible to head off the ravishing effects of a depression, therefore, be it

Resolved (if the House of Representatives concurs) That a committee of seven members be created, four members to be named by the President Pro Tempore and three members to be named by the Speaker of the House of Representatives whose duty it shall be to immediately make a complete study of present industrial, economic and social conditions so as to determine possible ways of arresting the present threatened business decline and to revive employment and to consider the desirability of reestablishing price controls on food and clothing, and that the said committee shall complete its study and make such recommendation to the General Assembly by the first day of June, one thousand nine hundred forty-seven.

REPORTS FROM COMMITTEES

BILLS RE-REFERRED

Mr. FARRELL, from the Committee on State Government, reported as committed, Senate Bill No. 379, entitled:

An Act to protect and promote the public safety, and welfare by providing for the registration and regulation of watchmakers; prescribing the terms upon which licenses or certificates of registration may be issued to watchmakers including apprentices; defining the duties of the Pennsylvania Board of Examiners in Watchmaking; including the right to revoke licenses, prescribing fees, defining certain misdemeanors and providing penalties for violation thereof and repealing present laws inconsistent therewith.

Which was re-referred to the Committee on Education.

He also, from the Committee on State Government, reported as committed, Senate Bill No. 380, entitled:

An Act to further amend section two hundred and two in part, and to add section four hundred and fifty-three to the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," creating a departmental adminis-

trative board in the Department of Public Instruction known as Pennsylvania Board of Examiners in Watchmaking and fixing qualifications and compensation of members.

Which was re-referred to the Committee on Education.

Mr. MAHANY, from the Committee on Judiciary General, reported as committed, Senate Bill No. 615, entitled:

An Act making provisions for community property law; providing that the act shall apply to husbands and wives and their property subsequent to the effective date of the act; defining separate property and the community property of the husband and wife; providing for the management, control and disposition thereof, including the homestead; defining the ownership of funds on deposit in any bank or banking institution; providing for the rights and remedies of creditors; providing that either spouse may give or convey his or her community property to the other; providing for disposition of community property on dissolution of marriage; providing for the substitution of one spouse under certain conditions for the other through legal proceedings in the management, control and disposition of community property; providing for the administration and distribution of the interests of a deceased spouse in community property.

Mr. BLASS, from the Committee on State Government, reported as committed, Senate Bill No. 253, entitled:

An Act concerning liens of factors on merchandise and on any proceeds arising from the sale of such merchandise, and defining "factor" as one that lends or advances money on the security of merchandise whether or not employed to sell such merchandise.

He also, from the Committee on Judiciary General, reported as committed, Senate Bill No. 551, entitled:

An Act guaranteening any person accused of the commission of crime the protection of the law; providing the procedure therefor; and prescribing penalties.

He also, from the Committee on Judiciary General, reported as committed, Senate Bill No. 562, entitled:

An Act to amend section two and the first paragraph of section thirty of the act approved the sixth day of April, ninteen hundred thirty-seven (P. L. 200) entitled "An act licensing and regulating the business of pawnbrokers; providing for the issuance of licenses by the Secretary of Banking; authorizing the Secretary of Banking to make examinations and issue regulations; limiting the interest and charges on loans; and prescribing penalties for the violation of this act," excluding storage warehousemen from the provisions thereof.

REPORTS FROM COMMITTEES

Mr. BLASS. Mr. President, before reporting a bill from committee, I desire at this time to make a few preliminary remarks.

The legislature in 1945 authorized the Joint State Government Commission to appoint a committee to consolidate, amend and revise the penal laws of the Commonwealth. The Joint State Government Commission appointed three Senators and three Representatives. In addition to myself, Senator Paul M. Crider, and Senator Israel Stiefel, Representative Francis Worley, Representative Charles H. Brunner and Representative Joseph Skale served on this committee.

To this committee there was given an advisory committee consisting of a number of judges, a number of deans of law schools throughout the state, a number of district attorneys and a number of defense counsel. The deans of the law schools were:

Dean C. Gerald Brophy, of Duquesne University.

Dean Judson A. Crane, University of Pittsburgh.

Dean W. H. Hitchler, Dickinson School of Law.

Dean Edwin R. Keedy, School of Law, University of Pennsylvania.

Dr. Negley K. Teeters, Temple University.

The judges assigned to this committee were:

Thomas J. Baldrige, Judge of the Superior Court of Pennsylvania.

M. J. Eagan, Judge of the Court of Common Pleas, Lackawanna County.

James Gay Gordon, Judge, Court of Common Pleas No. 2, Philadelphia.

Harry S. McDevitt, Judge, Court of Common Pleas No. 1, Philadelphia.

W. C. Sheely, President Judge, Court of Common Pleas, Adams County.

Joseph Sloane, Court of Common Pleas No. 7, Philadelphia.

Robert E. Woodside, Jr., Judge, Court of Common Pleas, Dauphin County.

Burton R. Laub, Judge, Erie County.

The district attorneys were:

Carl B. Shelly, District Attorney, Dauphin County.

Franklin E. Barr, Assistant District Attorney, Philadelphia County.

Edwin M. Clark, District Attorney, Indiana County.

George F. P. Langfitt, Assistant District Attorney, Allegheny County.

Leon Schwartz, District Attorney, Luzerne County.

In addition, there were attached to this committee:

William B. McClenachan Jr., Esq., of Chester.

Thomas D. McBride, Attorney, Philadelphia.

Carl Helmetag, of the Legal Department of the Pennsylvania Railroad of Philadelphia.

To these men I have just mentioned the Commonwealth of Pennsylvania owes an eternal debt of gratitude for their untiring efforts and their energy in formulating what I think is one of the most concise, simple, streamlined piece of legislation that has ever been offered in this chamber and will perhaps serve the Commonwealth of Pennsylvania for a number of years to come.

This is not only a compilation and codification of all the existing penal statutes of Pennsylvania, but it is a streamlined piece of legislation in simplified language, so that everybody can understand, with a degree of uniformity in its compilation.

Mr. President, I therefore have the great honor and privilege of reporting at this time, by direction of the Committee on Judiciary General, Senate Bill 306, known as the Crimes Act of 1947, as amended.

Mr. BLASS, from the Committee on Judiciary General, reported or as amended, Senate Bill No. 306, entitled:

An Act to consolidate, amend and revise the penal laws of the Commonwealth.

Mr. WAGNER, from the Committee on State Government, reported as committed, Senate Bill No. 659, entitled:

An Act to amend section one hundred one of the act approved the twenty-eight day of May, one thousand

nine hundred thirty-seven (P. L. 1019), entitled "An act relating to statutory laws; prescribing an enacting clause for statutes; fixing the effective date and time of statutes hereafter enacted; providing for notice of application for local and special legislation, for the correction of errors in statutes, and for the printing and publication of statutes; prescribing rules for the interpretation of statutes; defining certain words and phrases when used in statutes; and prescribing rules for the construction and operation of amendments, re-enactments and repeals of statutes", by defining "municipality authority" or "municipal authority".

He also, from the Committee on State Government, reported as committed, House Bill No. 215, entitled:

An Act to further amend paragraph six of section one of the act, approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858), entitled "An act establishing a State employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing State employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon the heads of departments in which State employes serve; excepting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," including within the definition of State employe, employes of the Pennsylvania Turnpike Commission.

Mr. CRIDER, from the Committee on State Government, reported as committed, Senate Bill No. 637, entitled:

An Act authorizing the creation of mosquito control districts in or among the political subdivisions of the Commonwealth; defining their powers and duties; providing for the membership thereof; providing for cooperation with the Department of Agriculture and other State agencies and requiring certain reports.

He also, from the Committee on Forests and Waters, Game and Fish, reported as committed, House Bill No. 652, entitled:

An Act to amend sub-section (g) of section nine hundred forty-two and clause (f) of section nine hundred forty-three of Article IX of the act approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," by regulating the use of posters comparable to those used by the Game Commission, and providing penalties.

Mr. LORD, from the Committee on Judiciary General, reported as committed, House Bill No. 438, entitled:

An Act to further amend section three of and add section four to the act, approved the twenty-fourth day of May, one thousand eight hundred ninety-three (P. L. 129), entitled "An act to empower boroughs and cities to establish a police pension fund, to take property in trust therefor, and regulating and providing for the regulation of the same," deleting provisions relating to termination of right to participate in the fund and regulation thereof; and providing that compensation or pension is not to be subject to attachment execution assignment or transfer and payable only to beneficiary designated in person.

He also, from the Committee on State Government, reported as committed, Senate Bill No. 638, entitled:

An Act authorizing the Pennsylvania Historical and Museum Commission to release certain historic documents to the Attorney General of the United States for exhibition on the "Freedom Train."

Mr. STEVENSON, from the Committee on Appropriations, reported as amended, Senate Bill No. 413, entitled:

An Act making an appropriation to the Department of Welfare to reimburse state-aided hospitals for part of the cost of training student nurses in approved schools of nursing.

Mr. STIEFEL, from the Committee on Appropriations reported as amended, Senate Bill No. 33, entitled:

An Act making an appropriation to the Department of Forests and Waters for the permanent improvement and development of the Delaware Division of the Pennsylvania Canal.

Mr. ROSENFELD, from the Committee on Banking, reported as committed, House Bill No. 1137, entitled:

An Act to further amend the act, approved the twenty-sixth day of May, one thousand nine hundred thirty-three (P. L. 1076), entitled "An act to provide for the organization, incorporation, operation, and supervision of cooperative savings and credit associations, to be termed credit unions; designating such credit unions as corporations, and defining their powers and duties; conferring certain powers and duties on the Department of Banking; and providing penalties," further defining the membership of credit Unions and permitting loans to other credit unions.

Mr. KLEIN, from the Committee on State Government, reported as committed, House Bill No. 285, entitled:

An Act to further amend section seven of the act, approved the twenty-seventh day of April, one thousand nine hundred twenty-seven (P. L. 450), entitled, as amended, "An act relating to fires and fire prevention; imposing duties and conferring powers upon the Pennsylvania State Police; authorizing the appointment of the chiefs of fire departments and certain public officers and others as assistants to the Pennsylvania State Police, and defining their powers and duties; providing for the investigation of the cause, origin, and circumstances of fires and the inspection of all, and the removal or change of, certain buildings by owners and occupants thereof, including political subdivisions; imposing duties on school authorities and on certain corporations, associations, and fire rating agencies; providing for the attendance of witnesses before the Pennsylvania State Police, and the enforcement of its orders; and prescribing penalties," by further imposing duties on certain school authorities.

Mr. TARR, from the Committee on State Government, reported as committed, Senate Bill No. 519, entitled:

An Act to amend the title and to further amend section one of the act approved the twelfth day of May, one thousand nine hundred forty-three (P. L. 259) entitled "An act providing for the payment by the State Treasurer, of one-half of the amount of the tax on premiums paid by foreign casualty insurance companies, to the treasurers of the several cities, boroughs, towns and townships, and for the payment thereof into police pension funds, and in certain cases into the Municipal Employes' Retirement System, and in certain other cases into the State Employes' Retirement Fund, for certain purposes," as last amended by the act approved the sixth day of April, one thousand nine hundred forty-five (P. L. 160) by adding to the title and by adding section one and one-tenth a provision relating to the purchase by the municipality of Pension Annuity Contracts for policemen.

He also, from the Committee on State Government, reported as committed, Senate Bill No. 665, entitled:

A Supplement to the act, approved the seventh day of August, one thousand nine hundred forty-one (P. L. 887), entitled "An act authorizing the Department of Property and Supplies, with the approval of the Governor and the Department of Welfare, to acquire certain land adjacent to and for the use of the Scranton State Hospital, providing for the improvement and use thereof, authorizing the City of Scranton to pay the costs of such improvements in whole or in part, and making an appropriation," making an appropriation to the Department of Property and Supplies for the payment of the cost of acquiring certain property, and the improvement and beautification thereof.

BILL REPORTED FROM COMMITTEE

Mr. WILSON. Mr. President, before reporting a bill from the Committee on Constitutional Changes and Federal Relations I ask permission to make just a few words of statement at this time.

Mr. President, I am reporting from the committee on Constitutional Changes and Federal Relations House Bill 1053, as amended.

The reason I do that is that there are two members of this committee who were somewhat timid about saying that I have their permission to do so today, because they would benefit by it—they are soldiers. This is what has been commonly called the bonus bill and it has to be, as you know, a resolution and House Bill 1053 is a joint resolution which was passed by the House without a dissenting vote, that is, 200 to 0. It has been in the hands of our committee for some time and we have talked in various directions and listened to others but, on account of pressure of other business, this bill was not acted on before, not because they were unwilling to go on record for having considered it, because the Senate would certainly not dalay it.

Therefore I take pleasure in reporting unanimously, by permission of these two who are somewhat timid, with all the others, both Democrats and Republicans, authorizing me to do this, and the only reason I make these words of statement is because these two young gentlemen have intimated to me that perhaps I should.

REPORT FROM COMMITTEE

Mr. WILSON, from the Committee on Constitutional Changes and Federal Relations, reported as committed, House Bill No. 1053, entitled:

A Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Pennsylvania by adding thereto a new section authorizing the creation of an additional debt by the Commonwealth for the payment of compensation to certain veterans.

BILLS INTRODUCED AND REFERRED

Mr. GELTZ read in his place and presented to the Chair Senate Bill No. 713, entitled:

An Act creating a commission to make a thorough study of the tax laws of the Commonwealth and of other states and countries in order to ascertain ways and means of financing the Commonwealth upon a more scientific and equitable basis; providing for its appointment; authorizing the employment of necessary assistants; prescribing the powers and duties of the commission; and making an appropriation.

Which was committed to the Committee on Finance.

Mr. HOMSHER read in his place and presented to the Chair Senate Bill No. 714, entitled:

An Act to further amend section seven of the act approved the eleventh day of May, one thousand nine hundred five (P. L. 518), entitled "An act making an appropriation for the erection of a home or school for indigent orphans to be called the Thaddeus Stevens Industrial and Reform School of Pennsylvania, in which school provision shall be made for giving instruction in reading, writing, arithmetic, drawing, duties of citizenship, elementary manual training, the elements of farming, and other requisite branches," by changing the name of the Thaddeus Stevens Industrial and Reform School of Pennsylvania to "Thaddeus Stevens Trade School".

Which was committed to the Committee on Education.

Messrs. LORD and STIEFEL read in place and presented to the Chair Senate Bill No. 715, entitled:

An Act making an appropriation to the Pennsylvania State College of Optometry, Philadelphia, Pennsylvania.

Which was committed to the Committee on Appropriations

Mr. DiSILVESTRO read in his place and presented to the Chair Senate Bill No. 716, entitled:

An Act to further amend the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1237), entitled "An act affecting marital relations; prescribing grounds and regulating proceedings for divorce and the annulment of bigamous marriages; and amending, revising, and consolidating the law relating thereto," providing for the appointment of conciliation commissioners by the several courts of common pleas in matters of divorce; and fixing the salaries and prescribing the duties of such commissioners.

Which was committed to the Committee on Judiciary General.

NOMINATIONS BY THE GOVERNOR

NOTARIES PUBLIC

The Secretary of the Governor being introduced, presented in writing from his Excellency, the Governor of the Commonwealth, nominations for appointment as Notaries Public.

CONSIDERATION OF NOTARIES PUBLIC

Mr. WOLFE. Mr. President, I move that the Senate do now proceed to the consideration of nominations for appointment as Notaries Public, sent to the Senate, by his Excellency, the Governor of the Commonwealth, on May 6, 1947.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

The nominations were read as follows:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 6, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Miss D. M. Regan, Pittsburgh, First National Bank Building.

BERKS COUNTY

Howard J. Dietrich, Kutztown.
Norman Kaplan, Reading.
Mrs. Constance H. Webster, Reading.

BUCKS COUNTY

Jos. L. Fewry, Bristol Twp., Bristol.

LACKAWANNA COUNTY

John Dano, Scranton.

LEHIGH COUNTY

C. Hartline, Bethlehem.

McKEAN COUNTY

James F. McVay, Bradford.

MERCER COUNTY

Miss Ida Mae Allen, Sharon.

MONTGOMERY COUNTY

Raymond S. Elliott, Pottstown.

PHILADELPHIA COUNTY

Mrs. Edythe Ageldinger, Phila., 213 S. Broad St.
Frank Pepe, Phila., 1237 Wolf St.

WARREN COUNTY

R. J. Weigle, Warren.

YORK COUNTY

George A. Lippy, Hanover.

JAMES H. DUFF.

NOMINATIONS FOR NOTARIES PUBLIC

A motion was made by Mr. WOLFE and Mr. TAYLOR,

That the Senate do advice and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Frazier,	Mahany,	Tyler,
Becker,	Geltz,	Mallery,	Wade,
Berger,	Haluska,	Margle,	Wagner,
Blass,	Hare,	Rahauser,	Walker,
Carr,	Holland,	Rosenfeld,	Watson,
Chapman,	Homsher,	Ruth,	Wilson,
Crider,	Jaspan,	Scarlett,	Wolfe,
Crowe,	Kephart,	Snowden,	Wood, L. H.,
Dent,	Klein,	Stevenson,	Wood, T. N.,
DiSilvestro,	Lane,	Stiefel,	Woodring,
Doehla,	Leader,	Tallman,	Heyburn,
Donlan,	Letzler,	Tarr,	Presiding Officer
Farrell,	Lord,	Taylor,	

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

He also presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows, and referred to the Committee on Executive Nominations.

ALDERMAN

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 6, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Charles F. Kuhns, 51 Cinderella Street, Wilkes-Barre, Luzerne County, for appointment as Alderman in and for the Eleventh Ward of the City of Wilkes-Barre, Luzerne County, until the first Monday of January, 1948, vice Michael J. Schappert, deceased.

JAMES H. DUFF.

CONGRATULATIONS EXTENDED TO SENATOR DENT

Mr. FRAZIER. Mr. President, as the session goes on and on and on—I can not say fifty "ons", we are going to get into some controversial matters, and I think maybe we will get into some controversy this afternoon and, therefore, before that occurs, I want to take this opportunity of saying to the Senator from Westmoreland county that if conditions change in his county, or if conditions change by reason of what he has to say on various occasions and he should happen to be left home, I think we could find a good job for him in the Senate as chief cook and chef, because he did a fine job today and I hope he stays here for many years to do the same kind of job.

RESOLUTION INTRODUCED AND AGREED TO

Mr. WALKER. Mr. President, I desire to present a concurrent resolution and ask unanimous consent for its immediate adoption.

For the information of the members of the Senate, this is a resolution recalling from the Governor Senate Bill 148, Printer's No. 146, which was reported from the Committee on Judiciary General, passed both the House and the Senate, and we would like to bring it back for the purpose of an amendment—we would like to insert a clarifying amendment due to a typographical error in the bill.

Therefore, Mr. President, I request immediate consideration of the resolution.

SENATE CONCURRENT RESOLUTION RECALLING FROM THE GOVERNOR SENATE BILL No. 148, PRINTER'S No. 146

Mr. WALKER offered the following resolution which was twice read, considered and agreed to:

In the Senate, May 6, 1947.

Resolved (if the House of Representatives concur), that Senate Bill No. 148, Printer's No. 146, entitled "An act to amend the act approved the fifth day of June one thousand nine hundred thirty-seven (P. L. 1703) entitled 'An act relating to criminal prosecutions, limiting the effect of demurrers by defendants at the close of the cases of the Commonwealth' providing for the disposition of cases where evidence has been improperly admitted and the court has failed to sustain the demurrer at the close of the Commonwealth's case", be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present same to the House of Representatives for concurrence.

CALENDAR

BILLS ON FINAL PASSAGE CALENDAR

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 337, on final passage, entitled:

An Act to further amend the act approved the seventh day of June one thousand nine hundred seventeen (P. L. 447) entitled as amended "An act relating to the administration and distribution of the estates of decedents and of minors and of trust estates including the appointment bonds rights powers and duties liabilities accounts discharge and removal of executors administrators guardians and trustees herein desingated as fiduciaries and the administration and distribution of the estates of presumed decedendts widow's and children's exemptions debts of decedents rents of real estate as assets for payment thereof the lien thereof sales and mortgages of real estate for the payment thereof judgments and executions therefor and the discharge of real estate legacies including legacies charged on land the discharge of residuary estates and of real estate from the lien of legacies and other charges and appraisement of real estate devised at a valuation the ascertainment of the curtilage of dwelling houses or other buildings devised the abatement and survival of actions and the substitution of executors and administrators therein the survival of causes of action and suits thereupon by or against fiduciaries investments by fiduciaries the organization of corporations to carry on the business of decedents the audit and review of accounts of fiduciaries refunding bonds transcripts to the court of common pleas of balances due by fiduciaries the rights powers and liabilities of nonresident and foreign fiduciaries the appointment bonds rights powers duties and liabilities of trustees durante absentia the recording and registration of decrees reports and other proceedings and the fees therefor appeals in certain cases and also generally dealing with the jurisdiction powers and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents" by permitting the investment of trust funds by fiduciaries in municipality authority bonds. meeting certain requirements

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON FINAL PASSAGE

Agreeably to order,

The Senate resumed the consideration of House Bill No. 785, as follows:

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in whcih the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by creating the Public Service Institute Board in the Department of Public Instruction and defining its powers and duties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 As much as applies to the Deartment of Public Instruction of section two hundred two of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments board commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and emloyes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" as last amended by the acts approved the twenty-fifth day of May one thousand nine hundred forty-five (P. L. 1015) and the sixth day of June one thousand nine hundred forty-five (P. L. 1398) is hereby further amend to read as follows

Section 202 Departmental Administrative Boards and Commissions and offices The following boards Commissions and offices are hereby placed and made departmental administrative boards commissions or offices as the case may be in the respective administrative departments mentioned in the proceeding section as follows

* * * * *

In the Department of Public Instruction
State Council of Education
State Real Estate Commission
Pennsylvania State Board of Censors
Public Schools' Employes' Retirement Board
Board of Trustees of Thaddeus Steven Industrial School
Board of Trustees of Pennsylvania State Oral School for the Deaf
Board of Trustees of Pennsylvania Soldiers' Orphan School
Board of Trustees of West Chester State Teachers' College
Board of Trustees of Millersville State Teachers' College
Board of Trustees of Kutztown State Teachers' College
Board of Trustees of East Stroudsburg State Teachers' College
Board of Trustees of Mansfield State Teachers' College
Board of Trustees of Bloomsburg State Teachers' College
Board of Trustees of Shippensburg State Teachers' College
Board of Trustees of Lock Haven State Teachers' College
Board of Trustees of Indiana State Teachers' College
Board of Trustees of California State Teachers' College
Board of Trustees of Slippery Rock State Teachers' College
Board of Trustees of Edinboro State Teachers' College
Board of Trustees of Clarion State Teachers' College
Board of Trustees of Cheyney Training School for Teachers
State Board of Medical Education and Licensure
State Board of Pharmacy
State Dental Council and Examining Board
State Board of Optometrical Examiners
State Board of Osteopathic Examiners
Osteopathic Surgeons' Examining Board

State Board of Examiners for the Registration of Nurses
State Board of Veterinary Medical Examiners
State Board for the Examination of Public Accountants
State Board of Examiners of Architects
Anthracite Mine Inspectors' Examining Board
Mine Inspectors' Examining Board for the Bituminous Coal Mines of Pennsylvania
State Registration Board for Professional Engineers
State Civil Service Commissions
Public Service Institute Board
* * * * *

All of the foregoing departmental administrative boards and commissions shall be organized or reorganized as provided in this act

Section 2 Article four of said act is hereby amended by adding at the end thereof a new section to read as follows

Section 454 Public Service Institute Board The Public Service Institute Board for the in-service training of State and local officials shall consist of twelve members and the Superintendent of Public Instruction ex officio The appointed members of the board shall be representative of State and local government and of institutions of higher education which offer training in the field of public administration Seven members of the board shall constitute a quorum and no action of the board shall be valid unless it shall have the concurrence of at least seven members

The members of the board shall be appointed for terms of four years each from the respective dates of their appointments

Members of the board shall not receive any compensation but shall be reimbursed for all travelling and hotel expenses incurred in the performance of their duties which shall not exceed the sum of ten dollars ($10) per diem and mileage

The board shall elect from their number a chairman and with the approval of the Superintendent of Public Instruction shall elect an administrative officer who shall also act as secretary to the board and whose compensation shall be fixed by the Superintendent of Public Instruction

Section 3 Article thirteen of said act is hereby amended by adding at the end thereof a new section to read as follows

Section 1313 Public Service Institute Board It shall be the duty of the Public Service Institute Board to establish and from time to time revise a program for the in-service training of State and local officials of Pennsylvania and to provide for the administration thereof to prescribe to qualifications of specialists teachers and other persons employed by the Superintendent of Public Instruction to carry out the program established by the board to receive funds from other sources and to have all such powers as may be needed to qualify to receive and expend such funds to carry out its program and to make a biennial report to the Superintendent of Public Instruction on the progress of the program of in-service training which report shall be included in the biennial report of the Superintendent of Public Instruction to the Governor

And the amendments made thereto having been printed as required by the Constitution.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Frazier,	Mahany,	Tyler,
Becker,	Geltz,	Mallery,	Wade,
Berger,	Haluska,	Margie,	Wagner,
Blass,	Hare,	Rahauser,	Walker,
Carr,	Holland,	Rosenfeld,	Watson,
Chapman,	Homsher,	Ruth,	Wilson,
Crider,	Jaspan,	Scarlett,	Wolfe,
Crowe,	Kephart,	Snowden,	Wood, L. H.,
Dent,	Klein,	Stevenson,	Wood, T. N.,
DiSilvestro,	Lane,	Stiefel,	Woodring,
Doehla,	Leader,	Tallman,	Heyburn,
Donlan,	Letzler,	Tarr,	Presiding Officer
Farrell,	Lord,	Taylor,	

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 48, as follows:

An Act to add clause XLIX to section one thousand five hundred two of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending consolidating and changing the law relating thereto" authorizing acquisition of property for and establishment and maintenance of parking lots

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one thousand five hundred two of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" is hereby amended by adding at the end thereof a new clause to read as follows

Section 1502 The corporate power of a township of the first class shall be vested in the board of township commissioners The board shall have power

* * * * *

XLIX Parking lots to acquire by gift or purchase or to plan design locate hold construct improve maintain operate own or lease either in the capacity of lessor or lessee and install facilities and equipment including parking meters on any land to be devoted to the parking of vehicles of any kind which in the judgment of the corporate authorities may be necessary and desirable for the purpose of establishing and maintaining such parking lots and to regulate the use thereof Whenever any lands shall be acquired by any township for parking lots they may be operated by such townships as parking lots for parking vehicles only but not for the sale or distribution of any commodity or when so provided by ordinance or resolution they may be let to and for private operation as parking lots on such terms and conditions as may be prescribed

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to, and the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50.

Barr,	Frazier,	Mahany,	Tyler,
Becker,	Geltz,	Mallery,	Wade,
Berger,	Haluska,	Margie,	Wagner,
Blass,	Hare,	Rahauser,	Walker,
Carr,	Holland,	Rosenfeld,	Watson,
Chapman,	Homsher,	Ruth,	Wilson,
Crider,	Jaspan,	Scarlett,	Wolfe,

Crowe,	Kephart,	Snowden,	Wood, L. H.,
Dent,	Klein,	Stevenson,	Wood, T. N.,
DiSilvestro,	Lane,	Stiefel,	Woodring,
Doehla,	Leader,	Tallman,	Heyburn,
Donlan,	Letzler,	Tarr,	Presiding Officer
Farrell,	Lord,	Taylor,	

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate, has passed the same with amendments in which the concurrence of the House is requested.

BILLS OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 50, on third reading, entitled:

An Act to further amend the act, approved the twenty-fifth day of May, one thousand nine hundred thirty-seven (P. L. 849), entitled "An act to provide for the permanent personal registration of electors in cities of the third class as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration, and other appointees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; imposing penalties; and repealing existing legislation," by changing the provisions of said act relating to removal notices, transfer of registration, checkup of registers and street lists.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 60, on third reading, entitled:

An Act to further amend section thirty-nine of the act, approved the twenty-fifth day of May, one thousand nine hundred thirty-seven (P. L. 849), entitled "An act to provide for the permanent personal registration of electors in cities of the third class as a condiiton of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, county election board, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; imposing penalties; and repealing existing legislation" by further regulating and changing the provisions of the act relating to cancellation of registration upon the failure to vote within two years by giving removal notice same effect as request for reinstatement.

go over in its order.

The PRESIDING OFFICER. Is there objection? The hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 275, on third reading, entitled:

An Act to amend section twenty-seven and subsection (a) of section twenty-eight of the act approved the first day of June one thousand nine hundred thirty-seven (P. L. 1182) entitled "An act to provide for the permanent personal registration of electors in cities of the second class A as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors and imposing penalties" increasing the period of time in which removal notices and registration transfers must be made.

go over in its order.

The PRESIDING OFFICER. Is there objection? The hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 383, on third reading, entitled:

An Act to amend the title and the act approved the eighth day of April one thousand nine hundred thirty-seven (P. L. 262) entitled "An act relating to consumer credit in amounts of one thousand dollars ($1000) or less requiring licenses from the Secretary of Banking restricting licenses to domestic business corporations fixing minimum capital requirements conferring certain powers on the Secretary of Banking limiting interest and other charges providing certain exemptions and imposing penalties" by further prescribing the powers of said licensees and the Secretary of Banking and further regulating the granting of said licenses and the loans charges interest and refunds to be made or collected by such licensees.

go over in its order.

The PRESIDING OFFICER. Is there objection? The hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 415, on third reading, entitled:

An Act to amend Sections 501 and 502 of the Act, approved the twenty-eighth day of May, one thousand nine hundred thirty-seven (P. L. 1053), entitled "An act relating to the regulation of public utilities; defining as public utilities certain corporations, companies, associations, and persons; providing for the regulation of public utilities, including, to a limited extent, municipalities engaging in public utility business, by prescribing, defining, and limiting their duties, powers, and liabilities, and regulating the exercise, surrender or abandonment of their powers, privileges, and franchises; defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle; conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons, associations, companies, and corporations, including, to a limited extent, municipal corporations sub-

ject to this act, and administering the provisions of this act; authorizing the commission to fix temporary rates; placing the burden of proof on public utilities to sustain their rates and certain other matters; authorizing a permissive or mandatory sliding scale method of regulating rates; providing for the supervision of financial and contractual relations between public utilities and affiliated interests, and supervision and regulation of accounts and securities or obligations issued, assumed, or kept by persons, associations, companies, corporations or municipal corporations subject to this act; conferring upon the commission power to vary, reform, or revise certain contracts; conferring upon the commission the exclusive power to regulate or order the construction, alteration, relocation, protection, or abolition of crossings of facilities of public utilities, and of such facilities by or over public highways, to appropriate property for the construction or improvement of such crossings, and to award or apportion resultant costs and damages; authorizing owners of such property to sue the Commonwealth for such damages; providing for ejectment proceedings in connection with the appropriation of property for crossings; conferring upon the commission power to control and regulate budgets of public utilities; imposing upon persons, associations, companies and corporations (except municipal corporations) subject to regulation, the cost of administering this act; prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action; giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings; prescribing penalties, fines, and imprisonment for violations of the provisions of this act and regulations and orders of the commission, and the procedure for enforcing such, fines and penalties; and repealing legislation supplied and superseded by or inconsistent with this act," by excluding water supply companies from the requirements of original cost accounting.

go over in its order.

The PRESIDING OFFICER. Is there objection? The hears none.

BILL POSTPONED

Mr. TALLMAN. Mr. President, I move that Senate Bill No. 422, on third reading, entitled:

An Act to amend the title and sections one two and three of the act approved the thiry-first day of July one thousand nine hundred forty-one (P. L. 606) entitled "An act relating to the sale transfer assignment and pledge of accounts receivable" by further defining the term "accounts receivable" and further providing for notation of assignments upon the books of the assignor and for giving notice of assignments to account debtors and the effects thereof respectively.

be placed on the Postponed Calendar.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

BILLS OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 498, on third reading, entitled:

An Act lapsing all unexpended or unencumbered balances of apropriations from all funds made by the General Assembly at its session of one thousand nine hundred and thirty-nine and prior sessions and at its regular sessions of one thousand nine hundred and forty-one and one thousand nine hundred and forty-three and the Special Sessions of one thousand nine hundred and forty and one thousand nine hundred and forty-two.

go over in its order.

The PRESIDING OFFICER. Is there objection? The hears none.

Mr. TALLMAN. Mr President, I ask unanimous consent that House Bill No. 503, on third reading, entitled:

An Act to amend, or further amend, Sections eight hundred six, eight hnndred eight, and eight hundred thirty of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "The Game Law," by making it unlawful for certain persons to disturb wild birds or wild animals within safety zones during the open hunting or trapping season; clarifying the law with reference to shooting within safety zones; prohibiting the conveyance of certain firearms without being wrapped or in a case; and clarifying the law with reference to hunting accident reports.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 538, as follows:

An Act to further amend the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" creating a County Transit and Traffic Commission in counties of the second class providing for its membership and defining its powers and duties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" as amended by the act approved the twenty-fifth day of June one thousand nine hundred thirty-seven (P. L. 2129) is hereby further amended by adding after Article VI thereof a new Article to read as follows

Article VI-A

County Transit and Traffic Commission

Section 510.31 Creation of County Transit and Traffic Commission In counties of the second class there is hereby created a County Transit and Traffic Commission consisting of nine (9) persons who shall be residents of the county not more than four (4) of whom shall be residents of cities in the county nor shall more than two be regular employees of any publicly financed body Members shall be persons experienced in either engineering commerce finance law transportation or traffic matters and shall be appointed by the county commissioners three (3) members shall be designated to serve until the first day of January one thousand nine hundred and forty-nine (1949) three (3) until the first day of January one thousand nine hundred and fifty-one (1951) and three (3) until the first day of January one thousand nine hundred and fifty-three (1953) Their successors shall be appointed at the expiration of their respective terms to serve six (6) years and all appointments to fill vacancies shall be only for the unexpired portion of the term Five (5) members shall constitute a quorum The Commission may make rules and regulations for their own organizations and procedure consistent with the resolutions of the county commissioners and the laws of the Commonwealth Members shall serve without compensation and may employ a tech-

nical staff and such other persons as may be necessary whose salaries and wages and other necessary expenses of the Commission shall be provided for in the discretion of the county commissioners by proper appropriation and resolution

Section 510.32 Duties of the County Transit and Traffic Commission The duty of the Transit and Traffic Commission shall be to investigate transit traffic and parking conditions in the county including the volume and characteristics of the movement of public carriers such as street railways train bus and other motor vehicles throughout the county with a view of determining advisable means for obtaining adequate rapid and safe transportation to consider fully the coordination of existing transportation services to investigate and study safety measures for persons and vehicles on highways streets and thoroughfares in said county to advise with officials of political subdivisions in the county about the transit traffic and parking problems All minutes reports and recommendations made by the commission shall be a matter of public record Periodically but not less than once a year the commission shall file with the county commissioners a report of its investigations This report shall include the results of investigations made by the commission and any recommendations the commission may have to offer The board of County Commissioners shall refer any plan proposal or resolution affecting public transportation and the safety of the public on public transportation facilities and on highways bridges and tunnels in the county to the County Transit and Traffic Commission for its consideration and recommendation The Transit and Traffic Commission shall report to the County Commissioners on the plan proposal or resolution within a reasonable period of time

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally ?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Frazier,	Mahany,	Tyler,
Becker,	Geltz,	Mallery,	Wade,
Berger,	Haluska,	Margie,	Wagner,
Blass,	Hare,	Rahauser,	Walker,
Carr,	Holland	Rosenfeld,	Watson,
Chapman,	Homsher	Ruth,	Wilson,
Crider,	Jaspan,	Scarlett,	Wolfe,
Crowe,	Kephart,	Snowden,	Wood, L. H.,
Dent,	Klein,	Stevenson,	Wood, T. N.,
DiSilvestro,	Lane,	Stiefel,	Woodring,
Doehla,	Leader,	Tallman,	Heyburn,
Donlan,	Letzler,	Tarr,	Presiding Officer
Farrell,	Lord,	Taylor,	

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 570, on third reading, entitled:

An Act to further amend sections one, four, five, and six of the act, approved the seventh day of May, one thousand nine hundred twenty-three (P. L. 151) entitled "An act defining and regulating the business of dry cleaning and dyeing; providing for the maintenance, construction, and inspection of dry cleaning and dyeing buildings and establishments; providing for enforcing the act, and penalties for violation thereof" by repealing exemptions from certain provisions of said act and providing for regulation of Class 1 and Class II dry cleaning and dyeing plants.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 593, as follows:

An Act to amend sections three hundred two and seven hundred one of the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 571) entitled "An act relating to assessment for taxation in counties of the fourth fifth sixth seventh and eighth classes designating the subjects property and persons subject to and exempt from taxation for county borough town township school except in cities and county institution district purposes and providing for and regulating the assessment and valuation thereof for such purposes creating in each such county a board for the assessment and revision of taxes defining the powers and duties of such boards providing for the acceptance of this act by cities regulating the office of ward borough town and township assessors abolishing the office of assistant triennial assessor in townships of the first class providing for the appointment of a chief assessor assistant assessors and other employes providing for their compensation payable by such counties prescribing certain duties of and certain fees to be collected by the recorder of deeds and eliminating the triennial assessment" enlarging the powers of boards of assessment and revision of taxes as to the revision of assessments and valuations

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections three hundred two and seven hundred one of the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 571) entitled "An act relating to assessment for taxation in counties of the fourth fifth sixth seventh and eighth classes designating the subjects property and persons subject to and exempt from taxation for county borough town township school except in cities and county institution district purposes and providing for and regulating the assessment and valuation thereof for such purposes creating in each such county a board for the assessment and revision of taxes defining the powers and duties of such boards providing for the acceptance of this act by cities regulating the office of ward borough town and township assessors abolishing the office of assistant triennial assessor in townships of the first class providing for the appointment of a chief assessor assistant assessors and other employes providing for their compensation payable by such counties prescribing certain duties of and certain fees to be collected by the recorder of deeds and eliminating the triennial assessment" are hereby amended to read as follows

Section 302 Powers and Duties of the Board The board shall have the power and it shall be its duty to

(1) Appoint as hereinafter provided a chief county assessor and such assistant assessors clerks and other employes as may be deemed necessary

(2) Adopt rules and regulations not inconsistent with this act which shall govern the chief assessor his assistants and local elected assessors in the making of the assessment

Such rules may include but not by way of limitations the use of tax maps land value maps other maps and material assessors' manuals property record cards indicating the nature of improvements and the application of

unit values to the information shown in such maps and records

(3) Hear and determine appeals as hereinafter provided from the valuations fixed by the assessor or revised by the board as the case may be

(4) Establish within the limits of this act the form of the assessment roll and the order of listing of persons and property in such assessment roll and in the tax duplicates prepared from such roll

(5) Prepare annually and submit to the county commissioners an estimate of the expense to be incurred incidental to the carrying out of the provisions of this act

(6) Examine and revise the assessments and valuations as hereinafter provided

Section 701 Appeal Notices (a) Upon receipt of the assessment roll from the assessor or as soon thereafter as possible and not later than the first day of September the board shall examine and inquire whether the assessments and valuations have been made in conformity with the provisions of this act and shall revise the same increasing or decreasing the assessments and valuations as in their judgment may seem proper and shall add thereto such property or subjects of taxation as may have been omitted It shall thereupon cause to be mailed or delivered to each owner of property or person assessed the value of whose property or personal assessment has been changed from that fixed in the preceding assessment roll as corrected after revision at his last known address a notice of such change and the amount of such new assessment Said notice shall state that any person aggreived by such change or by any assessment may appeal to the board for relief by filing with the board on or before the first day of October a statement in writing of such intention to appeal designating the assessment or assessments by which such person is aggrieved and the address to which notice of when and where to appear for hearing of the appeal shall be mailed

(b) Any person aggrieved by any assessment may appeal to the board for relief Any person desiring to make an appeal shall on or before the first day of October file with the board a statement in writing of intention to appeal setting forth

(1) The assessment or assessments by which such person feels aggrieved

(2) The address to which the board shall mail notice of when and where to appear for hearing

No person shall be permitted to appeal from any assessment in any year unless he shall first have filed the statement of intention required by this section nor shall any person be permitted to appeal as to any assessment not designated in such statement

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Frazier,	Mahany,	Tyler,
Becker,	Geltz,	Mallery,	Wade,
Berger,	Haluska,	Margie,	Wagner,
Blass,	Hare,	Rahauser,	Walker,
Carr,	Holland	Rosenfeld,	Watson,
Chapman,	Homsher	Ruth,	Wilson,
Crider,	Jaspan,	Scarlett,	Wolfe,
Crowe,	Kephart,	Snowden,	Wood, L. H.,
Dent,	Klein,	Stevenson,	Wood, T. N.,
DiSilvestro,	Lane,	Stiefel,	Woodring,
Doehla,	Leader,	Tallman,	Heyburn,
Donlan,	Letzler,	Tarr,	Presiding Officer
Farrell,	Lord,	Taylor,	

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 639, on third reading, entitled:

A Further Supplement to the act approved the twenty-ninth day of April one thousand eight hundred seventy-four (P. L. 73) entitled "An act to provide for the incorporation and regulation of certain corporations" granting to every corporation heretofore or hereafter incorporated for the purpose of engaging in the telephone or telegraph business the power to appropriate private property in certain cases and subject to approval by the Public Utility Commission for the construction maintenance and operation of its lines and facilities and providing for the assessment of damages arising from such appropriation and the method of appropriation

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 659, as follows:

An Act to further amend section twenty-three of the act approved the first day of June one thousand eight hundred eighty-nine (P. L. 420) entitled "A further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine" by increasing for a further limited period of time the rate of tax imposed upon the gross receipts of certain companies limited partnerships associations joint-stock associations copartnerships and persons by making further provisions for the report and payment of the tax and by further defining gross receipts

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section twenty-three of the act approved the first day of June one thousand eight hundred eighty-nine (P. L. 420) entitled "A further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred seventy-nine" as last amended by the act approved the twenty-sixth day of March one thousand nine hundred forty-five (P. L. 57) is hereby further amended to read as follows

Section 23 That every railroad company pipe line company conduit company steamboat company canal company slack water navigation company transportation company and every other company association joint-stock association or limited partnership now or hereafter incorporated or organized by or under any law of this Commonwealth or now or hereafter organized or incorporated by any other State or by the United States or any foreign government and doing business in this Commonwealth and every copartnership person or persons owning operating or leasing to or from another corporation company association joint-stock association limited partnership copartnership person or persons any railroad pipe line conduit steamboat canal slack water navigation or other device for the transportaation of freight passengers baggage or oil except taxicabs motor buses and motor omnibuses and every limited partnership association joint-stock association corporation or

company engaged in or hereafter engaged in the transportation of freight or oil within this State and every telephone company telegraph company express company electric light company water-power company hydro-electric company palace car company and sleeping car company now or hereafter incorporated or organized by or under any law of this Commonwealth or now or hereafter organized or incorporated by any other State or by the United States or any foreign government and doing business in this Commonwealth and every limited partnership association joint-stock association copartnership person or persons engaged in telephone telegraph express electric light and power water-power hydro-electric palace car or sleeping car business in this Commonwealth shall pay to the State Treasurer through the Department of Revenue a tax of fourteen mills for the six months' periods ending June thirtieth one thousand nine hundred thirty-five December thirty-first one thousand nine hundred thirty-five and June thirtieth one thousand nine hundred thirty-six and twenty mills for the six months' periods ending December thirty-first one thousand nine hundred thirty-six June thirtieth and December thirty-first one thousand nine hundred thirty-seven June thirtieth and December thirty-first one thousand nine hundred thirty-eight June thirtieth and December thirty-first one thousand nine hundred thirty-nine June thirtieth and December thirty-first one thousand nine hundred forty June thirtieth and December thirty-first one thousand nine hundred forty-one June thirtieth and December thirty-first one thousand nine hundred forty-two June thirtieth and December thirty-first one thousand nine hundred forty-three and fourteen mills for the six months' periods ending June thirtieth and December thirty-first one thousand nine hundred forty-four and for the twelve months' periods ending December thirty-first one thousand nine hundred forty-five [and] December thirty-first one thousand nine hunded forty-six December thirty-first one thousand nine hundred forty-seven December thirty-first one thousand nine hundred forty-eight and eight mills thereafter upon the dollar of the gross receipts of said corporation company or association limited partnership joint-stock association copartnership person or persons received from passengers baggage and freight transported wholly within this State from telegraph or telephone messages transmitted wholly within the State from express palace car or sleeping car business done wholly within this State or from the sales of electric energy except gross receipts derived from sales for resale of electric energy to persons partnerships associations corporations or political subdivisions subject to the tax imposed by this act upon gross receipts derived from such resale and from the transportation of oil done wholly within the State The said tax shall be paid within the time prescribed by law for the payment of taxes settled by the Department of Revenue and for the purpose of ascertaining the amount of the same it shall be the duty of the treasurer or other proper officer of the said company copartnership limited partnership association joint-stock association or corporation or person or persons to transmit to the Department of Revenue on or before the first day of February of each year a statement under oath or affirmation of the amount of gross receipts of the said companies copartnerships corporations associations joint-stock associations limited partnerships person or persons derived from all sources and of gross receipts from business done wholly within the State during the period of twelve months immediately preceding the first day of January of each year The time for filing reports may be extended estimated settlements may be made by the Departmnt of Revenue if reports are not filed and the penalties for failing to file reports and pay the tax shall be as prescribed by the laws defining the powers and duties of the Department of Revenue Provided That in any case where the works of any corporation company copartnership association joint-stock association limited partnership person or persons are operated by another corporation company copartnership association joint-stock association limited partnership person or persons the taxes imposed by this section shall be apportioned between the said corporations companies copartnerships associations joint-stock associations limited partnerships person or persons in accordance with the terms of their respective leases or agreements but for the payment of the said taxes the Commonwealth shall first look to the corporation company copartnership association joint-stock association limited partnership person or persons operating the works and upon payment by the said company corporation copartnership association joint-stock association limited partnership person or persons of a tax upon the receipts as herein provided derived from the operation thereof no other corporation company copartnership association joint-stock association limited partnership person or persons shall be held liable under this section for any tax upon the proportion of said receipts received by said corporation company copartnership association joint-stock association limited partnership person or persons for the use of said works

This act shall be construed to apply to municipalities and to impose a tax upon the gross receipts derived from any municipally owned and operated public utility or from any public utility service furnished by any municipality to the extent of such gross receipts as are derived from business done outside the limits of the municipality operating the public utility service.

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

Mr. DENT. Mr. President and members of the Senate, this is the first of the now-famous Duff tax program bills.

In order that there be no misunderstanding as to the atitude of the minority members of the Senate towards this program, I want to place in the record our position.

Early in this session of the legislature I tried with factual figures to show to this Senate that no new taxes were needed, if we could get an honest estimate of revenues to be derived from the taxes that are now present upon the statute books, and the re-enactment of the so-called emergency taxes.

When I found that the Senate of Pennsylvania, as represented by the majority thought, would not accept the Democratic sponsored program of creating a general state authority in order to finance upwards of $124,000,000 worth of permanent long-time improvements and construction in the form of mental hospitals, stream pollution and other worthwhile endeavors, when it became apparent that the majority would not accept this program, your Democratic minority then made a complete study of our tax structure.

Recently I presented to the Senate a budget message in which I gave to the Governor a plan whereby the necessary funds could be raised, and the taxes could be assessed against those best able to pay.

We do not agree with you in your tax program. We are not, by our vote, approving the tax program, but we are, Mr. President, approving the use that the revenues will be put to.

We sincerely believe that the State of Pennsylvania owes an obligation to the school teachers of this Commonwealth, in order that our school system should compare favorably with any school system in the United States.

We believe too, Mr. President, that we must do some-

thing immediately to remedy the terrible situation in our mental hospitals. We believe, too, Mr. President, that the time has come when we must face the issue squarely and give additional assistance to our institutions of higher learning and to our state aided hospitals.

In order to do these things we can not do other than go along, in the main, with the tax program. Revenues are required to do the work that must be done.

So the Democratic minority is leaving the historic position always taken by minorities, in that they vote against all tax bills and vote for all apropriations. We intend to meet our share of the obligations. We intend to vote for the measures that will produce the revenue to do the things that we too have long claimed have to be done.

And so, Mr. President, speaking for the minority group in the Senate of Pennsylvania, I say to you that each member of the minority will vote his conscience upon this tax program, he will vote as he thinks is best for his constituency, the people of Pennsylvania.

Therefore, Mr. President, there is only one tax bill that I will make an attack upon, and upon that bill I will try to show to the Senate that it is one tax bill that is neither needed for the program nor is it equitable or just, and therefore, I want to assure the majority that, in the main, the tax program will receive the support of the Democratic minority.

Mr. GELTZ. Mr. President, at the outset I want to commend both the minority members of this Senate and also the minority leader for what I think is a very, possibly not broadminded but proper-minded attitude to take in connection with the tax program on which we are going to vote this afternoon. It is particularly commendable when we remember that two years ago they took a distinctly different position, and one which I feel was not as commendable as the one which they are taking at this time.

As you will remember, Mr. President, if it had been left to the minority two years ago, there would have been no money for any state functions or no money for payment of the school teacher's salaries.

I can understand why there is not complete agreement in this body as to this tax program insofar as all these bills are concerned, as between the minority and the majority because, Mr. President, I do not hesitate to say, and I think I should say for the benefit of the members on the Republican side of this body, that there is not complete agreement as to the advisability of this whole program. However, I think I should also say that the various members on the Republican side of this Senate interposed and entered their objections and presented them, we considered them very fully and completely, and we had a considerable amount of discussion as to whether the bills in the form in which they now appear were the bills as they should be passed.

I also want to say on behalf of my Republican colleagues, that I think they are to be commended, because they realize that money is necessary to do in this Commonwealth the things which need to be done, and when I say do the things which need be done, Mr. President, I do not mean from the Republican thought, or standpoint of the Republican program. I have here a mimeographed copy of a letter sent as an open letter to the members of the Pennsylvania Senate by the Democratic minority floor leader of the House in which he states: "the present administration is sponsoring a tax program, not as an end but as a means. It is not the money the Governor wants; instead he wants the Commonwealth to have the new buildings it so badly needs; he wants the Commonwealth to have a sound and expanded health service; a sound and expanded stream clearance; a conservation and reforstration program which will supply Pennsylvania with water sufficient for the needs of the industries it now possesses and which it will seek to secure in the future. He undoubtedly wants the Commonwealth to maintain a school system which employs teachers who are adequately paid, teachers capable of advancing Pennsylvania's educational standards, and there are many other needs."

. That, Mr. President, is the picture which faces the Commonwealth at this time, and one which makes new taxes necessary.

No administration or no legislator or senator likes to vote for taxes of any kind, and especially new taxes. We do not mean to stand here either, Mr. President, and contend that the tax program which we are submitting, and which we hope to pass in this session, is a perfect tax program. We realize that no matter what kind of tax bills are passed, there can be objection to them.

And in that connection, Mr. President, I might say, if we consider just for a moment the situation insofar as federal taxes are concerned, certainly none of us would insist that any tax program of the federal government which takes from every working man in this country one day's pay out of five, at the minimum, and from there on up, in some instances, to four days pay out of every five, is a good tax program or a good tax. And yet that is the situation with which we are faced. We feel that with this tax program we are doing possibly the best that can be done under the circumstances. I agree there are inequities in this tax program, but I do not believe the inequities I see in the program are in agreement with the inequities which the minority sees.

One of the glaring inequities in this program to me, Mr. President, is the fact that we are not changing in the corporate net income tax the date from January 1, 1946 to January 1, 1947, so that companies that operated during 1946 will have the advantage of what they were counting an all during 1946.

However, as I say, that is an inequity which appears to me and that is from a purely economic viewpoint.

I think there is one thing this body must do, and it must do it the next session certainly, and that is to secure a sound and substantial tax program for this Commonwealth. I think ever since the days of the depression, as new revenues were needed, we reached out wherever we could to secure those new revenues. I think, as a matter of fact, our tax system in this Commonwealth today is like a young colt that has just grown up, without any guidance or any direction, and that is the reason, Mr. President, I introduced the bill just a little while ago which I did introduce, for the purpose of creating a tax commission, so that before the next session of the Legislature meets we can have something which is sound, substantial and does justice to all.

Mr. BARR. Mr. President, I do not think I have ever

been known as either a friend or foe of the public utilities. I am not one of those who think a public utility is a giant octopus which is reaching and reaching out to swallow all citizens of this Commonwealth, but I am one that feels, and feels keenly, the need of public utilities paying their share of taxes in the local communties wherein they make their profits. This gross receipts tax of fourteen mills until January of 1948, I do not think is an unjust tax. In my opinion the tax should be increased and the money derived therefrom should be sent back to the communities, where the public utilities do not pay a real estate tax, the same as every other competitive industry.

I have in my hand a simple little chart, which shows the share taxes and earnings, in which the states are ranked according to the per cent of total revenues paid over to the local governments.

Mr. President, the state of Wisconsin ranks number one; it returns to the local municipalities 50.9 per cent. Next I will skip down to New York, which is a neighboring state, and New York ranks fourth, and it pays back to the local communities 41.6 per cent. Then we go down to New Jersey, which is also a bordering state, and it ranks twenty-third, and their return is 26.2 per cent. Then comes Maryland, another border state, and their return to local municipalities is 24.7 per cent. Then there is another state which borders our Commonwealth, West Virginia, which ranks twenty-seventh and which returns 23.3 per cent.

Then we come to our fair Commonwealth of Pennsylvania, Mr. President, and of the forty-eight states, Pennsylvania ranks thirty-eighth. Our return to the local municipalities of taxes collected is 14.9 per cent.

I do not know the content of the bill just introduced by Senator Geltz but I intend to look it over and, if it does not satisfy me as to what I would like it to do, I am going to offer some sort of amendment wherein the Joint State Government Commission for the next two years will study this gross receipts tax on public utilities and see if it can not be worked out in an equitable fashion, so that this money will be returned to the local municipalities.

I tell you, Mr. President and members of the Senate, that in doing so I am afraid I am a friend of the public utilities, because that is what they would like to see done most.

Mr. ROSENFELD. Mr. President, so much has already been said at this session about the budget of the state and the state of the budget, that I do not want to take the time of this Senate to go into any details about figures, but in view of what has been said here today, I think what we have failed to consider in years gone by and up till now is the fact that we do not have a sound basis for a tax program.

Over the years costs have increased, and with the exception of probably the corporate net income tax, which gives us a bigger return as business increases, we do not get the proper increase of return on the tax base which we now use.

I think, notwithstanding the fact that the bill introduced by Senator Geltz may create a tax commission, that we will be met with this problem sooner than we expect.

Certainly we recognize now, by being forced to place a tax on soft drinks, that we are scraping the bottom of the barrel. We have known, from what we have done here and talked about over the years, that the greatest amount of tax will eventually have to come from two taxable sources, with the exception of the source mentined by my colleague from Allegheny, Senator Barr, and that is, we may be forced within the next two years or four years to impose either a sales tax or a graduated income tax. I do not intend now to argue which of those taxes should be imposed.

There has been introduced in the past and there also has been introduced in this session a bill which would permit, eventually, if this body saw fit and the citizens of this Commonwealth saw fit, a graduated income tax.

I am fearful, howevr, that we will be met head-on within two years or within four years with a need to make an immediate decision as to which of these taxes must be imposed to carry on the obligations of this Commonwealth to its citizens, and I think it is not out of place to say now that certainly the Committee on Constitutional Changes and Federal Relations should meet as soon as possible to discuss this problem, to permit this session of the Legislature at least at this time to pass a graduated income tax, so that certainly within two years, when we may be faced wih the problem, we then will not have to say to the citizens of this Commonwealth that it will take us three years to pass a graduated income tax and therefore we must resort to a sales tax instead.

I think we ought to be big enough to put ourselves in a position where, if we have to do it two years from now, we will be able to do it two years from now.

I think another thing that is wrong with the tax structure of the Commonwealth is that we do not permit the piling up of any surplus, and I am not referring to any enormous surplus. Certainly we know that forty years ago, something that cost $4, today costs $40.

If we eventually get a sales tax or a graduated income tax as a base, when things are good the tax return will be good, and when things are bad the tax from that base will be necessarily reduced, but if we can pile up a surplus during the good period, then we will not be met with what we have had in this Commonwealth for the last fifteen years. I think this is the time to establish it. I do not want to take up the time of this Senate any further, but I certainly think this is the time to consider it.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constiution, and were as follows, viz:

YEAS—50

Barr,	Frazier,	Mahany,	Tyler,
Becker,	Geltz,	Mallery,	Wade,
Berger,	Haluska,	Margie,	Wagner,
Blass,	Hare,	Rahauser,	Walker,
Carr,	Holland	Rosenfeld,	Watson,
Chapman,	Homsher	Ruth,	Wilson,
Crider,	Jaspan,	Scarlett,	Wolfe,
Crowe,	Kephart,	Snowden,	Wood, L. H.,
Dent,	Klein,	Stevenson,	Wood, T. N.,
DiSilvestro,	Lane,	Stiefel,	Woodring,
Doehla,	Leader,	Tallman,	Heyburn,
Donlan,	Letzler,	Tarr,	Presiding Officer
Farrell,	Lord,	Taylor,	

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No 661, as follows:

An Act to reenact and amend the title and the act approved the ninth day of June one thousand nine hundred thirty-six (Special Session of one thousand nine hundred thirty-six P. L. 13) entitled "An act imposing an emergency State tax for a limited period of time on liquor as herein defined sold by the Pennsylvania Liquor Control Board providing for the collection and payment of such tax and imposing duties upon the Department of Revenue and the Pennsylvania Liquor Control Board" as previously reenacted and amended by extending the provisions thereof for a further limited period of time

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title and all the sections of the act approved the ninth day of June one thousand nine hundred thirty-six (Special Session of one thousand nine hundred thirty-six P. L. 13) entitled "An act imposing an emergency State tax for a limited period of time on liquor as herein defined sold by the Pennsylvania Liquor Control Board providing for the collection and payment of such tax and imposing duties upon the Department of Revenue and the Pennsylvania Liquor Control Board" as last reenacted and amended by the act approved the twenty-first day of March one thousand nine hundred forty-five (P. L. 49) are hereby reenacted and further amended to read as follows

An Act imposing an emergency State tax for a limited period of time on liquor as herein defined sold by the Pennsylvania Liquor Control Board providing for the collection and payment of such tax and imposing duties upon the Department of Revenue and the Pennsylvania Liquor Control Board

Section 1 Be it enacted &c That the following words terms and phrases used in this act are for the purposes hereof defined as follows

"Liquor" Any alcoholic spirituous vinous fermented or other alcoholic beverage or combination of liquors and mixed liquor a part of which is spirituous vinous fermented or otherwise alcoholic and all drinks or drinkable liquids preparations or mixtures intended for beverage purposes which contain more than one-half of one per centum of alcohol by volume except alcohol and malt or brewed beverages

"Department" The Department of Revenue of this Commonwealth

"Board" The Pennsylvania Liquor Control Board of this Commonwealth

"Fiscal Month" The monthly period established from time to time by the Pennsylvania Liquor Control Board for the purpose of conducting its business

Section 2 Until the first day of June one thousand nine hundred [forty-seven] forty-nine an emergency State tax is hereby imposed and assessed at the rate of ten per centum of the net price o fall liquors sold by the board The tax herein imposed shall be collected by the board from the purchasers of the liquor from the board The amount of such ten per centum so collected by the board under the provisions of this act shall be paid into the State Treasury through the department in the manner and within the times herein specified and shall be credited to the General Fund

Section 3 It shall be the duty of the board to transmit to the department on or before the fifteenth day of each calendar month a statement of its receipts from sales of liquor and taxes collected during the preceding fiscal month and such other information as may be necessary to effectuate the provisions of this act at which time it shall also be the duty of the board to pay to the department the tax imposed upon such liquor by the provisions of this act Provided however That the board may in its discretion add the tax imposed by this act to the wholesale and retail price at which liquors are sold and eliminate any accounting of such tax separate from sale prices and in such case the amount of the tax for any calendar month shall be ascertained by dividing the entire gross receipts derived from sales at Pennsylvania liquor stores during such month by eleven and the quotient thus obtained shall be deemed the amount of the tax for such month payable over under this section

Section 4 This act shall become effective immediately upon its final enactment

Section 2 This reenacting and amending act shall become effective immediately upon final enactment

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. BARR. Mr. President and members of the Senate, I intend to be very brief and I also intend to vote for this bill, but I would like to call to the attention of the Chairman of the Finance Committee a few pertinent facts and figures, things that have happened since the present Governor took office as of January 1.

Mr. President, my colleague, Senator Dent, and myself, have many times during this session risen to our feet and apprised the members of the Senate and the people of the Commonwealth of the terrible condition that exists in the Pennsylvania Liquor Control Board.

According to figures submitted to us by the Governor, the returns from the Liquor Control Board are expected to be $82,000,000 for the next biennium.

Mr. President, since January 1, when the ill-advised mark-up and rise was taken by the Liquor Control Board, I would like to quote to you and to the members of the Senate some figures, and these figures are exact figures which I got from the Auditor General's office, of sales by the Pennsylvania Liquor Control Board since January 1. Bear in mind, gentleman, this is with the increased prices, and when I give you these totals, they include the prices for this year and show, in many cases, on bourbons and so forth, one hundred per cent increase.

In January of last year, 1946, sales were $29,145,927.61. Sales in January, 1947, were $23,310,526.82. In February, 1946 the sales were $17,439,000 odd dollars, and in February of this year there was another drop to $13,108,000 odd dollars. In March of this year, Mr. President, the sales were $19,648,000 and in this year, 1947, for the same month of March, they were $15,825,000.

Mr. President, that is a drop in around figures of $15,000,000 in the first three months. The totals are not all in for April, but the drop for April, Mr. President, I understand, is over a $9,000,000 drop from April of last year.

I submit to you, gentlemen, that with the increase in prices, receipts are dropping and dropping each month and, therefore, if they do not change their policy, I am afraid the Governor will find himself short in the cash drawer of the $82,000,000 he expects.

Just to give you one little minor example of the prices charged by the Liquor Control Board, if you go into your grocery store to buy some Angastora bitters, they

will cost you 73 cents but if you go into a monopoly, a State Liquor Control Board Store, it will cost you 93 cents, twenty cents on an article costing less than a dollar. If you think that is good business, I do not.

I want to quote to you an article clipped out of last Friday's Pittsburgh Press, which reads as follows:

$COTCH DAY OUT OF KILTER; $TATE $TORES' $ALE FIZZLES

Rare Whiskies Priced UP to $8 Go Begging as Customers Fail to Rush into Line

"The State Liquor Stores' "Scotch Day" bumped into something stronger than 100 proof today—the almighty dollar sign.

"The long-heralded sale of five brands of rare scotch whiskies was greeted about as enthusiastically as a mouse in church.

"In contrast to last winter's mobs of hundreds, a scraggly line of less than 20 greeted the opening of the sale at the Downtown stores.

"It vanished as soon as the doors were opened, never to reappear.

"Inside sat an average of 45 cases of scotch per store—with price tags ranging from $7.52 to $622.

"Beside the scotch, in equally splendid isolation, sat no less than 23 different brands of Irish, straight, bonded and Canadian whiskies.

"None bore a price tag of less than $5. The top was $8.14 for a full quart of straight rye.

"The clerks were mobilized to full strength in case of an early rush. Actually, they could have handled the business in a rocking chair.

"Last winter," a store manager recalled, "people stood outside by the hundreds and got frost bite. The scotch would be gone in an hour. But now that we've got plenty they stay away in droves.

"Maybe," he suggested, "our prices are a little high."

I further submit to you, Mr. President, that aside from the money they are going to lose from exorbitant prices, the Liquor Control Board stands to lose many millions of dollars this year from the Behney regime, as I call it, with the cats and dogs Mr. Behney loaded the State Stores with before he took a job with the large distiller he now works for. Furthermore, Mr. President, they are almost having to give wine away—that is the cheap wine they still have an overstock of since the time of the Behney purchasing system in the liquor stores.

Mr. GELTZ. Along the same lines, Mr. President, I noticed in an article in this morning's newspaper, a statement by the president of the American Brewers Association, which now happens to be in convention, wherein he was complaining about the fact that the sale of beer had fallen off one million barrels last year. I do not think the Liquor Control Board had anything to do with that.

And the question recurring,

Will the Senate agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49.

Barr,	Frazier,	Mahany,	Taylor,
Becker,	Geltz,	Mallery,	Tyler,
Berger,	Haluska,	Margie,	Wade,
Blass,	Hare,	Rahauser,	Wagner,
Carr,	Holland	Rosenfeld,	Walker,
Chapman,	Homsher	Ruth,	Watson,
Crider,	Jaspan,	Scarlett,	Wilson,
Crowe,	Kephart,	Snowden,	Wolfe,
Dent,	Klein,	Stevenson,	Wood, L. H.,
DiSilvestro,	Leader,	Stiefel,	Wood, T. N.,
Doehla,	Letzler,	Tallman,	Woodring,
Donlan,	Lord,	Tarr,	Heyburn,
Farrell,			Presiding Officer

NAYS—1.

Lane,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same wtihout amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 662, as follows:

An Act to reenact and amend the title and the act approved the fourteenth day of June one thousand nine hundred thirty-five (P. L. 341) entitled as amended "An act to provide revenue by imposing a State tax upon sales of cigarettes by dealers as herein defined requiring persons engaged in the sale of cigarettes at wholesale and retail to secure permits prescribing the methods and manner of collecting such tax conferring powers and imposing duties on the Department of Revenue and persons as herein defined engaged in the sale of cigarettes at retail or wholesale and providing penalties" as previously reenacted and amended by increasing the rate of tax by reducing the rate of commission for affixing stamps and by extending the provisions of the act for a further limited period of time

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title and all the sections of the act approved the fourteenth day of June one thousand nine hundred thirty-five (P. L. 341) entitled as amended "An act to provide revenue by imposing a State tax upon sales of cigarettes by dealers as herein defined requiring persons engaged in the sale of cigarettes at wholesale and retail to secure permits prescribing the method and manner of collecting such tax conferring powers and imposing duties on the Department of Revenue and persons as herein defined engaged in the sale of cigarettes at retail or wholesale and providing penalties" as last reenacted and amended by the act approved the twenty-seventh day of March one thousand nine hundred forty-five (P. L. 71) are hereby reenacted and further amended to read as follows

An Act to provide revenue by imposing a State tax upon sales or gifts of cigarettes by dealers as herein defined requiring persons engaged in the sale of cigarettes at wholesale and retails to secure permits prescribing the method and manner of collecting such tax conferring powers and imposing duties on the Department of Revenue and persons as herein defined engaged in the sale of cigarettes at retail or wholesale and providing penalties

Section 1 Be it enacted &c That this act shall be known and may be cited as the "Cigarette Tax Act"

Section 2 The following words terms and phrases when used in this act shall have the meanings ascribed to them in this section except where the context clearly indicates a different meaning

"Association" Any partnership limited partnership or other form of unincorporated enterprise owned by two or more persons

"Dealer" Any wholesale dealer and in the cases hereinafter prescribed retail dealers The term "wholesale dealer" shall include any person who or which sells within Pennsylvania cigarettes to retail dealers or for purposes of resale or who or which purchases cigarettes directly from any manufacturer for purposes of resale The term "retail dealer" shall include every person other than a wholesale dealer who or which receives from any source whatsoever cigarettes for the purpose of sale to consumers in Pennsylvania or for any other purpose than that of resale whenever the packages of cigarettes so received do not have affixed to them the stamps evidencing the payment of the tax imposed by this act

"Department" The Department of Revenue of this Commonwealth

"Package" The individual package box or other container in or from which retail sales of cigarettes are normally made or intended to be made

"Person" Every natural person association or corporation Whenever used in any clause prescribing and imposing a fine or imprisonment or both the term "person" as applied to associations shall mean the partners or members thereof and as applied to corporations the officers thereof

"Cigarettes" Any roll for smoking made wholly or in part of tobacco irrespective of size or shape and whether or not such tobacco is flavored adulterated or mixed with any other ingredient the wrapper or cover of which is made of paper or any other substance or material excepting tobacco.

"Sale" Any transfer for a consideration exchange barter gift offer for sale and distribution in any manner or by any means whatsoever

The singular shall include the plural and the masculine shall include the feminine and the neuter

Section 3 (a) On and after the effective date of this act it shall be unlawful for any person to continue to engage in or thereafter to begin to engage in the sale of cigarettes at wholesale within this Commonwealth or for any person excepting commissaries ship's stores and voluntary unincorporated organizations of the Army or the Navy personnel operating under regulations promulgated by the Secretary of War or the Secretary of the Navy to continue to engage in or thereafter to begin to engage in the sale of cigarettes at retail within this Commonwealth unless a cigarette permit or permits shall have been issued to him as hereinafter prescribed

(b) Every person desiring to continue to engage in or hereafter to begin to engage in the sale of cigarettes at wholesale or retail within this Commonwealth except those persons exempt under section 3 (a) hereof shall file an application for a cigarette permit or permits with the department Every application for a cigarette permit shall be made upon a form prescribed prepared and furnished by the department and shall set forth the name under which the applicant transacts or intends to transact business the location of his place of business within this Commonwealth [whether or not the applicant is the holder of a mercantile license in effect when the application is made and if so the number of such license and the county for which such license was issued] and such other information as the department may require If the applicant has or intends to have more than one place of business within the Commonwealth the application shall state the location of each place of business If the applicant is an association the application shall set forth the names and addresses of the persons constituting the association and if a corporation the names an addresses of the principal officers thereof and any other information prescribed by the department for purposes of identification The application shall be signed by the owner if a natural person and in the case of an association by a member or partner thereof and in the case of a corporation by an executive officer thereof or some person specifically authorized by the corporation to sign the application to which shall be attached the written evidence of his authority

At the time of making such application the applicant shall pay to the department a permit fee of one dollar ($1.00) for each permit

Upon approval of the application and the payment of the permit fee or fees herein required the department shall grant and issue to each applicant a cigarette permit for each place of business within the Commonwealth set forth in his application Cigarette permits shall not be assignable and shall be valid only for the persons in whose names issued and for the transaction of business at the places designated therein and shall at all times be conspicuously displayed at the places for which issued

All permits shall expire on the thirty-first day of December next succeeding the date upon which they are issued unless sooner suspended surrendered or revoked for cause by the department

(c) Permits issued under the provisions of this act may be renewed annually before the first day of January upon application made to the department and the payment of a renewal fee of one dollar ($1.00)

Whenever any permit issued under the provisions of this act is defaced destroyed or lost the department may issue a duplicate permit to the holder of the defaced destroyed or lost permit upon the payment of a fee of fifty cents ($.50)

(d) The department may suspend or after hearing revoke a cigarette permit whenever it finds that the holder thereof has failed to comply with any of the provisions of this act or any rules or regulations of the department prescribed adopted and promulgated under this act Upon suspending or revoking any cigarette permit the department shall request the holder thereof to surrender to it immediately all permits or duplicates thereof issued to him and the holder shall surrender promptly all such permits to the department as requested Whenever the department suspends a cigarette permit it shall notify the holder immediately and afford him a hearing if desired and if a hearing has not already been afforded After such hearing the department shall either rescind its order of suspension or good cause appearing therefor shall continue the suspension or revoke the permit

Section 4 A State excise tax is hereby imposed and assessed upon sales of cigarettes by dealers at the rate of [one cent] two cents per ten cigarette or fraction thereof except such sales of cigarettes as are not within the taxing power of this Commonwealth under the commerce clause of the Constitution of the United States and except such sales as are made to authorized purchasers by commissaries ship's stores and voluntary unincorporated organizations of the Army or the Navy personnel operating under regulations promulgated by the Secretary of War or the Secretary of the Navy Provided That only one sale of the same package of cigarettes shall be used in computing the amount of tax due hereunder

Except as hereinafter provided dealers shall be liable to the Commonwealth as taxpayers for the payment of the tax imposed by this act and shall pay the tax into the State Treasury through the department by purchasing from the department adhesive stamps of such design and denominations as may be prescribed by the department

Manufacturers of cigarettes located either within or outside of this Commonwealth and wholesale dealers in cigarettes located outside of this Commonwealth may purchase stamps from the department and affix such stamps in the manner hereinafter prescribed to packages of cigarettes to be sold within this Commonwealth in which case the dealer within this Commonwealth receiving such stamped packages of cigarettes will not be required to purchase and affix stamps on such packages of cigarettes

Section 5 Each dealer shall affix within the time hereinafter prescribed to each package of cigarettes stamps furnished by and purchased from the department evidencing the payment of the tax imposed by this act and shall cancel such stamps before such cigarettes are offered for

sale or before they are otherwise disposed of unless stamps have been affixed to such packages of cigarettes before such dealer received them Each wholesale dealer in this Commonwealth shall affix such stamps to each package of cigarette unless such stamps shall have been previously affixed thereto and shall cancel the same in the manner prescribed by the department prior to the delivery of such packages to any retail dealer in this Commonwealth

Each retail dealer in this Commonwealth execpt those persons exempt under section 3 (a) hereof shall immediately upon the receipt of any cigarettes at his place of business so affix such stamps to each package of cigarettes unless such stamps shall have been previously affixed thereto and shall cancel the same in the manner prescribed by the department or shall immediately mark in ink on each unopened box carton or other container of such cigarettes the word "received" and the month day and year of such receipt and shall affix his signature thereto The retail dealer shall in any event open such box carton or other container and immediately affix such stamps to each package therein and cancel the same in the manner prescribed by the department within twenty-four hours after such receipt and prior to the sale of such cigarettes

Whenever any cigarettes are found in the place of business of such retail dealer without the stamps affixed and cancelled or not marked as having been received within the preceding twenty-four hours as required by this section the prima facie presumption shall arise that such cigarettes are kept therein in violation of the provisions of this act

Stamps shall be affixed to each package of cigarettes of an aggregate denomination not less than the amount of the tax upon the contents therein and shall be affixed in such manner that they will be visible to the purchaser Upon affixing stamps to a package of cigarettes the person affixing them shall cancel them by such method or in such manner as may be prescribed by the department

Section 6 The department shall prescribe prepare and furnish adhesive stamps of such denominations and quantities as may be necessary for the payment of the tax imposed and assessed by this act The department shall make provisions for the sale of such stamps in such places and at such times as it may deem necessary

The department shall appoint wholesale dealers in cigarettes within this Commonwealth and may appoint any other persons within or without the Commonwealth as agents to affix the stamps to be used in paying the tax herein imposed upon sales of cigarettes but a wholesale dealer shall at all times have the right to appoint the person who is to affix the stamps to any cigarettes under his control and whenever the department shall sell consign or deliver to any such agent any such stamps such agent shall be entitled to receive as compensation for his services and expenses as such agent in affixing such stamps and to retain out of the moneys to be paid by him for such stamps a commission of four per centum on the par value thereof if and when such agent has purchased the stamps affixed by him directly from the department The department is hereby authorized and required to allow such commission or compensation in the settlement of the accounts of such agent upon payment by him into the State Treasury through the department of any moneys which may be or become due to the Commonwealth by reason of the sale delivery or consignment to such agent of such stamps

Section 7 Every person engaged in the sale of cigarettes at wholesale within this Commonwealth and every person engaged in the sale of cigraettes at retail within this Commonwealth except commissaries ship's stores and voluntary unincorporated organizations of the Army or of the Navy personnel operating under regulations promulgated by the Secretary of War or the Secretary of the Navy shall maintain and keep for a period of two years such record or records of cigarettes received sold and delivered within this Commonwealth by him together with invoices bills of lading and other pertinent papers as may be required by the department

The department or any agent appointed in writing by it is hereby authorized to examine the books papers invoices and other records the stock of cigarettes in and upon any premises where the same are placed stored and sold and equipment of any such wholesale or retail dealer pertaining to the sale and delivery of cigarettes taxable under this act to verify the accuracy of the payment of the tax imposed and assessed by this act Every such person is hereby directed and required to give to the Secretary of Revenue or his duly authorized representative the means facilities and opportunity for such examinations as are hereby provided and required

Section 8 The department is hereby charged with the enforcement of the provisions of this act and is hereby authorized and empowered to prescribe adopt promulgate and enforce rules and regulations relating to

(a) The method and the means to be used in the cancellation of stamps

(b) The denominations and sale of stamps

(c) Any other matter or thing pertaining to the administration and enforcement of the provisions of this act

[Section 9 The tax imposed by this act shall be in lieu of the mercantile license tax heretofore imposed upon the business of selling cigarette]

Section [10] 9 Whenever any cigarettes upon which stamps have been placed by a dealer have been sold and shipped by him into another state for sale or use therein or have been sold to commissaries ship's stores and voluntary unincorporated organizations of the Army or of the Navy personnel operating under regulations promulgated by the Secretary of War or the Secretary of the Navy for resale to authorized purchasers or have become unfit for use and consumption or unsaleable or have been destroyed such dealer shall be entitled to a refund of the actual amount of tax paid by him with respect to such cigarettes If the department is satisfied that any dealer is entitled to a refund it shall certify the proposed amount of such refund to the Board of Finance and Revenue for approval and thereafter shall issue to such dealer stamps of sufficient value to cover the refund as approved by the board The department is hereby authorized to adopt prescribe and promulgate such rules and regulations with regard to the presentation and proof of claim for refunds as it may deem advisable

The department may promulgate rules and regulations to relieve manufacturers and dealers from affixing the stamps on such cigarettes as are sold and shipped to points outside the Commonwealth for use outside the Commonwealth or on such cigarettes as are sold to commissaries ship's stores and voluntary unincorporated organizations of the Army or of the Navy personnel operating under regulations promulgated by the Secretary of War or the Secretary of the Navy for resale to authorized purchasers

Section [11] 10 Every person other than a common carrier or the employes thereof who shall possess or transport any cigarettes upon the public highways road or streets of this Commonwealth for the purpose of delivery sale or disposition shall be required to have in his actual possession invoices or delivery tickets for such cigarettes The absence of such invoices or delivery tickets shall be prima facie evidence that such person is a dealer in cigarettes in this Commonwealth and subject to the provisions of this act

Section [12] 11 (a) Any person who shall sell cigaret tes without being the holder of a cigarette permit or permits as required by this act shall upon conviction in a summary proceeding be sentenced to pay a fine of twenty-five dollars ($25.00) and costs of prosecution and in default of payment thereof to undergo imprisonment for not more than ten (10) days

(b) Any person who shall sell cigarettes without purchasing and affixing stamps to each package thereof as required by this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced for the

first offense to pay a fine of not less than one hundred dollars ($100.00) or more than one thousand dollars ($1,000.00) or to suffer imprisonment for a term not exceeding six (6) months or both in the discretion of the court and in the case of a conviction of a second or subsequent offense hereunder shall be sentenced to pay a fine of not less than five hundred dollars ($500.00) or more than one thousand dollars ($1,000.00) and to suffer imprisonment for a term not less than six (6) months or more than three (3) years

(c) Any person who shall fail neglect or refuse to comply with or shall violate the rules and regulations prescribed adopted and promulgated by the department under the provisions of this act or who shall refuse to permit the department or any agent appointed by it in writing to examine his books papers invoices and other records his stock of cigarettes in and upon any premises where the same are prepared stored and sold and his equipment pertaining to the sale of cigarettes taxable under this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than one hundred dollars ($100.00) or more than five hundred dollars ($500.00) or to suffer imprisonment of not more than six (6) months or both in the discretion of the court

(d) Any person who falsely or fraudulently makes forges alters or counterfeits any stamp prescribed by the department under the provisions of this act or causes or procures to be falsely or fraudulently made forged altered or counterfeited any such stamp or knowingly and willfully utters publishes passes or tenders as true any such false altered forged or counterfeited stamp or uses more than once any stamp provided for and required by this act for the purpose of evading the tax hereby imposed and assessed shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to suffer imprisonment for a term of not less than two (2) years or more than five (5) years

Section [13] 12 The provisions of this act are severable and if any of its provisions shall be held to be unconstitutional the decision of the court shall not affect or impair any of the remaining provisions of this act It is hereby declared to be the legislative intent that this act would have been adopted had such unconstitutional provisions not been included herein

Section [14] 13 This act shall become effective thirty days after its final enactment and shall continue in effect until and including the thirty-first day of May one thousand nine hundred [forty-seven] forty-nine

Section 2 This reenacting and amending act shall become effective on the first day of June one thousand nine hundred forty-seven

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

Mr. DENT. Mr. President, this is the cigarette tax bill. This started out originally with a fifty per cent increase, from two to three cents, and it is now up to four cents.

We all know that the consideration given to certain sections of Pennsylvania that raise tobacco caused a reversal in the decision on the tobacco and cigar tax, and allowed the addition of another fifty per cent tax on cigarettes.

The question of whether or not cigarettes can stand a four cent tax is not one that I am prepared to argue, but in my own mind, and voting my conscience, I sincerely believe that this group of Pennsylvania citizens are paying more than their just share of the tax burden in this Commonwealth and if, by adopting this simple expediency of adding another penny to this so-called luxury item that can cure our tax problems, then perhaps we ought to scrap the whole load of taxes we now have and just add twenty or thirty more cents to cigarettes.

I say there will be reduced consumption, and I say that great group of citizens who believe cigarettes necessary to them—I look around and see many men smoking cigarettes, and I see many women who have now become quite accustomed to smoking cigarettes, and then I look around and I see a great many of my fellow members of the Senate smoking cigars, including your humble servant. I am not paying my share of the tax because I am a cigar smoker, and I know Paul Wagner feels he is not paying his share, because he is a pipe smoker.

It seems we are just fooling around and adding taxes on those who can not complain, and so I am going to vote "no" upon this particular measure. I am going to vote "no" because it was conceived in inequity, it was not passed with the idea of justice behind it. I would have gladly voted for a one cent increase if other items of taxation would have been taxed their just share, but I do not believe I can conscientiously vote for a four cent tax upon one single item in the state of Pennsylvania.

In the first place, I am against a sales tax in any manner when it is not called by that name.

Mr. GELTZ. Mr. President, in fairness I think I should just answer the remarks just made, at least to this extent: the revision, insofar as the cigarette tax is concerned, was not made for the purpose of giving any section of this Commonwealth, or the citizens of any section of this Commonwealth particularly, relief, but was made as the result of a public hearing which was held by the Senate Finance Committee in this chamber, at the request of those who were principally involved in the handling of the products to be taxed. My colleague from Westmoreland, I am sure, remembers very well the testimony at that hearing given by the distributors and wholesalers, not only of cigarettes but those who handle cigarettes, cigars, stogies, pipe tobacco, chewing tobacco and all other kinds of tobacco. They told the Senate Finance Committee that this tax would work a severe hardship on them from the standpoint of necessitating new equipment and much greater investment in that equipment, in order to stamp and handle the types of tobacco that would be newly taxed.

The Finance Committee also received what they thought was substantial testimony to the effect that the sale of cigars, and pipe tobacco and chewing tobacco was declining and had been declining for the past fifteen or twenty years, while the sales of cigarettes continued to increase.

Therefore, in order to try to have as sound a tax base as was possible, it did not seem advisable to tie a tax on a declining industry, but if possible to hitch it to an ascending one, and I think that is what was done here, and I do not believe there is going to be any undue hardship worked out in this program, at least from that standpoint.

Mr. DENT. Mr. President, I, of course, remember the public hearing and I also remember another group of Pennsylvanians being here and they all protested the damage and the injury a certain tax was going to do to

their industry, but evidently that plea of theirs fell upon deaf ears.

Mr. President, everybody knows that if you wanted to tax tobacco and cigars all you had to do was tax them upon the same basis as the Federal Government uses—they do not seem to have any trouble. The plants in his state are equipped to place the federal tax stamp upon the packages, so as far as the physical aspect of the tax is concerned; they were not insurmountable.

However, we all know what the political aspects were, and, of course, we want you to understand over there that although we are voting in the main for your tax bills, we want you also to understand we are not being fooled.

Mr. TALLMAN. Mr. President, when we come to a discussion of politics in this situation, let it also be understood that works both ways, and there is just as much politics in the situation now being presented as there is in any stand this side of the Chamber has taken in this entire situation.

I want, however, briefly to say only one thing about the opposition of the gentleman from Westmoreland to the cigarette tax, based as I understand it, upon the proposition that he can not vote for a tax which places a four cent burden upon one specific article, and I think that statement and his vote on the prior bill, which has to do with the liquor tax, is evidence, strong evidence, of the difficulty of taking a position with regard to this tax program or any other tax program which may be submitted to a vote in this Senate and I point out to him that, while he objects on the grounds that he can not stand for a four cent tax on a single item, he has just voted favorably upon a bill which imposes a ten cent tax upon a single item, so that he justifies in his own mind imposing a tax of thirty-five cent upon a man who buys a $3.50 bottle of liquor; he says that its perfectly all right, but when we impose a tax of four cents upon a pack of cigarettes, he says that is all wrong.

I suggest that is the finest evidence in the world of the difficulty of this entire situation, and of the ability of people to meet it, and we on this side take the position that we are meeting a critical situation, the demand for additional revenues, by the best kind of a program that we have been able to work out.

Mr. BARR. Mr. President, I do not like the tone taken by the gentleman from Lehigh in his statement and I want him to know he is not kidding anyone on this side. We all know what Senators on the other side come from the tobacco growing counties, and we also know the Governor is telling the people this is not his bill. When he sent this bill over, he sent it over with one cent more on cigarettes and one cent on tobacco.

Mr. DENT. Mr. President, I of course, could never satisfy the Majority Leader as to my logic and my thinking, so I do not intend to attempt to do so.

However, there is quite a difference between a four cent tax on a fifteen or sixteen cent item and a ten per cent tax on a liquor item. Incidentally, I use liquor; I do not use cigarettes.

Mr. WOODRING. Mr. President, the question has been asked whether or not I am ready to vote on this bill. The answer is I am, but I am going to vote in the negative for several reasons, one of which is that this tax is in the nature of a restrictive sales tax. I have an abhorrence for sales taxes generally and while a general sales tax might be more justifiable than singling out a particular item, yet I can not be for this bill, which does single out a particular item and puts what I think is a excessive sales tax upon it.

In addition to that, however, the state of Pennsylvania has a lot of neighboring states. I happen to live on the border of New Jersey and many members of this Senate live in districts bordering on New York or Maryland or other states. I know what is going to happen when we further increase the tax on cigarettes by two cents. Down in my section, and I do not think my section is any different from any other section in Pennsylvania, the people in my section of the state, and they are loyal citizens of Pennsylvania, the same as from any other section, are going to get into their cars when it is convenient and they are going to drive about one block across the bridge into the state of New Jersey, and they are going to buy their cigarettes there and instead of buying one pack at a time they are going to buy them by the carton, and every time they bring a carton of cigarettes over to Pennsylvania, they are going to deprive the state of Pennsylvania of forty cents in taxes.

But worse than that, Mr. President and members of the Senate, the real evil of that situation is that Pennsylvania merchants, who derive their livelihood and their welfare in our Commonwealth and pay taxes to our Commonwealth, they are going to be deprived of legitimate business to which they are entitled. This bill is going to work a real hardship on the cigarette merchant of the border counties of our Commonwealth.

There are a couple of other items that ought to be pointed out before we cast our votes.

We have cigarette vending machines all over the state of Pennsylvania, and that is a big business, it involves the expenditure of a large sum of money, and those vending machines pay taxes to the Commonwealth, and I am afraid, with this additional tax on cigarettes, we are very apt to put that business and that cource beyond the scope of Pennsylvania business and beyond the scope Pennsylvania taxation; we are going to break down a very large and lucrative industry, namely, the cigarette vending machines.

And when we drive them out of business, we are also hurting the iron and steel business because down in my county, and I suppose that is true in other counties, we have a number of small iron and steel companies, specialities companies, that buy their steel from Bethlehem Steel and then fabricate that into smaller parts and manufacture the machines. They have had difficulty in getting along with the two cent tax. The machines have been specifically made, in great scientific detail, to accomodate a two cent tax and an additional two cent tax is going to throw the mechanism out of use, and it is probably going to throw those machines into obsolescence.

So I see a great number of inequities arising out of this bill and I feel, therefore, compelled to vote against it.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—40.

Becker,	Farrell,	Lord,	Tyler,
Berger,	Frazier,	Mahany,	Wade,

Blass,	Geltz,	Mallery,	Wagner,
Carr,	Hare,	Margie,	Walker.
Chapman,	Holland,	Ruth,	Watson,
Crider,	Homsher,	Scarlett,	Wilson,
Crowe,	Jaspan,	Snowden,	Wolfe,
DiSilvestro,	Kephart,	Stevenson,	Wood, L. H.,
Doehla,	Leader,	Tallman,	Wood, T. N.,
Donlan,	Letzler,	Taylor,	Heyburn, Presiding Officer

NAYS—10.

Barr,	Klein,	Rosenfeld,	Tarr,
Dent,	Lane,	Stiefel,	Woodring,
Haluska,	Rahauser,		

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 663, as follows:

An Act to further amend section three of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 284) entitled as amended "An act imposing a State tax payable by those herein defined as manufacturers and by others on malt or brewed boverages used sold transported or delivered within the Commonwealth prescribing the method and manner of evidencing the payment and collection of such tax conferring powers and imposing duties on the Department of Revenue and those using or engaged in the sale at retail or wholesale or in the transportation of malt or brewed beverages taxable hereunder and providing penalties" by temporarily increasing the rates of certain taxes

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section three of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 284) entitled as amended "An act imposing a State tax payable by those herein defined as manufacturers and by others on malt or brewed beverages used sold transported or delivered within the Commonwealth prescribing the method and manner of evidencing the payment and collection of such tax conferring powers and imposing duties on the Department of Revenue and those using or engaged in the sale at retail or wholesale or in the transportation of malt or brewed beverages taxable hereunder and providing penalties" as last amended by the act approved the twenty-fourth day of July one thousand nine hundred forty-one (P. L. 477) is hereby further amended to read as follows

Section 3 (a) Each manufacturer shall be subject to pay to the Commonwealth the taxes imposed by this section upon all malt or brewed beverages manufactured in this Commonwealth when prepared for market and every person who ships or transports malt or brewed beverages into this Commonwealth for sale delivery or storage in this Commonwealth shall pay to the Commonwealth the taxes imposed in this section before such beverages are transported within this Commonwealth Such taxes shall be at the rate of one-third cent (1/3c) per half pint of eight (8) fluid ounces or fraction thereof and in larger quantities at the rate of one-half cent (1/2c) per pint of sixteen (16) fluid ounces or fraction thereof

The tax rates per original container or standard fraction thereof are as follows

Standard Fraction	Malt Beverages Tax Rate	Volume
1 barrel	$1.24	31 gal
1/2 barrel	.62	15 1/2 gal
1/3 barrel	.42	10 1/3 gal
1/4 barrel	.32	7 3/4 gal
1/6 barrel	.21	5 1/6 gal
1/8 barrel	.16	3 7/8 gal
1 gallon	.04	
1/2 gallon	.02	
1 quart	.01	
1 pint	.005	
1/2 pint	.0033	

(a.1) Notwithstanding the rate of taxes above generally fixed the following temporary rates are hereby fixed and shall prevail from the first day of June one thousand nine hundred forty-seven t oand including the thirty-first day of May one thousand nine hundred forty-nine During that period they shall be at the rate of two-third cent (2/3c) per half pint of eight (8) fluid ounces or fraction thereof and in larger quantities at the rate of one cent (1c) per pint of sixteen (16) fluid ounces or fraction thereof

The tax rates per original container or standard fraction thereof are as follows

Standard Fraction	Malt Beverage Tax Rate	Volume
1 barrel	$2.48	31 gal
1/2 barrel	1.24	15 1/2 gal
1/3 barrel	.84	10 1/3 gal
1/4 barrel	.62	7 3/4 gal
1/6 barrel	.42	5 1/6 gal
1/8 barrel	.32	3 7/8 gal
1 gallon	.08	
1/2 gallon	.04	
1 quart	.02	
1 pint	.01	
1/2 pint	.0066	

(b) In the event that any state territory or country shall impose upon malt or brewed beverages which have been manufactured in Pennsylvania a higher tax or fee than is imposed upon malt or brewed beverages manufactured within such state territory or country every person who ships or transports from such state territory or country malt or brewed beverages manumactured therein into this Commonwealth for sale delivery or storage in this Commonwealth shall pay thereon to the Commonwealth before such beverages are transported within this Commonwealth in addition to the tax imposed by this section a tax equal to such excess tax or fee which is imposed in such state territory or country on Pennsylvania-manufactured malt or brewed beverages Such additional tax shall be levied assessed an dcollecte. in the same manner as the other taxes imposed by this act

(c) Manufacturers and all persons who bring malt or brewed beverages into the Commonwealth shall be liable to the Commonwealth as taxpayers for the payment of the taxes imposed by this act

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. DENT. Mr. President, I want to say a few words on this tax. Of course, it is clearly understood on our side, and I hope understood over there, that I am speaking my personal observations.

This bill is known as the malt beverage tax, commonly called the beer tax.

For an industry that pays so much towards the upkeep of this Commonwealth's ordinary expenses, this industry has less privileges than any other within the confines of the Commonwealth.

Those of us who were born and brought up during the days of prohibition, are very grateful to that group of citizens who had the courage to repeal the eighteenth amendment. There is no question in my mind that was

the will of a minority being festered upon the will of the majority of this great state and nation.

Here we are today with another tax on malt beverages, increasing that tax one hundred per cent. Again I say this industry can not defend itself, they are blackjacked and blugeoned into every tax proposal, because they are threatened with dire consequences from that same minority that brought into America the black days of prohibition. I have no fight or quarrel with the man or woman who decides in his own mind and in his own heart that he will not drink beer, but I do have a quarrel with such people when they say that no one else shall drink beer. Beer is a drink of moderation, and if I were strong enough politically in the Commonwealth of Pennsylvania to assert my will, I would endeavor to have a special license put through this legislature allowing beers and light wines to be sold in restaurants, because they are drinks of moderation and drinks that have certain food values.

When you pass this tax today you are again hitting that consumer who is, in the main, the lower income group citizen of the Commonwealth. That is the thing I protested in the early stages when this tax program was advanced, that it was a shifting of the tax burden from the shoulders of corporate and private interests onto the shoulders of consumers, onto the shoulders of the working men and women who are less able to pay it.

I do not intend to vote for it for many reasons, but the most important reason is that that particular group of citizens pays more than their just share of the state's taxes.

The Senator from Allegheny has made much of the fact that he introduced a tax commission bill. If you will go back to March 12 Senate Bill 322, you will find that bill already in the hopper; if you will go back to three years ago, four years ago, six years ago and eight years ago, you will find that same bill was introduced into every session of the Legislature.

In 1937, I was privileged to be Chairman of the Joint Tax Study Commission of this Commonwealth, and the outstanding recommendation that commission made to the General Assembly of Pennsylvania was the creation of a tax commission to take the place of the Department of Revenue, in so far as revenue measures were concerned, and to absorb the work of the Board of Finance and Revenue. I said before, and I say now, as I have said over the years, that we can not hope to have a thorough and equitable tax structure in this Commonwealth until we do pass such legislation.

I have no pride of authorship, I have no illusions about our position in Pennsylvania, and I therefore recommend that the bill just introduced by the gentleman from Allegheny, Senator Geltz, be brought out of committee and voted for. I do not care about the honors of putting a bill in, but I do care about getting the right legislation.

This particular tax is an example of not having a decent planning system for added revenue when we need it, and I therefore intend to vote against this bill. It is an additional burden upon those, and I say burden because when this additional hundred per cent tax is passed off to the consumer, it will naturally mean that he will pay not only the additional tax being imposed by the Commonwealth, which is something like $22,000,000, but I predict to this Senate that he will pay in addition, if the volume stays at the point it is today, an additional $22,000,000 in increased profits to those who always add their two cent's worth to any tax.

And the question recurring,

Will the Senate agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44

Barr,	Farrell,	Lord,	Taylor,
Becker,	Frazier,	Mahany,	Tyler,
Berger,	Geltz,	Mallery,	Wade,
Blass,	Haluska,	Margie,	Wagner,
Carr,	Hare,	Rahauser,	Walker,
Chapman,	Holland,	Ruth,	Watson,
Crider,	Homsher,	Scarlett,	Wilson,
Crowe,	Jaspan,	Snowden,	Wolfe,
DiSilvestro,	Kephart,	Stevenson,	Wood, L. H.,
Doehla,	Leader,	Stiefel,	Wood, T. N.,
Donlan,	Letzler,	Tallman,	Heyburn, Presiding Officer

NAYS—6

Dent,	Lane,	Tarr,	Woodring,
Klein,	Rosenfeld,		

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No 664, as follows:

An Act to provide revenue by imposing a state tax payable by those herein defined as manufacturers and bottlers and by others of syrups and bottled soft drinks prepared used sold transported or delivered within the Commonwealth requiring persons as herein defined engaged in the manufacture bottling distribution sale and transportation of syrup and bottled soft drinks to secure permits prescribing the method and manner of evidencing the payment and collection of such tax or assessing the tax conferring powers and imposing duties on the Department of Revenue and those manufacturing bottling distributing selling and transporting syrup or bottled soft drinks taxable hereunder and providing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 This act shall be known and may be cited as the "Soft Drink Tax Law"

Section 2 Definitions

The following words terms and phrases when used in this act shall have the meanings ascribed to them in this section except when used to clearly indicate a different meaning

"Bottled Soft Drinks" Bottled soft drinks as referred to in this act shall include any and all non-alcoholic beverages whether carbonated or not such as soda water ginger ale coca cola lime cola pepsi cola Dr. Pepper fruit juice when any plain or carbonated water flavoring or syrup is added milk drinks when any flavoring or syrup is added cider cordial carbonated water orangeade lemonade root beer or any and all preparations commonly referred to as soft drinks of whatsoever kind which are closed and sealed in glass metal paper or any other type of container or bottle and are further described to include any and all beverages commonly referred to as "soft drinks" which are manufactured with or without the use

of any syrup The term "bottled soft drinks" shall not include natural undiluted friut juice vegetable juice or fluid milk (not powered or reconstituted. to which flavoring alone is added constituting a product containing not less than two and one-half (2-½) percentum butterfat when bottled closed or sealed

"Syrup or Syrups" Syrup or syrups as referred to in this act shall be defined as being the compound mixture or basic ingredient practically and commercially usable in making mixing or compounding bottled soft drinks or non-bottled soft drinks by the mixing with same of carbonated or plain water ice fruit milk or any other product of sundaes or other fountain products among such syrups being such products as coca cola syrup cherocola syrup lemon syrup vanilla syrup chocolate syrup cherry smash syrup rock candy syrup Dr. Pepper syrup simple syrups and all other syrups prepared manufactured and practically and commercially usable for the purpose of mixing non-bottled soft drinks making sundaes and other fountain products or for preparation or manufacturing bottled soft drinks

Simple syrup is further defined to mean any syrup made mixed compounded or manufactured by dissolving sugar and water or any other mixture which will create what is commonly referred to as "Simple Syrup" practically and commercially usable in mixing non-bottled soft drinks making sundaes and other fountain products or in bottling soft drinks

"Manufacturer" A person engaged in producing preparing manufacturing or bottling syrup for use sale delivery or consumption

"Bottler" A person engaged in manufacturing bottling preparing for market or segregating in sealed containers any soft drink

"Distributor" Any person engaged in the purchase or resale of syrups or bottled soft drinks in original containers or bottles as prepared for market

"Importer" Any person who or which

1 Imports or causes to be imported from any other state or territory of the United States or from any foreign county syrups or bottled soft drinks for his own use in the Commonwealth of Pennsylvania or for sale and delivery in and after reaching the Commonwealth other than in the original container or bottle

2 Imports or causes to be imported from any other state or territory of the United States or from any foreign county syrups or bottled soft drinks for his own use in the Commonwealth of Pennsylvania or for sale or delivery therein after the same have come to rest or storage therein whether or not in the original container or bottle

3 Purchases or receives syrups or bottled soft drinks in the original container or bottle in the Commonwealth of Pennsylvania for his own use or for sale and delivery therein from any person who has imported the same from a foreign country

4 Purchases or receives syrups or bottle soft drinks in the original container or bottle in the Commonwealth of Pennsylvania for his own use therein or for sale and delivery therein from any person who has imported the same from any other state or territory of the United States in case such syrups or bottled soft drinks have not prior to such purchase or receipt come to rest or storage in the Commonwealth of Pennsylvania

5 Receives and in any manner uses or distributes syrups or bottled soft drinks in the Commonwealth of Pennsylvania where the tax provided in this act has not been previously paid

"Person" An individual or an unincorporated association including a partnership a limited partnership or any other form of unincorporated enterprise owned by two or more individuals or a corporation Whenever used in any clause pescribing and imposing a fine of imprisonment or both the term "person" as applied to a partnership limited partnership or any other form of unincorporated entepise shall mean the partners or members thereof and as applied to corporations the officers thereof

"Stamp" The impression device stamp label or seal manufactured or printed as prescribed by the department by use of which the tax imposed or assessed hereunder is paid

"Crown" The crown or crowns by the use of which the tax imposed or assessed hereunder is paid

"Original Container" Bottle cask keg receptacle can or other container that has been securely capped sealed crowned or corked by the manufacturer or bottler

"Department" The Department of Revenue of this Commonwealth

"Sale" Any transfer for consideration exchange barter gift offer for sale and distribution in any manner or by any means whatsoever

Section 3 Syrup and soft drink permits

(a) On and after the effective date of this act it shall be unlawful for any person to containue to engage in or thereafter to begin to engage in the manufacture bottling importing or the distribution of syrup or bottled soft drinks within this Commonwealth unless a syrup or bottled soft drink permit shall have been issued to him as hereinafter prescribed

(b) Every person desiring to continue to engage in or hereafter to begin to engage in the manufacture bottling importing or the distribution of syrup or bottled soft drinks within this Commonwealth shall file an application for a syrup or bottled soft drink permit or permits with the department Every application for syrup or bottled soft drink permit shall be made upon a form prescribed by the department and shall set forth the name under which the applicant transacts or intends to transact business and the location of his place of business within this Commonwealth If the applicant has or intends to have more than one place of business within the Commonwealth application shall state the location of each place of business If the applicant is an association the application shall set forth the names and addresses of the persons constituting the association and if a corporation the names and addresses of the principal officers thereof and any other information prescribed by the department for purposes of identification The application shall be filed by the owner if a natural person and in the case of an association by a member or partner thereof and in the case of a corporation by an executive officer thereof or some person specifically authorized by the corporation to file the application to which shall be attached the written evidence of his authority

At the time of making such application the applicant shall pay to the department a permit fee of one dollar ($1.00) for each permit

Upon the approval of the application and the payment of the permit fee or fees herein required the department shall grant and issue to each applicant a syrup or bottled soft drink permit for each place of business within this Commonwealth set forth in his application Such permit or permits shall not be assignable and shall be valid only for the person or persons in whose name or names issued and for the transaction of business at the places designated therein and shall at all times be conspicuously displayed at the places for which issued

All permits shall expire on the thirty-first day of December next succeeding the date upon which they were issued unless sooner suspended surrendered or revoked for cause by the department

(c) Permits issued under the provisions of this act may be renewed annually before the first day of January upon application made to the department and the payment of a renewal fee of one dollar ($1.00)

Whenever any permit issued under the provisions of this act is defaced destroyed or lost the department may issue a duplicate permit to the holder of the defaced destroyed or lost permit upon the payment of a fee of fifty cents (50c)

(d) The department may suspend or after a hearing revoke a syrup or bottled soft drink permit whenever advised that the holder thereof has failed to comply with any of the provisions of this act or any rules or regulations of the department prescribed adopted and promulgated under this act Upon suspending or revoking any

permit the department shall request the holder thereof to surrender to it immediately all permits or duplicates thereof issued to him and a holder shall surrender promptly all such permits to the department as requested Whenever the department suspends a permit it shall notify the holder immediately and afford him a hearing if desired and if a hearing has not already been afforded After such hearing the department shall either rescind its order of suspension or good cause appearing therefore shall continue the suspension or revoke the permit

Section 4 Imposition and rate of tax on syrup and bottled soft drinks (a) Each manufacturer and bottler shall be subject to pay to the Commonwealth the taxes imposed by this section upon all syrups and all bottled soft drinks prepared manufactured or bottled in this Commonwealth and every person who ships or transports syrups or bottled soft drinks into this Commonwealth for use sale delivery storage or consumption in this Commonwealth shall pay to the Commonwealth the taxes imposed in this section before such products are transported within this Commonwealth Such taxes shall be at the rate of one-half cent (1/2c) per fluid ounce or fraction thereof on syrups and one cent (1c) on each twelve (12) fluid ounces or fraction thereof on bottled soft drinks

(b) Manufacturers bottlers and all persons who bring syrups or bottled soft drinks into the Commonwealth shall be liable to the Commonwealth as taxpayers for the payment of the taxes imposed by this act

Section 5 Payment of tax by affixing stamps other evidence of payment penalties (a) The payment of the taxes herein provided shall be evidenced by the affixing of syrup or bottled soft drink tax stamps or crowns to the original containers or bottles in which all syrups or bottled soft drinks are placed received stored shipped or handled Such stamps or crowns shall be affixed to each individual container or bottle of syrup or bottled soft drink by the manufacturers or bottlers of this Commonwealth within twenty-four (24) hours after such syrups or bottled soft drinks are placed therein and by manufacturers bottlers and other persons who import or bring any syup or bottled soft dinks into this Commonwealth before the same are transported within this Commonwealth for use sale delivery storage or consumption therein nothing herein contained shall require stamps or crowns to be attached to containers or bottles of syrup or bottled soft drinks which are transported through this Commonwealth and which are not sold delivered or stored therein if transported in accordance with such rules and regulations as may be adopted by the department

The provisions of this section with reference to the stamping or crowning of syrup shall not apply (1) to syrup to be used by bottlers in the manufacture of bottled soft drinks or (2) to syrup in original containers to which stamps or crowns have been once affixed as required herein regardless of how often the syrup in such original containers may be sold or resold within this Commonwealth

The provisions of this section with reference to the stamping or crowning of bottled soft drinks shall not apply to bottled soft drinks to which stamps or crowns have been once affixed as required herein regardless of how often the soft drinks in their original containers or bottels may be sold or resold within the Commonwealth

(b) It is the intent and purpose of this section to require all manufacturers bottlers and other persons except as provided in clause (a) to affix the stamps on crowns provided for in this act to all original containers or bottles in which syrups or soft drinks are normally placed prepared for market received sold or handled before such products are transported within the Commonwealth

(c) If it is established to the satisfaction of the department that due to economic conditions or due to existing stocks of unstamped crowns in the possession of manufacturers or bottlers on the effective date of this act or due to unavailability of material it is impractical to use syrup or soft drink tax crowns or stamps the department is hereby authorized and required to provide by regulation some other means of evidence of payment of the tax imposed or assessed by this act

(d) Except as provided in clause (c) any manufacturer bottler or person who shall prepare manufacture or use syrups or bottled soft drinks or shall sell syrups or bottled soft drinks to bottlers distributors dealers or consumers without affixing to the original containers or bottles the stamps or crowns required by this act and any person who shall purchase receive transport store or sell any syrup or bottled soft drinks to which the stamps or crowns required by this act are not affixed shall be deemed guilty of a misdemeanor and upon conviction thereof shall be sentenced for the first offense to pay a fine of not less than one hundred dollars ($100.00) or more than five hundred dollars ($500.00) or to suffer imprisonment for a term not exceeding six (6) months or both in the discretion of the court and in the case of a conviction of a second or subsequent offense hereunder shall be sentenced to pay a fine of not less than two hundred dollars ($200.00) or more than one thousand dollars ($1000.00) and to suffer imprisonment for a term of not less than six (6) months or more than three (3) years

Section 6 Assessments on Failure to Pay Tax Procedure for assessment review (a) If any person shall fail to pay any tax imposed by this act for which he is liable the Department is hereby authorized and empowered to make an assessment of additional tax due by such person based upon any information within its possession or that shall come into its possession

(b) Promptly after the date of such assessment the Department shall send by registered mail a copy thereof to the person against whom it was made within ninety (90) days after the date upon which the copy of any such assessment was mailed Such person may file with the Department a petition for reassessment of such taxes Every petition for reassessment shall state specifically the reasons which the petitioner believes entitled him to such reassessment and it shall be supported by affidavit that it is not made for the purpose of delay and that the facts set forth therein are true it shall be the duty of the Department within six (6) months after the date of any assessment to dispose of any petition for reassessment Notice of the action taken upon any petition for reassessment shall be given to the petitioner promptly after the date of reassessment by the department

(c) Within sixty (60) days after the date of mailing of notice by the Department of the action taken on any petition for reassessment filed with it The person against whom such assessment was made may by petition request the Board of Finance and Revenue to review such action Every petition for review filed hereunder shall state specifically the reason upon which the petitioner relies or shall incorporate by reference the petition for reassessment in which such reasons shall have been stated The petition shall be supported by affidavit that it is not made for the purpose of delay and that the facts therein set forth are true if the petitioner be a corporation joint stock association or limited partnership The affidavit must be made by one of the principal officers thereof A petition for review may be amended by the petitioner at any time prior to hearing thereon as hereinafter provided The Board of Finance and Revenue shall act finally in disposition of such petitions filed with it within six (6) months after they have been received and in the event of the failure of said board to dispose of any such petition within six (6) months The action taken by the Department upon the petition for reassessment shall be deemed sustained The Board of Finance and Revenue may sustain the action taken on the petition for reassessment or it may reassess the tax due upon such basis as it shall deem according to law and equity Notice of the action of the Board of Finance and Revenue shall be given by mail or otherwise to the Department and to the petitioner

(D) Any person or the Commonwealth of Pennsylvania aggrieved by the decision of the Board of Finance and Revenue or by the Board's failure to act upon his petition for review within six (6) months May within sixty (60) days appeal to the Court of Common Pleas

of Dauphin County from the decision of the Board of Finance and Revenue or from the decision of the Department as the case may be in the manner now or hereafter provided by law for appeals in the case of tax settlement

(E) In all cases of petitions for reassessment review or appeal the burden or proof shall be upon the petitioner or appellant as the case may be

(F) Whenever any assessment of additional tax is not paid within ninety (90) days after the date thereof if no petition for reassessment has been filed or within sixty (60) days from the date of reassessment If no petition for review has been filed or within sixty (60) days from the date of the decision of the Board of Finance and Revenue Upon a petition for review or the expiration of the board's time for acting upon such petition If no appeal has been made and in all cases of judicial sales receiverships assignments or bankruptcies the Department may call upon the Department of Justice to collect such assessment In such event in a proceeding for the collection of such taxes the person against whom they were assessed shall not be permitted to set up any ground of defense that might have been determined by the Department the Board of Finance and Revenue or the courts as aforesaid TheDepartment may also provide adopt promulgate and enforce such rules and regulations as may be appropriate to prevent further shipment or transportation of syrup or bottled soft drinks into this Commonwealth by any person against whom such unpaid assessment shall have been made

Section 7 Sale of stamps or crowns agents commissions discounts advances

The department shall prescribe prepare and furnish stamps or crowns of such denominations and quantities as may be necessary for the payment of the tax imposed and assessed by this act The department shall make provision for the sale of such stamps or crowns in such places and at such times a it may deem necesary

The department may appoint persons within or without the Commonwealth as agents for the sale of stamps or crowns to be used in paying the tax herein imposed upon syrup or bottled soft drinks and whenever the department shall sell consign or deliver to any such agent any such stamps or crowns for sale or use such agent shall be entitled to receive as compensation for his services and expenses as such agent and to retain out of the moneys to be paid by him for such stamps a commission of one-half of one per centum on the face value thereof The department is hereby authorized and required to allow such commission or compensation in the settlement of the accounts of such agent upon payment by him into the State Treasury through the department of any moneys which may be or become due to the Commonwealth by reason of the sale delivery or consignment to such agent of such stamps or crowns

The Department is hereby authorized and required to allow to allow to each purchaser of tax stamps or tax crowns a discount of eight (8) percentum of the purchase price of the tax value of stamps or crowns purchased upon the payment by him into the State treasury through the Department of any moneys due to the Commonwealth by reason of the sale delivery or consignment to such purchaser of such stamps or crowns

The said discount shall be allowed by the Department in lieu of any claim for refund by reason of (1) the breakage or destructioin of containers stamped or crowned as provided in this act in possession of the purchaser or (2) the loss or destruction of tax stamps or tax crowns

The Department is hereby authorized and required in proper cases and upon application to advance to manufacturers and bottlers of syrup or bottled soft drinks tax crowns or tax stamps for a period of not exceeding thirty (30) days in such amount or of such tax value as shall be determined by the Department upon consideration and determination of the following (1) The applicant's satisfactory credit rating (2) The applicant's average monthly rate of use of stamps or crowns and (3) The applicant's average monthly credit extension on accounts receivable for syrups or bottled soft drinks sold The Department shall further require the applicant to file a bond in the form prescribed by the Department in twice the amount of the tax value of the stamps or crowns to be advanced

Section 8 Manner of affixing stamps

Stamps shall be affixed in such manner as shall be prescribed by regulations adopted and promulgated by the department

Section 9 Reports to Department of Revenue by manufacturers bottlers etc records

For the purpose of verifying the stamp or crown requirements it shall be the duty of every manufacturer bottler distributor and importer on or before the tenth (10th) day of the succeeding month to transmit to the department a report under oath or affirmation of syrups or bottled soft drinks prepared for market or which were imported and came to rest or storage at his place of business in this Commonwealth during the preceding month or which were transported from a point outside the Commonwealth to a point within the Commonwealth Such report shall show the number of ounces of syrup and the number of bottled soft drinks together with the number of fluid ounces contained therein prepared for market imported transported or stored during the period for which it is made and such further information as the department shall pescribe Each manufacturer bottler distributor and importer shall maintain and keep for a period of two years such record or records of syrup or soft drinks prepared manufactured bottled or transported from a point outside the Commonwealth to a point within the Commonwealth or imported together with invoices bills of lading and other pertinent papers as may be required by the department

Section 10 Examination of records and stock

The department or any agent appointed in writing by it is hereby authorized to examine the books papers invoices and other records and the stock of syrup or bottled soft drinks in and upon any premises where the same are placed stored or sold and in or on any car vessel truck vehicle or other means of transportation to verify the payment of or liability for the tax imposed by this act Any person in possession of such syrup or bottled soft drinks is hereby directed and required to give to the Secretary of Revenue or his duly authorized representative the means facilities and opportunities for such examination The department or any of its duly authorized agents is hereby authorized to confiscate any syrups or bottled soft drinks stored sold or transported in violation of the provisions hereof

Section 11 Purchase and use of stamps or crowns by foreign producers manufacturers bottlers etc.

Producers manufacturers bottlers or other vendors of syrup or bottled soft drinks from without this Commonwealth shall purchase stamps or crowns from the department and affix them in the manner prescribed by the department to original containers or bottles of syrups or bottled soft drinks to be sold delivered or transported for delivery in this Commonwealth

Section 12 Refund on shipment to other states on sale to organizations of Army and Navy personal on products destroyed by fire flood or disaster

(a) In case any syrup or bottled soft drinks upon which stamps or crowns have been placed by a manufacturer or bottler have been sold or shipped by him to a licensed or regular dealer in such syrups or bottled soft drinks in another state such manufacturer or bottler in this Commonwealth shall be entitled to a refund of the actual amount of tax paid by him upon condition that the seller in this Commonwealth shall make affidavit that the syrups or bottled soft drinks were so sold and shipped and that he shall furnish from the purchaser an affidavit or in cases where the total purchase price is five dollars ($5.00) or less a written certificate in lieu of an affidavit from the purchaser upon satisfactory proof that such affidavit or certificate cannot be obtained other evidence satisfactory to the department that he has received such syrups or bottled soft drinks for sale or

consumption outside the Commonwealth and the amount of stamps or crowns thereon together with the name and address of the purchaser

(b) In case any syrups or bottled soft drinks upon which stamps or crowns have been placed by the manufacturer or bottler have been sold to commissaries ships' stores or voluntary unincorporated organizations of the Army or Navy personnel operating under regulations promulgated by the Secretary of War and the Secretary of the Navy such manufacturer or bottler shall be entitled to a refund of the actual amount of the tax paid by him upon condition that he shall make affidavit and furnish proof that the syrup or bottled soft drinks were so sold

(c) In case any syrups or bottled soft drinks upon which stamps or crowns have been placed by an out-of-state manufacturer or bottler and subsequently sold by an importing distributor to commissaries ships' stores or voluntary unincorporated organizations of the Army or Navy personnel operating under regulations promulgated by the Secretary of War and the Secretary of the Navy such manufacturer or bottler shall be entitled to a refund of the actual amount of the tax paid by him upon condition that he shall make affidavit and furnish proof that the syrup or bottled soft drinks were so sold

(d) In case any syrups or bottled soft drinks upon which stamps or crowns have been placed by a manufacturer or bottler have been destroyed by fire flood or disaster he shall be entitled to a refund of the actual amount of tax paid by him upon condition that he shall make affidavit that such syrup or bottled soft drinks were so destroyed and shall also furnish the department with such other proof as the department shall require In each of the above cases the department shall with the approval of the Board of Finance and Revenue issue to the manufacturer or bottler stamps or crowns of sufficient value to cover the refund The procedure for refund in any case shall be completed by the Department of Revenue and the Board of Finance and Revenue within sixty (60) days after the proper affidavits have been filed with the department

Section 13 Regulations for shipments out of state

The department may promulgate rules and regulations to relieve manufacturers or bottlers from affixing the stamps or crowns on such goods as are sold and shipped to points outside this Commonwealth

Section 14 Penalty for acceptance without stamps or crowns prima facie evidence penalty for failure to obtain permit penalty for violations counterfeiting or wrongful use of stamps

(a) Except as otherwise provided in this act it shall be unlawful for any person to accept delivery of taxable syrups or bottled soft drinks in containers or bottles upon which stamps or crowns are not affixed and perforated or cancelled in the manner prescribed by the regulations of the department Such acceptance shall be a misdemeanor and upon conviction thereof in a summary proceeding before a magistrate alderman or justice of the peace such persons shall be fined ten dollars ($10.00) for each container or bottle so accepted and in default of payment thereof shall undergo imprisonment for not more than five (5) days for each container or bottle so accepted Possession of syrups or bottled soft drinks in containers or bottles upon which stamps or crowns are not affixed and perforated or cancelled in the manner prescribed by the regulations of the department shall be prima facie evidence of violation of this section

(b) Any manufacturer bottler distributor or other person who or which is not a holder of a permit or permits as required by this act and who or which engages in the preparation manufacture bottling sale distribution or transportation of syrup or bottled soft drinks shall upon conviction in a summary proceeding be sentenced to pay a fine of twenty-five dollars ($25.00) and costs of prosecution and in default of payment thereof to undergo imprisonment for not more than ten (10) days

(c) Any person who shall fail neglect or refuse to comply with or shall violate any provisions of this act any of the rules and regulations prescribed adopted and for which violation no specific penalty is provided or promulgated by the department under the provisions of this act or who shll refuse to permit the department or any agent appointed by it in writing to examine his books papers invoices and other records his stock of syrups or bottled soft drinks in and upon any premises where the same are prepared manufactured bottled stored and sold in or on any car vessel truck vehicle or other means of transportation and his equipment pertaining to the manufacture transportation storage or sale of syrups or bottled soft drinks taxable under this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than one hundred dollars ($100.00) or more than five hundred dollars ($500.00) or to suffer imprisonment of not more than six (6) months or both in the discretion of the court.

(d) Any person who falsely or fraudulently makes forges alters or counterfeits any stamp or crown prescribed by the department under the provisions of this act or causes or procures to be falsely or fraudulently made forged altered or counterfeited any such stamp or crown or who knowingly and wilfully utters publishes passes or tenders as true any such false altered forged or counterfeited stamp or crown with intent to utter publish pass or tender such stamp or crown as true or who uses more than once any stamp or crown provided for and required by this act for the purpose of evading the tax hereby imposed and assessed shall be guilty of a felony and upon conviction thereof shall be sentenced to suffer imprisonment for a term not exceeding ten (10) years or to pay a fine not exceeding five thousand dollars ($5,000.00) or both

Section 15 Enforcement of act rules and regulations

The department is hereby charged with the enforcement of the provisions of this act and is hereby authorized and empowered to prescribe adopt promulgate and enforce rules and regulations relating to any matter or thing pertaining to the administration and enforcement of the provisions of this act and the collection of taxes penalties and interest imposed by this act

The department is hereby authorized and directed to prescribe adopt promulgate and enforce rules and regulations relating to the transportation of syrups or bottled soft drinks through the Commonwealth and from points outside of the Commonwealth to points within the Commonwealth and to prescribe adopt promulgate and enforce rules and regulation reciprocal to those of or laws of any other state or territory affecting the transportation of syrups or bottled soft drinks manufactured in Pennsylvania

Section 16 Disposition of taxes and fines

All taxes fines penalties and interest received collected or accruing under the provisions of this act shall be paid into the general fund of the State Treasury by and through the department

Section 17 Constitutionality

The provisions of this act are severable and if any of its provisions shall be held to be unconstitutional the decision of the court shall not affect or impair any of the remaining provisions of this act It is hereby declared to be the legislative intent that this act would have been adopted had such unconstitutional provisions not been included herein

Section 18 Effective date

This act shall become effective on the first day of June one thousand nine hundred forty-seven and shall continue in effect until and including the thirty-first day of May one thousand nine hundred forty-nine

And said bill having been read at length the third time and agreed to.

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

Mr. RAUHAUSER. Mr. President, yesterday the ques-

tion of the constitutionality of House Bill 664 came before the Senate. It is the opinion of this side of the Senate that this bill is unconstitutional, and I have prepared a brief on that part, which, with the kind indulgence of you gentlemen of the Senate, I would like to read into the record, as exemplifying and setting forth the objections of this side of the Senate to this measure.

House Bill No. 664 has numerous objections which amendment did not cure. In the definition of soft drinks, page 2, line 4, a soft drink is defined to include "milk drink when any flavoring or syrup is added." On page 3, line 5, in the very same definition, the bill exempts fluid milk to which flavoring alone is added, when it contains two and one-half per cent butterfat.

This bill, by the very definition of milk, makes it most difficult to draw a regulation that will cover the types of milk drinks that are taxed. It seems quite clear that any chocolate milk made at a fountain will be subject to a tax in accordance with the tax levy on the amount of chocolate used.

However, if at the fountain the seller places the chocolate milk in a bottle and serves the customer in that manner, it then becomes a bottled drink and excluded from the tax. It is quite clear, therefore, that one type of chocolate milk is subject to tax, while the same commodity content may not be subject to tax. This is the condition so far as a milk drink alone is concerned.

How this comes within the uniformity provision of the Constitution is not quite clear, when one drink under one condition is tax free and under a very similar condition is taxed.

Also it is not quite clear how the uniformity provision affects the entire subject of this bill.

When a bottled drink is sold bottled it bears a tax of one cent, while one served over the counter bears a tax of one-half cent, this despite the fact that the enforcement problem will be very much larger in the case of a counter drink than in a bottled drink.

Nor is the classification under which the tax operates clear. When an ice cream sundae is served with chocolate sauce, it is subject to a tax, while one served with fruit salad or mixed fruit is untaxed. Nor is it clear how the uniformity provision operates. Where a drink contains twelve ounces, requiring one ounce of syrup in its preparation over the counter it is subject to a tax of one-half cent, while another drink which requires one and a half ounces for its preparation is subject to three quarters of a cent of tax, both drinks selling for approximately the same price and bearing approximately the same cost. There is also the question of whether the tax operates in favor of the taxpayer who gives the consumer the smallest quantity. There is a question on the form of the tax; it is not clear exactly where the tax falls, or where or when, or how the tax levy is made.

On syrups and soft drinks imported into the state, these questions are fairly clear. Apparently the tax falls on bringing the taxable article into the state, if the same comes to rest within the Commonwealth. But how and where does the tax fall on the product within the state itself? Does the one cent tax fall on the bottling operation or the privilege of bottling soft drinks? Does the one half cent tax fall on the privilege of bottling syrup, or the use?

The provision of the bill setting forth the levy uses the word in this phase: "Tax shall be at the rate of one-half cent per fluid ounce and one-half cent on twelve ounces of soft drinks." Does this levy a tax on the property, or on a use, or on a privilege. Does it not infer that the same ounce of syrup that is necessary for making a soft drink is subject to one-half cent in the form of syrup and one cent when it is placed in a bottle of soft drink?

Certainly, if this is the inference, the uniformity provision of the Constiution is questionable.

But these are not the only questionable phases. There is no classification in this bill. Regardless of the strength of the syrup, its state of concentration or state of dilution, or the required number of ounces that are necessary for a twelve ounce drink, the tax is the same; whether the syrup is expensive or cheap, diluted or concentrated, there is no difference in the tax.

Section 1 of Article IX was inserted in the Constitution of this Commonwealth with the object of preventing forever all forms of unjust and arbitrary taxation, and the courts of the Commonwealth have been most vigilant in enforcing its dictates. We believe that this principle applies to this bill.

In Appeal of Fox, 112 Pa. 337, 352, the Supreme Court of the Commonwealth said that if a tax violates the requirement of uniformity, it "must fall, no matter what inconvenience may result to the state." Continuing the Court said:

"This portion of the constitution is too important and valuable to be overriden by the Legislature, or frittered away by judicial construction. It was intended to, and does sweep away forever the power of the Legislature to impose unequal burdens upon the people under the form of taxation. The evils which led up to its incorporation into the organic law are well known. The burden of maintaining the state has been, in repeated instances, lifted from the shoulders of favored classes and thrown upon the remainder of the community. This was done by means of favoritism and class legislation. Article IX of the Constitution was intended to cut up this system by the roots, and we shall have no more of it if the legislative and judicial departments of the government perform their full duty in giving effect to that instrument."

In consonance with this broad purpose, the uniformity clause has been held to require of all varieties of taxes that they be "relatively equal and uniform," since "equality in the imposition of the burden is of the very essence of the right." Cope's Estate, 191 Pa. 1, 43 A. 79. In that case, in holding a tax invalid under the uniformity clause, this Court said, at page 20:

"* * * It is of the very essence of taxation that it should be relatively equal and uniform, and, where the burden is common, there should be a common contribution to discharge it. Cooley, Const. Law 495. In his Treatise on Taxation (2d Ed. pp. 2, 3), the same learned author says: 'In an exercise of the power to tax, the purpose always is that a common burden shall be sustained by common contributions, regulated by some fixed general rule, and apportioned by the law according to some uniform ratio of equality. The power is not, therefore, arbitrary, but rests on fixed principles of justice, which have for their object the protection of the taxpayer against exceptional and invidious exactions, and is to

have effect through established rules, operating impartially.' 'Equality in the imposition of the burden is of the very essence of the right, and though absolute equality and absolute justice may not be obtainable, the adoption of some rule tending to that end is indispensable. Equality, as far as practicable, and security of property against irresponsible power, are principles which underlie the power of taxation as declared ends, and principles of fundamental laws." We believe that these provisions especially provide a clear-cut example of what is applicable to this particular statute.

"* * * The language of section 1, (of Art. IX of the Pennsylvania Constitution), as to what the rule of uniformity shall embrace, is as broad and comprehensive as it could possibly have been made. The words 'all taxes' must necessarily be construed to include property tax, inheritance tax, and all other kinds of tax the subjects of which are susceptible of just and proper classification. By necessary implication, the first clause of that section recognizes the authority of the legislature to justly and fairly, but never arbitrarily, classify those subjects of taxation with the view of effecting relative equality of burdens."

The Court stated forcefully the limitations imposed by the uniformity clause (page 22):

"These limitations on the power of the legislature mean something. They are plainly intended to secure, as far as possible, uniformity and relative equality of taxation, by prohibiting generally the exemption of a certain part of any recognized class of property and subjecting the residue to a tax that should be borne uniformly by the entire class, and by guarding against any other device that necessarily or intentionally infringes on the established rules of uniformity and relative equality which, as we have seen, underlie every system of taxation.

In Delaware, Lackawanna & Western Railroad Company's Tax Assessment, 224 Pa. 240, 243, it is stated:

"The purpose of requiring all tax laws to be uniform is to produce equality of taxation."

The uniformity clause of the Pennsylvania Constitution has two aspects which are revelant here: (1) It forbids arbitrary and unreasonable classification of property for purposes of taxation, and (2) It requires that within a given class the tax operate uniformly.

Thus, in condemning a statute imposing a tax on the "employers of foreign born unnaturalized persons over twenty-one years of age" as in violation of both the Fourteenth Amendment of the Federal Constitution and the uniformity clause of the State Constitution, this Court in Juniata Limestone Co. **v.** Fagley, 187 Pa. 193, said (page 197):

"It is very apparent from the act itself that the pretended classification of the subjects of taxation is arbitrary and illegal; but in addition that, it directly and intentionally discriminates against the members of the same class, and creates an inequality among them."

While under the Pennsylvania Constitution property may be classified for purposes of taxation, the constitutional requirements of uniformity forbids arbitrary and unreasonable classification, or discrimination against a certain class of taxpayers or a certain class of property. In Schoyer **v.** Comet Oil & Refining Co., 284 Pa. 189, 197, the test is stated thus:

"The test of classification is whether it produces diversity in results or lack of uniformity in its operation either on the given subject of tax or the persons subject as payers. There must be a real distinction between the objects with which the law deals for it to be valid."

This is one sore of arbitrary classification which violates both the uniformity clause of the Pennsylvania Constitution and the equal protection clause of the Fourteenth Amendment of the Federal Constitution. The limitations imposed by these two constitutional provisions in this respect are very similar.

As this Court said in Commonwealth **v.** Girard Life Ins. Co., 305 Pa. 558, 562 (affirmed in 287 U. S 570):

"Our Constitution enjoins that 'all taxes shall be uniform, upon the same class of subjects.' The Federal Constitution directs, 'Nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws' As applied to questions of taxation, the constructions of the two enactments run together. That which would violate one would generally contravene the other."

In the recent case of Colegate **v.** Harvey, 296 U. S. 404, the United States Supreme Court, in what the Court below correctly described (1443a) as "a clear statement of the law as found in the Pennsylvania cases," said, at page 423:

"* * * the classification 'must be reasonable, not arbitrary, and must rest upon some ground of difference having a fair and substantial relation to the object of the legislation, so that all persons similarly circumstanced shall be treated alike.' Royster Guano Co. **v.** Virginia, supra; Air-way Corp. Day. 226 U. S. 71, 85; Schlessinger **v.** Wisconsin, 270 U. S. 230, 240. The classification, in order to avoid the constitutional prohibition, must be founded upon pertinent and real differences, as distinguished from irrelevant and artificial ones The test to be applied in such cases as the present one is—does the statute arbitrarily and without genuine reason impose a burden upon one group of taxpayers from which it exempts another group, both of them occupying substantially the same relation toward the subject matter of the legislation? 'Mere difference is not enough * * * '"

The law cannot be justified by expediency. Neither the state's need of revenue nor the haste of its action in attempting to raise it can justify unconstitutional legislation. As the Supreme Court of this Commonwealth said of a tax in Estate of Portuondo, 191 Pa. 28, at page 47:

"A strong appeal, however, is made in its favor on the ground of the financial embarrassment of the Commonwealth, and because, for want of time, the draftsmen could not weight words or consider results; and that it should, therefore, be treated leniently. But constitutional restrictions and provisions, intended for the very purpose of preventing hasty or inconsiderate legislation, cannot thus be overlooked or got rid of. The power of the Legislature in matters of taxation is very great, but the constitution is supreme, and suprema lex salus est populi is no less true than that salus populi suprema est lex."

In the case of a property tax, the tax must be uniform in its operation within the class of property taxed not only as repscts the rate of the tax but also as respects the valuation of the property.

In Commonwealth v. Sharon Coal Co., 164 Pa. 284, 305, the Court said:

"All properties, however, in the same class must be taxed without discrimination in the rate of tax imposed, and the rule for ascertaining the value of the property must be the same; the actual cash value of one capital stock in the same class cannot be ascertained from net earnings, another from profit, another from surplus and another from dividends, for each method will produce a different valuation, and result in inequality. But each may be taxed on the actual cash valuation from any relative evidence tending to establish the fact."

And in Delaware L & W. R. R. Co.'s Tax Assessment, 224 Pa. 240, 244; 73 Atl. 429, 432, the Court said (page 248):

"* * * It will not do to assess farm lands at one fifth their actual values, dwelling houses at one-third, manufacturing establishments at one-half, and coal lands at full value. The constitution says the valuation must be uniform on the same class of taxable subjects and real estate is a taxable subject of a particular class, and coal lands are real estate, hence the rule of uniformity must be applied to all kinds of real estate as a class."

It is obvious that a law which imposes the same amount of tax upon each unit of property within a class when such units vary widely in actual value is not uniform in its operation within the class.

Cases make it clear that the tax under consideration should produce equality of burden in its operation. This is pointed out in Delaware, Lackawanna & Western Railroad Company's Tax Assessment, 224 Pa. 240, with citation of the Delaware Division Canal case. After a discussion of the uniformity clause, the court said, at page 243:

"The central thought running through all the opinions is that the principle of uniformity is a constitutional mandate to the courts, to the Legislature, and to the taxing authorities, in the levy and assessment of taxes which can not be disregarded. The purpose of requiring all tax laws to be uniform is to produce equality of taxation. Absolute equality is difficult of attainment, and approximate equality is all that can reasonably be expected. Hence, it has been held that where there is substantial uniformity the constitutional requirement has been met. Kelly v. Pittsburgh, 85 Pa. 170; Fox's Appeal, 112 Pa. 337; Commonwealth v. Canal Company, 123 Pa. 594. All these cases hold there must be substantial uniformity which means as nearly uniform as practicable in view of the instrumentalities with which and subjects upon which tax laws operate. It is the duty of the courts in dealing with this subject to enforce as nearly as may be equality of burden and uniformity of method in determining what share of the burden each taxable subject must bear."

Members of the Senate, when this bill comes before the courts these will be the principles upon which the uniformity provision will be judged. We believe that this tax, for numerous reasons, violates those principles, and finally the bill is dilatory in having these principles adjudicated. The period of time necessary for adjudication is unnecessarily long. First, in order to bring this matter before the courts there must be an assessment, and it seems there must be a violation and a refusal to pay before the bill can be properly questioned. Ninety days after date of assessment, the taxable may question the tax. The department then has six months to dispose of the petition and then the taxpayer has sixty days to ask for re-assessment. The Board of Finance and Revenue has then six months to dispose of the matter. The taxpayer then has sixty days to appeal to the court, so that the state could at least take one year before the taxpayer could reach the lower court. Appeals take considerable time, so that one and a half years could elapse before the legal points on this tax bill could be determined. During that time people subject to this unjust and unconstitutional tax would be subjected to a severe burden.

Mr. DENT. Mr. President, I desire to interrogate the chairman of the Finance Committee of the Senate.

The PRESIDENT. Will the gentleman from Allegheny permit himself to be interrogated?

Mr. GELTZ. I will, Mr. President.

Mr. DENT. Mr. Geltz, last week I asked that you or the Majority Floor Leader get from the budget director, if possible, an estimate of the revenue to be raised by this measure Can you at this time give the minority members of the Senate that estimate?

Mr. GELTZ. Do I understand the gentleman from Westmoreland to mean this one tax?

Mr. DENT. Yes, this one tax.

Mr. GELTZ. $35,000,000 for the biennium.

Mr. DENT. Will the gentleman from Allegheny repeat that?

Mr. GELTZ. $35,000,000 for the biennium.

Mr. DENT. Will you, or can you, give me the authority for this estimate?

Mr. GELTZ. If you mean by authority the person from whom I received the estimate, Dr. Logan, the Budget Director.

Mr. DENT. Did he substantiate his estimate with figures based upon performance?

Mr. GELTZ. Mr. President, I do not know quite how to answer that question. Estimates are made, I would expect, in many different ways, depending upon the person who is making the estimate. I judge, in determining or arriving at this estimate, that Dr. Logan took into consideration the figures, particularly insofar as experience is concerned, of other states having this type of taxation, and considered those revenues in connection with the possible or estimated revenues of Pennsylvania, comparing the population of the Commonwealth of Pennsylvania with the population of whatever other state or states he used as a base.

Mr. DENT. Mr. President, is the gentleman from Allegheny satisfied that this bill will raise $35,000,000 in the next two years?

Mr. GELTZ. Mr. President, I am satisfied to accept the estimate of the budget director in connection with this tax, the same as in connection with the other taxes.

Mr. DENT. I thank the gentleman from Allegheny very kindly.

Mr. President and Members of the Senate, I said last week that I would try to give figures to substantiate my charge that this tax bill will not raise the revenue it is intended to.

I have before me figures presented to this Senate at the public hearing and substantiated by federal government reports as of the last year the figures were available. I have also the total income from this tax in the only

state where it has been imposed. The year 1939 is the last year for which any official compilation of census figures was made, showing the value of production of bottled soft drinks produced by states for the years 1925, 1929, 1931, 1935, 1937 and 1939. The year 1939 is the last for which any official census was made, and since there is no other practical means of obtaining production figures by states, this is, therefore, the last year upon which we can rely for official figures.

In the bottled soft drink industry, production figures are the equivalent of sales at wholesale, because all goods produced are sold substantially at the time of manufacture and usually in the area where manufactured.

I call attention to the members of the Senate who are interested to table 5, page 5, of the 1939 Census of Manufactures, showing the value of production of bottled, carbonated and still beverages in the United States by states. In this table, bottled carbonated beverages produced during that year amounted to $20,840,463; bottled still beverages for the same year, $141,487. The total of these two soft drink items was $20,981,950, which corresponds with the figure in the compilation of annual figures.

The census covers only bottled drinks; drinks produced at fountains are not included. However, Mr. John J. Riley, Secretary of the American Bottlers of Carbonated Beverages, the national association of the bottled soft drink industry, presented to the Senate Finance Committee the usual customary figure of twenty-five per cent as representation of fountain sales to increase this total of soft drink sales in Pennsylvania to $25,250,000, as the wholesale value.

In arriving at retail value, the wholesale price would be increased approximately 50 per cent, giving a retail sales value of all soft drinks sold in Pennsylvania for the year 1939, of $37,875,000. At five cents per drink, this represents 757,500,000 drinks which, at one cent per drink, would produce $7,575,000 per year upon the basis of 1939 sales. In the absence of official census figures, we have no means of knowing what the increase in sales has been since 1939, but we would estimate it to be between 25 and 50 per cent, with the latter as an outside figure.

Even if increased by 50 per cent, it is easily seen that the $19,000,000 estimate from a one cent soft drink tax in Pennsylvania is approximately twice what it is likely to be.

There is another means of checking this estimate. The United States Treasury Department proposed a one cent tax on soft drinks in 1941, and estimated that the annual revenue produced would be $132,500,000 for the country as a whole. As you will note from the census figures, the State of Pennsylvania accounted for $20,900,000 of the $361,800,000 of production value in 1939, or approximately 5.7 per cent. The percentage of the revenue expected from one cent tax on a nation wide basis is approximately $7,685,000, which checks very closely with the estimate above, based on 1939.

I have here some bottle per capita figures on bottled soft drink production by states for the year 1939, which may be of interest to you. These are approximations based upon the 1939 census of soft drink manufactures.

Mr. President, these figures are accurate, insofar as they can be, when based upon United States Treasury reports.

The State of Pennsylvania has an annual consumption of 69 bottles per person. If we take these 69 bottles per person and multiply that by roughly 10,000,000 people, or let us go further and say that, instead of 69, we make it 72 bottles, or three cases, per person in the state of Pennsylvania on an annual basis, and multiply this by 10,000,000, we then get 30,000,000 cases of soft drinks manufactured and sold in the Commonwealth of Pennsylvania every year. This would bring, under the present rate of taxation, $7,200,000. However, that is the total tax without regard to the cost of collection. Syrup consumption on this basis could not possibly exceed one-half gallon per person, and this would give approximately the same amount of drinks per person in the Commonwealth. On this basis, a tax of one-half cent per drink would yield $3,200,000, making the total income about $9,000,000 after collection costs are deducted. If we subtract the eight per cent tolerance allowed for breakage and spoilage, cost of collection and so forth, contained in this bill, we would have a reduction of approximately $800,000 or a total tax of $8,200,000. If we double this amount, we will have, at the end of the biennium, approximately $16,400,000, or, in round figures, $17,000,000.

Allowing for increases in consumption, although all evidence points to the contrary in every instance where the tax is imposed, we will still be about $20,000,000 short of Governor Duff's estimate in his revenue message.

During the discussion upon this bill, I tried to show that the tax was one that hit that element of our population that could not defend itself. Eighty per cent of the soft drinks consumed in this Commonwealth are consumed by children and minors. Is this legislature setting itself up to be so all-seeing and wise that it knows more than the Federal Congress and the President, that it also knows more than the legislatures of other states who have tried and later repealed soft drink taxes? Why should not we be guided by national policy and also by the actual experience of all other states that have tried the experiment that this Legislature is now proposing, and which have had the experience of seeing it fail, and some of whom have then acknowledged their mistake by repealing the soft drinks tax which proved to be a failure? Why do we not profit by the experience of others and not walk into the same failure which this body would only have to repeal in a year or two from today, just as other state legislatures have done?

When I speak of this contemplated tax being counter to policy and experience of the Federal Government, I have the following in mind.

The Congress of the United States, in 1941, 1942 and 1943 took under consideration a national soft drink tax, and each time, after exhaustive research and consideration of such tax, decided against it. The reasons were that they found it impractical, unproductive, incapable of raising sufficient revenue, discriminatory, and a burden upon individual small businesses. Therefore, the Federal Congress, in 1941, 1942 and 1943, very wisely accepted these facts as facts, and did not attempt to levy a national soft drinks tax.

In 1918, the United States imposed a tax on soft drinks which we found to be so unproductive and unenforceable that its repeal was recommended by the Secretary of the Treasury, in 1921. The Senate Finance Committee endorsed

the recommendation for the repeal of the tax with this statement:

"This tax has proved very difficult to administer and is widely evaded. Your committee recommends repeal of this particular tax. (Senate Report No. 276, 67th Congress —First Section—September 26, 1921).

Another soft drinks tax, enacted by the Federal Congress in 1932, was repealed in 1934, on the recommendation of the Secretary of the Treasury, in the following language:

"That those excises which experience has demonstrated are relatively unproductive and give rise to serious administrative difficulties be repealed (Annual Report of the Secretary of the Treasury for fiscal year ended June 30, 1932).

The states, too, have had a wide range of experience with this type of legislation and when I say we should profit by the experience of other states, I have in mind the experience of twenty-four state legislatures. I want to point out to you that proposals of this type have been carefully examined and finally rejected from two to five times at different sessions of the legislatures in the states of Alabama, California, Colorada, Indiana, Kansas, Kentucky, Maine, Maryland, Michigan, New Jersey, New York, North Carolina, North Dakota, South Dakota, Wisconsin—yes, and in our state of Pennsylvania; it has also been rejected more than five times at different legislative sessions of the states of Arkansas, Florida, Georgia, Illinois, Massachusetts, Mississippi, Oklahoma and Texas. When these twenty-four states—half the Union—have weighed and decided against a soft drinks tax, we have the significant opinion of the legislators of half of the United States to guard us against leveling such a tax.

Now, let us look at the experience of states which did not profit by these opinions and which did go ahead with the tax. What happened?

The Ohio State Legislature enacted such a tax in 1933. A year later, it was suspended, and the year after that, definitely repealed.

Kentucky had a similar experience. They levied a soft drink tax in July, 1936, and the results were so disastrous that it was repealed at a special session of the Legislature in January, 1937.

If we are foolish enough to pass this tax, we will drive out half the bottler in this state, because they can not withstand such a tax, and will find ourselves in the position a year from now of having to repeal the tax and trying to woo back the business we have lost. This was proved in the state of South Carolina when a tax became effective there in 1926.

The following data is from the Associated Bottlers of Carbonated Beverages, which is the national organization representing all soft drink groups. Nearly 50 per cent of the bottlers of South Carolina went out of business when the tax became effective there in 1926, and this is supported by affidavits sworn to by former bottlers in that state, swearing that the tax was directly responsible for putting them out of business. There were 132 bottlers in the state when South Carolina enacted the soft drink tax in 1925 Between 1925 and 1933, 25 additional plants attempted to do business. In 1939, only 86 plants remained. 71 plants, almost half the total, were forced to close their doors.

In other words, the soft drink bottler cannot withstand the effect of this tax and continue to operate.

We must bear in mind that the soft drink business is run by local, small business men and that 85 per cent of the industry's production is distributed direct from a local bottling plant to the corner grocery store. By penalizing the small soft drink bottler—the small business-man, the result will be destructive of this important group of our citizens.

That is best proven by the fact that this in an industry which was the first to be harassed by war time restrictions and is still harassed by war time restrictions and by peace time inability to reach a production level that will give them the ingredients they need and desire to put their business on a footing competively with other businesses. They maintained during all these years a price structure to the consumer that kept their particular item in the low price high production group.

The people of this Commonwealth will know full well immediately upon the effective date of this bill, that they are paying a twenty-five per cent increased cost in their daily expenditures for this item. Many persons believe that soft drinks, as Governor Duff has so often said, is a item that can be classified in the non essential group. I want to say to you men that I operate and have operated a couple of small businesses. I can testify to this group and I believe I am safe in saying that many others can testify to the same fact, that where we put a soft drink cooling machine in the working departments of our plant we found better condition amongst the workers. Some of you who have never worked in the middle of a hot July afternoon can not hope to experience the uplift that you get from drinking a cool soft drink. Soft drinks have a definite food value, they have a definite value in our every day life, they are one of the few items that low income groups purchase in substantial quantities for family consumption. It may interest the Senate to know that one of the largest bottlers in my particular county—in fact he is the largest; he bottles for many surrounding counties a particular type of drink that he himself has originated—and he tells me that two-thirds of all the soft drinks that he sells are sold for home comsumption to family groups.

I say to you that this tax will not raise more than $20,000,000, and I am being very liberal in that estimate. I hope to be present in the Senate of Pennsylvania when public acclaim will demand the repeal of this law.

In the first place, it places an undue burden on the small group of business men in this Commonwealth who have maintained a price structure in their particular field, although every one of us know that there has been an increase of eighty to ninety per cent in every other field. We know, and we ought to know, that for many years there has been agitation for a tax upon soft drinks not only in Pennsylvania but, as history has proven, in many of the other states of this nation. We will find through the sad experience that we will go through that this tax, besides its inequity, is one that will not do the job that this Legislature intends for it to do. It intends to raise $35,000,000 by the imposition of this tax. That is based upon a one cent tax per bottle and one half cent tax per drink, or a twenty per cent tax on seventy-five

per cent of the business and a ten per cent tax on twenty-five per cent of the business.

We are assuming, then, that we in Pennsylvania are consuming approximately $170,000,000 worth of soft drinks. In 1939, by comparing the facts that were obtainable through the manufacturers of caps, through the producers of concentrates, through the producers of sugar, the federal government estimated the entire intake in the gross business all over the United States to be—I want to get that figure right because the Republican majority has a habit of picking up what I say—the total business in the United States in 1939 was $358,232,000.

Are we to believe then that this budget director of the Governor, who has so often been proven wrong, has now pulled out of his magic bag of tricks an income for Pennsylvania of $35,000,000, which represents over fifty per cent of the total volume of business done in the entire United States?

I say to you that this tax bill will cause this Legislature to be called into Special Session to create a new income producing revenue measure, in order to meet the obligations of this Commonwealth, if we appropriate the moneys that Governor Duff has asked us to appropriate.

Throughout the entire time that this bill has been before the Senate, I have attempted to show on various occasions that the bill starts out to do one thing, and I am convinced in my own mind that it does more than that.

Maybe Mr. Logan has in mind that this tax will apply to syrups that go into ice cream, that this tax will apply to syrups that go into baked goods. If this tax applies to those items, I can see perhaps where he has reached the estimate that he has given to this Legislature, but if that is what we are doing, then we ought to have the courage to say that we are taxing food and food products, that we ought not sit here and say to the people of Pennsylvania that we are voting for a soft drink tax, if in reality we are voting for a tax on ice cream and baked goods.

No stretch of the imagination can put an ice cream sundae, for instance, into the classification of a soft drink; yet this bill clearly states that ice cream sundaes are taxed. Ice cream sundaes are made up of ice cream, plus a flavoring of syrup over the top of them as a garnish or something, and yet you call that a soft drink tax. Manufacturers of ice cream in Pennsylvania know that this bill definitely imposes a tax upon their product when it is used in conjunction with a syrup for a dressing.

Many of the members of this Senate have expressed to me their utter disgust at this type of legislation and at this particular statute. They are compelled, of course, to vote for this bill, because of the fact that they belong to that political group which has the responsibility at this time of meeting the Governor's demands for new and increased revenue. I have suggested to the Senate that there are fairer and more equitable tax measures that could and should be recognized and considered by this group. We are again in that particular position in this legislative session where the demands of the executive are being adhered to by the Legislature simply because of political expediency. I say to you that the executive has its proper function in our form of government, but it is the duty of the Legislature to create tax measures, it is the duty of the Legislature to assess taxes against the people or against the industries of this Commonwealth. This measure was recommended to the Legislature by the Governor of the Commonwealth.

This entire tax program was recommended. The Governor of this Commonwealth, if properly following the duties of his office, would have said to the Legislature, we require this amount of revenue, I leave to the Legislature the method by which this revenue should be raised.

However, from the very beginning, you have closed your ears to the appeals of those who would come before you and say to you, we can find a more equitable tax structure, we can work together to give Pennsylvania something of permanency in tax matters. No, you have even refused to discuss taxes with the minority, you have delibertely taken the easy way out, and I might suggest to you, and this is no stretch of the imagination when I say to you that it is just as equitable to tax a package of chewing gun—I don not know of much chewing gum being manufactured in Pennsylvania, but I know that a great deal of it is sold here, and it is sold on a competitive basis with this particular item that you are taxing today. You might have a tax on a chocolate bar, you might have a tax on many of the items in the five cent class that are direct competitors of this item but, no, you take this one particular business, and I say to you again and again that when you are through taxing the soft drink industry of Pennsylvania, you are going to have a reduced revenue, you are going to have reduced production in the Commonwealth and you are going to drive from this field of endeavor a great many citizens who have given practically their life's earning to create a business for themselves and their families.

We can not sit here and say "it can't happen here" because it has happened in other instances and if it happened there, it will happen here.

I say to you men of the Senate that it takes less courage to vote for this type of tax than it took in 1937 to impose almost $300,000,000 worth of new taxes upon the people of Pennsylvania, to feed the millions of citizens who were then out of work and who were in dire need. We faced that situation by placing a tax upon the shoulders of those who were best able to bear that load, and although the Republican minority at that time took the position that they would refuse to vote for every tax bill, we imposed those taxes, and today we are still passing in this Legislature the emergency taxes of 1937—the least that you can do is to show the courage of your convictions and remove the word "emergency" and pass these taxes on a permanent basis.

Every two years we come before this Legislature and go through this same procedure of re-enacting emergency taxes. Does anybody kid himself that we will not be back here two years from now voting for the same emergency taxes? Yes, the Democratic party imposed those taxes, because the need was great, and they must have been equitable taxes because you are still passing them, after being in power from the year 1939 to the present day.

I predict, however, that two things will happen within the next two years: you will call a special session to provide the additional revenues that you will not get from passing this bill and then, at the end of the biennium, if not sooner, you will repeal this particular piece of punitive legislation.

Mr. GELTZ. Mr. President, I think the gentleman from Westmoreland is to be commended for spending so much energy and diligence to give us those various figures and statistics but methinks he wasted considerable time because I think there is a much simpler method of arriving at a more accurate estimate. When the gentleman from Westmoreland started to speak I understood that he said he had figures from South Carolina and in that connection I would like to interrogate the gentleman from Westmoreland.

The PRESIDENT. Will the gentleman from Westmoreland permit himself to be interrogated?

Mr. DENT. I will, Mr. President.

Mr. GELTZ. Mr. President, does the Senator from Westmoreland have any figures in so far as the revenue collected in South Carolina in any particular year is concerned.

Mr. DENT. Mr. President, it is my understanding there was $4,000,000 collected in the year 1935.

Mr. GELTZ. Has the gentleman used the figures of $4,000,000, in endeavoring to arrive at an accurate estimate of the taxable revenue in Pennsylvania.

Mr. DENT. No. Mr. President, for the very obvious reason that the collection in 1945 was augmented by the fact that the United States Army had numerous army camps and they were still in existence.

Mr. GELTZ. Mr. President, does the gentleman from Westmoreland not think by taking the ratio of population of South Carolina to Pennsylvania, and making allowance on the $4,000,000 revenue received in South Carolina, that he could arrive at an accurate estimate of revenue for Pennsylvania

Mr. DENT. I do not, Mr. President, because I believe the sounder basis of estimating the tax is on a per capita consumption in any given area. The per capita consumption in Pennsylvania, as found by national figures, is 69 bottles per year.

Mr. GELTZ. Mr. President, it seems sowewhat foolish to me that the gentleman would endeavor to take figures from a national standpoint and break them down to the Commonwealth of Pennsylvania, into a per capita consumption ratio, when we have available accurate information in so far as revenue in South Carolina is concerned; we know that the population in Pennsylvania is substantially 5.2 times the population of South Carolina, and by using those simple figures we can arrive at a prospective revenue for the Commonwealth of Pennsylvania of $38,000,000 for the biennium of 1947 to 1949.

In the revised estimate which I gave to the gentleman from Westmoreland we now have contemplated or estimated revenue of $35,000,000 instead of $38,000,000.

The reason for that difference is that when the original estimate was made it was based on the same rate of tax as South Carolina, in so far as the estimate was concerned, which was seventy-six cents per gallon, although the rate of tax, or the tax as set up in the bill as it originally came from the House, was $1.28 a gallon. Therefore, in reducing the tax per ounce to one half cent instead of one cent, we have revenue of sixty-four cents per gallon, which is one-sixth less than the original estimate. Therefore we have revised this figure to $35,000,000 on the basis of the one half cent revision or amendment inserted in this bill.

It seems to me this is a much simpler and a much more accurate method of making an estimate, than trying to figure out how many bottles of soft drink I might drink or somebody else might drink during the next two years.

But we again come back to the point, Mr. President, which we stated before, that estimates may be made in numerous ways. The gentleman from Westmoreland is entitled to make his estimate as he sees fit: It seems to me the budget director of the Commonwealth has the facilities, he has the experience and he has the ability to make estimates as accurately as is possible to make those estimates. We understand, of course, there are many things that can come about to upset estimates; it depends, in connection with any type of tax, how the business holds up, whether it increases, whether it decreases or whether it stays at the same ratio as it did for the prior period. However, all anyone can do is to use all the facilities available to project his estimates for the next biennium, which was done in this case, and we think that we have as accurate an estimate as is possible to make.

Mr. DENT. Mr. President, that was rather a long question but I will try to answer it.

Mr. GELTZ. That was not a question, Mr. President. I had concluded by interrogation of the gentleman from Westmoreland.

Mr. DENT. Mr. President, I thought the gentleman from Allegheny started his speech by saying he wanted to interrogate the gentleman from Westmoreland.

Let me say, concerning the statement of the gentleman from Allegheny, that Pennsylvania has a yearly consumption of 69 bottles and then let us look at South Carolina—I think the gentleman ought to be interested in these figures—you see, soft drink consumption varies all over the country. It varies because there are different conditions surrounding the various localities. In Washington, D. C., for instance, the soft drink consumption is 144 bottles per person, over a hundred per cent more than the consumption is in Pennsylvania. That is caused by the fact that the weather is slightly warmer and there are thousands upon thousands of office worker who go out at noon and their lunch consists, in the main, of a sandwich and a couple of soft drinks or some ice cream and a drink of sweetened orange, or something, and therefore their consumption is twice that of Pennsylvania.

In South Carolina consumption is 120 bottles per person. You can not take the South Carolina figures for total revenue and try to estimate Pennsylvania revenue on the basis of population; you must of necessity base it upon the rate of consumption per capita. That is true in any line of endeavor, in any business. Gasoline companies do that when they decide to go out and set up a gasoline station, they do not take the total population, but they take into consideration the consumption of gasoline per capita in that particular area.

That is true in every business that has any foresight, and, of course, anybody that would attach to this program under this tax, any suggestion that there was any foresight, would be a little off base. In Louisiana, the total consumption is 152 bottles per person. That comes next to the state of Florida, which is the largest consumer in the entire nation, which has a consumption of 160 bottles per person. If we do not use bottles per person as a basis for our estimate, how can we ever reach a figure that can be substantiated by the return. Penn-

sylvania, incidentally, is one of the smallest per capita consumers in the entire United States. That is reflected in the fact that we are one of the largest per capita consumers of malt beverages in the United States. The two things go hand in hand. We have in Pennsylvania the largest return from the beer tax in the entire country. You are going to have a smaller return per capita from the fot drink tax in the entire nation.

Mr. TALLMAN. Mr. President, I have been tremendously interested in the remarks made by the gentleman from Westmoreland on this bill. I have been more particularly interested in his prediction of dire things to happen to the Commonwealth of Pennsylvania, to the people of Pennsylvania and to the industry affected by this tax.

Mr. President, it appears from all of the remarks made up to this time on this subject that there is one state which still has this tax enacted. That tax was enacted in 1925 in South Carolina. At that time there were 126 bottlers doing business, I am informed, in the state of South Carolina. Thereafter it is true that that number of bottlers in business in South Carolina decreased to 65. Mr. President, that tax is still in effect in South Carolina. Under date of March 27, 1947, information comes from Mr. Thomas M. Howell, one of the tax commissioners of the state of South Carolina, that as of that date there were 122 bottlers of soft drinks doing business in that state and there were fourteen ready to be licensed to do business in the state and were awaiting the machinery with which to begin their operations.

I suggest, Mr. President, that this tax can neither be so vicious, that it can neither be so bad, that it can neither be such a tax as to produce the dire consequences predicted, if they are now within four actual bottlers of the time this tax was enacted, with ten additional bottlers awaiting an opportunity to do business when they get the machinery.

I should like to point out too, that when we come to the matter of estimating, when we come to the matter of consideration of the yield from this tax, that it probably might be well to point out that in 1946 in the Commonwealth of Pennsylvania there were 921 licensed bottlers of soft drink and that, as of March 1, 1947, there were 978 bottlers of soft drink in Pennsylvania, and it seems to me that fact should be one that should be considered in availing ourselves of the opportunity to determine what the estimate may be in this situation.

Now, Mr. President, I have been tremendously impressed as this debate has gone on. I assume when we come to the next two bills on this program, which form a part of this tax program, that there probably will not be any debate because they represent taxes on business and on corporations.

I have had much interest in the proposal that was made by the gentleman from Westmoreland at the beginning of this debate this afternoon, when he suggested and said the minority was going to reverse a policy of long standing and that, for the first time, it was going to break precedent and not vote against all of these tax bills, that it was going to support the tax measures on the theory that the money which would result to the Commonwealth from that tax program was necessary to carry out the work in this Commonwealth and carry out the governmental functions. I have been very interested, as this debate progressed, to find out that, on House Bill 662, there were ten members of the minority who opposed it. I take it that, in accordance with all the remarks that have been made by the gentleman from Westmoreland and others, that those negative votes reflect dislike for the taxes, and simply that. I noted with much interest that there were six members who opposed House Bill 663. I take it, in view of the discussion that has taken place here, that a large percentage of the gentlemen on the other side are going to vote against House Bill 664.

Now then, Mr. President, if that policy is a sound one, that is, the policy of not supporting these measures, then I point out that you are $39,000,000 short, on the other side, in this tax program on House Bill 662 in additional revenue; that you are $22,000,000 short on House Bill 663 and that you will be an estimated $35,000,000 short on House Bill 664. That makes a total of $96,000,000 that this program will be short by reason of those votes, or at least as it is reflected by those votes; if you deduct the $15,000,000 that the gentleman from Westmoreland says will not be realized on the tax imposed by House Bill 664 you would still be $81,000,000 short.

If this program for expenditures has been found necessary, I would like to inquire from where those gentlemen propose that this money should be taken away from. If their position is sound, is that money to be taken away from the school teachers, is that money to be taken away from the proposed veterans program, is that money to be taken away from the mental hospital program, or what portion of this program should it be taken away from.

I say there has been fault in the approach to this thing. I say that the people in this chamber who have failed to support this program have to be accountable to their own constituency for being $96,000,000 short of the money necessary to supply the necessary needs of this Commonwealth.

Mr. DENT. Mr. President, I am glad the gentleman from Lehigh finally got that speech in, because he has been trying to make it all afternoon.

However, I still take the position our position is sound. If you will total the number of votes cast on this side for all the tax measures you will find that there are many times the number of votes ever cast by a major party when it was in the minority for any of the tax bills, by the now minority Democratic party. However, the protest vote that we registered did not impair this program one iota. The gentleman knows that if they were short any votes to pass this bill, or any bill in this program, other than this bill, the Democratic minority would provide the votes for its passage. We cast our votes in the negative to put this party of ours on record against the impositions that you are making upon the consumers of the Commonwealth of Pennsylvania in the low income brackets.

I might say to you that when you figure the shortage to be $96,000,000 and you ask where we would get it, I will tell you where we would get it—I have told you time and time again.

In the first place, we would pass a general state authority act, and we would have the courage to impose a new and justifiable tax in Pennsylvania upon mercantile establishments. Secondly, Mr. President, we would

add $10,000,000 that the present budget director has under-estimated revenue from the corporate net income tax; we would add $10,000,000 revenue from the under-estimation of the capital stock loans shares tax made by the present budget director. We would attempt to do in Pennsylvania what the Republican party is trying to do in Washington, but we would do it on a more equitable basis; we would save for the people of this Commonwealth at least $10,000,000 in the administrative cost of this Commonwealth, which have gone up from $31,000,000 in 1945 to $50,000,000 in 1947. We would add $5,250,000 additional saving by placing the Department of Public Assistance on a sound basis, by placing categorical relief in the hands of Department of Welfare, and putting the Department of Public Assistance where it rightfully belongs. You would find, if we did that, Mr. President, that you would have approximately $95,000,000.

Long ago I learned that when it comes to figures everyone has his own set. However, I am convinced, Mr. President, that the speech by the gentleman from Lehigh was aimed at the minority, to try and detract from the position we have taken, and in order to say to the school teachers in Pennsylvania, oh, the Democrats talk of raises but will not give you the money, and they know this program will not provide sufficient funds to give teachers in Pennsylvania the salary raises in the main that they deserve and are entitled to. Know that the minority party presented to this Legislature a program that would have raised the money to give them a decent cost of living raise.

The gentleman from Lehigh said something about taking away from the veterans program. I have been here a long time and what veterans program is he talking about? Does he mean the one that gives to people who have lost both hands, that have lost both arms or both eyes, free fishing licenses? I do not tink that will cost the state so much money.

I provided, in my message to this Assembly, $27,000,000 for a housing program for the Commonwealth, with a veteran's priority. Where is there a housing program in this administration? Oh, I know they are going to point to Senate Bills 1 and 2, which give insurance companies additional revenue, an additional avenues of making more money, to pile upon more money, but the state of Pennsylvania under this administration is shirking its responsibilities to the veterans in the matter of housing, because there is not one single bill that has yet reached the floor of this Senate that would provide for that necessary item.

We take the position, Mr. President that if you decide, if you think we are wrong in the position that we have taken, we will assume the responsibility and give the people of Pennsylvania a sound tax program.

Mr. TALLMAN. Mr. President, I am not going to unnecessarily prolong this debate, because I have not yet taken this floor on one occasion without the gentleman from Westmoreland following me, and I do not think this time will be an exception.

However, I do want to set the record straight. When I spoke about veterans, I referred to the additional amount of money necessary in the veterans' program for veterans' assistance as called for in the Governor's budget of $610,000. I also call attention to the Pennsylvania area colleges which have been set up for veterans, requiring $2,000,000 additional money and in addition to that, veterans' training facilities requiring an additional $70,000,000.

Mr. President, I have only one more thing to say about this entire situation. The reason I said what I did was not with any malicious intent to force the minority into a position, because the minority has forced itself into its own position during this entire discussion on this budget matter and on the necessity for increasing these moneys.

I would like to point out, Mr. President, that originally, as the gentleman from Westmoreland pointed out, he came before this body and proposed that there was not any need for new revenues. After he had done that, on April 28 he came before this body with what he terms his own budget message. Mr. President, at that time I pointed out what I considered to be fallacies in that budget message. I submit that we have just as much right to disagree on revenues which are proposed to be raised in this Commonwealth as the gentlemen on the other side have; I want to suggest and point out that there has been substantial pleading this afternoon on the part of the gentleman from Westmoreland on behalf of what he terms small business, and yet by his own budget message he proposes that increased revenues be raised by a new mercantile tax, which I pointed out at that time was in excess of any mercantile tax ever levied before in this Commonwealth.

All I want to do, Mr. President, is make clear one additional thing and that is, on the floor of this Senate on April 28, when the gentleman from Westmoreland submitted his budget message, he made a statement which I now recollect to be this, pretty much—he said at that time that the Democratic party realized that if it had to carry out the promises it had made in its campaign, it too would have had to raise new money, and I merely want to have the record straight so that we might understand what the situation is and what the positions are at this time.

Mr. DENT. Mr. President, the gentleman from Lehigh said I proposed a tax on mercantile establishments greater in amount than ever proposed before in Pennsylvania—I did, I stand guilty. However, Mr. President, I proposed a tax that would yield $100,000,000 from mercantile establishments in the Commonwealth of Pennsylvania. Incidentally, they are the greatest beneficiaries of all public expended funds; they benefit from the thousands and thousands of taxpayers dollars that go into the public transportation system in any community, that go into better highways, better sewer treatment works, better sewer systems, better lighting systems, better communication systems, and yet they have no direct tax, and yet these same gentlemen will sit here this afternoon and vote for $35,000,000 upon nine hundred bottlers in the Commonwealth of Pennsylvania and say that it is inequitable to place a $100,000,000 tax upon the over 68,000 persons and corporations doing business as mercantile establishments in the Commonwealth of Pennsylvania. Maybe my sense of justice is warped but I do think, standing under the glare of honesty, my position can stand the light.

I say to you, Mr. President, when I submitted my message, I said the Democratic party would have been faced with the responsibility of increased revenues if they failed to put into effect the program they had in

mind and could not get sufficient votes to put through a general state authority, in order that we would commit ourselves at this time to pay our share of the cost of creating in Pennsylvania permanent improvements and construction of hospitals, stream clearance, and all the necessary things that must be paid for by the users over the "use" years and the life years of the construction that we are contemplating at this time.

Mr. WOODRING. Mr. President and members of the Senate, up to a certain point the debate on House Bill 664 was very illuminating and enlightening and then it got off on party politics and I, for one, am sorry that happened.

I do not know when I have heard such splendid debate as was offered by the gentleman from Allegheny, Senator Rahauser, on the constitutionality, and on the factual situation as that by the gentleman from Westmoreland. I do not intend to review what they said, I do not intend to repeat any of the thoughts which they gave, although I agree with all that they said.

I do want to point out, Mr. President, some of the practical aspects of this particular bill. Just as in the cigarette tax, you have a large industry in Pennsylvania, in the nature of vending machines, selling soft drinks from vending machines. Those machines are expensive pieces of mechanism, expensive machinery, and they are pretty widely scattered all over this Commonwealth of ours.

In our court house a blind boy has a concession to operate several dispensing machines which are built, fabricated, to receive a nickel, a five-cent piece. As soon as we put a tax on these machines, through passage of House Bill 664, it seems to me that these machines are all going to be confiscated, so to speak, by the enactment of this tax, because these machines can not be used after the price increase is put on, and I do not have to point out that the price increase is a very substantial one, putting a one cent tax on a five cent commodity.

Up to this point I have been thinking about the machine in which a nickel is deposited and a bottle of soft drink comes out, but there is another type of vending machine that has to be considered, and that is the type where a coin is deposited and a lever is depressed and a cup descends into the track and the fluid is poured out into the cup. It happens that the cups that are used in that type of machine are the Dixie cup, a nationally known commodity which happens to be made in Northampton county, they are one of my constituents, and I do not like to see the Dixie Cup Company deprived of the right to continue to do business with these, machines, because it is going to cut down a substantial part of their business.

And again I must point out that the light iron and steel industry is going to be materially affected, because if a price increase goes on here, they are either going to have to devise a new type of machinery to accommodate the nickel and the penny, or they are going to have to do away with this type of vending machine.

However, I think this bill is bad in its practical application because it is going to be too hard on too many of our industries—you might say it is just one industry here and there, they are isolated examples—I heard in the Senate club room the other day about an industry that was chased out of Pennsylvania, about eight or nine years ago, by reason of some untoward legislation which this General Assembly passed, and that industry moved out to California and today has a very flourishing large business. True it is that it was a small little homely industry in Pennsylvania, which Pennsylvania did not appreciate, either in the form of possibilities or management, and we chased them just as far as we could, out to the West Coast. The people of Pennsylvania and the state of Pennsylvania have been the losers by chasing a lot of small industries beyond the borders of our state. So much for the application of the bill.

How about the bill itself; is it a good bill? I like to draw that distinction when I get up on the floor and consider a bill, and I think that this is not a good bill, as is evidenced by the word "destruction," on page 24—the loss or "destruction" of tax stamps or tax crowns. You might say that is a typographical error and maybe what was meant by the framers of this legislation was the word "destruction" instead of "detruction". That may be true for that one particular word, Mr. President and members of the Senate, but there are a great many other incidents in this bill which can not be assigned and dismissed with the words "typographical error." I see on page 13 of this bill that this bill, House Bill 664, makes a criminal violator of anyone who unsuspectingly or otherwise happens to have in his possession, receives or uses any soft drinks to which the stamps or crowns have not been affixed, and it is a serious crime under this bill, as it would impose for the first violation a fine of $100 to $500, or six months imprisonment, or both—the term of imprisonment not to exceed six months—and for the second or subsequent offenses it would impose a fine of not less than $200 nor more than $1,000, or imprisonment for not less than six months, or mandatory prison sentence of not less than six months or more than three years, and I submit, Mr. President, that this is a very serious penalty for a poor unsuspecting individual, who might be one of us who are sitting here as a member of the Senate—we buy a bottle of pop some place and the crown has not been affixed, or the stamp has not been affixed and under this bill we are criminals and we would suffer a very substantial penalty.

The framers and the defenders of this bill might say that on page 30 the penalties are cut down to that of a summary conviction, and I read from that section "except as otherwise provided in this act it shall be unlawful for any person to accept delivery of taxable syrups or bottled soft drinks in containers or bottles upon which stamps or crowns are not affixed . . . such acceptance shall be a misdemeanor and upon conviction thereof in a summary proceeding . . . shall be fined $10", but I would like to point out that the whole paragraph is predicated upon the prefatory remark "except as otherwise provided in this act," and it is otherwise provided in the act, page 13, where it is made a very definite crime, with substantial penalties.

I do not think of a piece of tax legislation such as this except as a discriminatory and selective sales tax on a food commodity; I do not think it is a good piece of legislation when it contains such a very serious criminal aspect within its covers.

Again, on page 24 of this bill I find, speaking about the eight per cent discount for breakage, and so forth, the said discount shall be allowed by the department in lieu of any claim for refund, and so forth, the said discount of

eight per cent shall be allowed in lieu of any claim, but when we turn over to page 27 we find that is not so, because section 12, on page 27, contains other provisions concerning refunds, so that the provision on page 24 is in conflict with that contained on page 27.

If some stretch of statuary construction that is not correct, this much certainly is correct—contained in section 12, page 27 are the deleted words, deleted by amendment in this Senate, I believe, the words "unfit for sale" —speaking about the crowns and the stamps that are unfit for sale. Unfit why? Because they have become dirty, they are contaminated, they have been lying around in the warehouse and they are covered with grease or some other noxious substance? That was a good provision, it seems to me, covering caps and stamps which were unfit for sale, unfit for use, but now that provision has been taken out. If a bottler, a distributor, the man transporting, or in whatever category a man interested in soft drinks is concerned, if he has these contaminated, dirty, unfit for sale and for use stamps and crowns, he still must use them because he can not get his breakage allowance out of them.

On page 3 of the bill I find something that certainly is worthy of comment. As the bill was originally drafted the definition of syrup was that substance which was used in the soft drink industry—and that definition is my own wording but it was substantially that—but now we have resorted to some technical words "practically and commercially usable." Let us think what that means. If it can be used—no matter if it is used or not—if it can be used for soft drinks, then it is taxable.

Contained in the provisions of that paragraph are the words "simple syrup." How many of you Senators know what simple syrup is—well, we have three or four of us here who know that it is a syrup that is made of sugar and water, and there are two groups of people who know how to use it—there is the housewife that uses it when she makes simple syrup, when she wants to make cake icing or confections of that sort, and under the terms of this bill that simple syrup in the hands of that housewife is taxable, and if you say it is not I will ask you to show me in the bill where it is not. It is taxed under the provisions of the bill and there is no exemption for the housewife.

There is an even more important user of simple syrup, and that is the Pennsylvania bee keeper. Pennsylvania bee keepers are a very important part of our industrial and agricultural life in Pennsylvania. A bee keeper, when one of his apiaries has gone through a winter such as we have just gone through, when we had bee flying weather in every month of the winter, season and when, by reason of their activity, their stores have been used up, the bee keeper in the spring of the year, in order to replenish the food stock of his hives, must make simple syrup, sugar and water, and feed it to the bees, in order to tide them over from the end of winter until the blossom season comes along. We need those bee keepers and the little bees they raise for us and our welfare, because without them we can not get our cereals and grains, we can not get our fruits and many of our vegetables. They are a necessary and integral part of our life in Pennsylvania and we are going to put a tax on simple syrup used by our bee keepers. That is a big industry in Pennsylvania, it is not a matter to be taken lightly, and we are going to tax them for the simple syrup those bees are fed.

We have got something else in this bill that ought to be pointed out. We are going to tax the railroads and the Greyhound Bus Lines, we are going to tax everybody that transports this syrup and the bottled goods and soft drinks, because on pages 30 and 31 we read—and I am eliminating some words for brevity—any manufacturer, bottler, distributor or other person who is not a holder of a permit as required by this act and engages in the preparation and transportation of simple syrup—that is your housewife, poor old lady—or transportation of syrup or bottled goods, shall be guilty of a violation, so that we are going to make our Pennsylvania Railroad and our Philadelphia and Reading and all of our transportation lines, we are going to make them take out permits to transport—that is the wording of the bill and I am not making it up—syrup and soft drinks and bottled good, everybody must have permits—that is what that means. When I say everybody, that means the little fellow who has a cigar store and he has a case of soft drinks back of the counter; it means the little fellow that has a grocery store and he sells staple commodities to people in the neighborhood and, to accommodate the children and some grown-ups, he has a few soft drinks on hand, and all such little neighborhood institutions must come up to Harrisburg and take out their permits in order to sell a case of bottled goods once a week.

I might prolong this by pointing out many other bad features in this bill, but I will conclude by saying I certainly, for one, must vote against it.

Mr. BARR. Mr. President, I only want to talk one minute on this bill. I presume Mr. Tallman is still majority leader and to my mind he is the fellow who gave the greatest argument against this bill that has been given, and when I say that I do not like to detract from my colleagues who have made some wonderful presentations, but Mr. Tallman said in his discussion that very shortly now South Carolina will have the same number of bottlers they had twenty years ago, when their bill was enacted. In other words, it has taken them twenty years to get back to the situation as it was before this tax was enacted.

Furthermore, I want to tell Mr. Tallman that the reason for some of these bottlers coming in, the reason some of these bottling plants have been opened, was because of the many army camps that were there and naturally many of those young men used these soft drinks and, secondly, these people who are waiting to open their plants, some of them are veterans. Of those fourteen I know twelve of them have secured their loans from the G. I. Bill of Rights in order to go in this business, and so I ask the gentlemen on the other side to go along with Mr. Tallman, who has given the greatest argument against this bill, and vote against this bill.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—35

Becker,	Farrell,	Mallery,	Wagner,
Berger,	Frazier,	Margie,	Walker,
Blass,	Geltz,	Scarlett,	Watson,
Carr,	Hare,	Snowden,	Wilson,

Chapman,	Homsher,	Stevenson,	Wolfe,
Crider,	Kephart,	Tallman,	Wood, L. H.,
Crowe,	Letzler,	Taylor,	Wood, T. N.,
Doehla,	Lord,	Tyler,	Heyburn,
Donlan,	Mahany,	Wade,	Presiding Officer

NAYS—15

Barr,	Holland,	Leader,	Stiefel,
Dent,	Jaspan,	Rahauser,	Tarr,
DiSilvestro,	Klein,	Rosenfeld,	Woodring,
Haluska,	Lane,	Ruth,	

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 665, as follows:

An Act to reenact and amend the title and the act approved the sixteenth day of May one thousand nine hundred thirty-five (P. L. 208) entitled as amended "An act to provide revenue for State purposes by imposing an excise tax for a limited period of time on the net incomes of certain corporations joint-stock associations and limited partnerships providing for the assessment collection settlement and resettlement of taxes and reviews and appeal therefrom conferring powers and imposing duties on certain persons corporations joint-stock associations limited parenerships State and county officers boards and departments making an appropriation and providing penalties" as previously renenacted and amended by extending the provisions of the act for a further limited period of time and by disallowing any deduction for net operating losses

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title and all the sections of the act approved the sixteenth day of May one thousand nine hundred thirty-five (P. L. 208) entitled as amended "An act to provide revenue for State purposes by imposing an excise tax for a limited period of time on the net incomes of certain corporations joint-stock associations and limited partnerships providing for the assessment collection settlement and resettlement of taxes and reviews and appeal therefrom conferring powers and imposing duties on certain persons corporations joint-stock associations limited partnerships State and county officers boards and departments making an appropriation and providing penalties" as last reenacted and amended by the act approved the eleventh day of April one thousand nine hundred forty-five (P. L. 190) are hereby reenacted and further amended to read as follows

An Act to provide revenue for State purposes by imposing an excise tax a limited period of time on the net incomes of certain corporations joint-stock associations and limited partnerships providing for the assessment collection settlement and resettlement of taxes and reviews and appeal therefrom conferring powers and imposing duties on certain persons corporations joint-stock associations limited partnerships State and county officers boards and departments making an appropriation and providing penalties

Section 1 Short Title Be it enacted &c That this act shall be known and may be cited as the "Corporate Net Income Tax Act"

Section 2 Definitions The following words terms and phrases when used in this act shall have the meaning ascribed to them in this section except where the context clearly indicates a different meaning

"Corporation" A corporation having capital stock joint-stock association or limited partnership either organized under the laws of this Commonwealth the United States or any other state territory or foreign country or dependency and doing business in this Commonwealth or having capital or property employed or used in this Commonwealth by or in the name of itself or any person partnership association limited partnership joint-stock association or corporation The word "corporation" shall not include building and loan associations banks bank and trust companies national banks savings institutions trust companies title insurance companies beneficial life and limited life insurance companies mutual fire mutual casualty and mutual life insurance companies and foreign stock companies registered in this Commonwealth and therein engaged in doing business as life fire and casualty insurance companies and surety companies

"Department" The Department of Revenue of this Commonwealth

"Net Income" 1 In case the entire business of the corporation is transacted within this Commonwealth net income for the calendar year or fiscal year as returned to and ascertained by the Federal Government or in the case of a corporation participating in the filing of consolidated returns to the Federal Government the net income which would have been returned to and ascertained by the Federal Government if separate returns had been made to the Federal Government for the current and prior taxable years subject however to any correction thereof for fraud evasion or error as finally ascertained by the Federal Government Provided That except as hereinafter otherwise provided additional deductions shall be allowed from net income on account of any Federal income or excess profits taxes paid after deducting therefrom an amount equivalent to any post-war refunds applicable to any such taxes during such calendar or fiscal year for the preceding calendar or fiscal year or accrued during such calendar or fiscal year for such year as the case may be and on account of any dividends received from any other corporation And provided further That in the case of a corporation participating in the filing of consolidated Federal returns the additional deduction allowed from net income on account of any Federal income or excess profits taxes paid or accrued shall be an amount which bears the same ration to the total Federal income or excess profits taxes of the group after deducting therefrom an amount equivalent to any postwar refunds applicable to any such taxes as the net income of the corporation computed without a deduction for such Federal taxes bears to the sum of the net incomes of the several members of the group computed without a deduction for such Federal taxes And provided further That on reports filed for the calendar year one thousand nine hundred forty-three or for any fiscal year beginning in such calendar year or any calendar or fiscal year thereafter no deduction shall be allowed for any Federal income or excess profits taxes whatsoever except the declared value excess profits tax And provided further That on reports filed for the calendar year one thousand nine hundred forty-six or for any fiscal year beginning in such calendar year or any calendar or fiscal year thereafter no deduction shall be allowed for net operating losses sustained by the corporation during any other fiscal or calendar year nor shall any net operating loss sustained by the corporation during the calendar year one thousand nine hundred forty-six or during any fiscal year beginning in such calendar year or in any calendar or fiscal year thereafter be allowed as a deduction for any prior calendar or fiscal year And provided further That in the case of stock life fire casualty and indemnity insurance companies doing business on the mutual or participating plan the term "net income" shall not include the dividends paid to policyholders out of net income

2 In case the entire business of any corporation other than a corporation engaged in doing business as an insurance or surety company is not transacted within this Commonwealth the tax imposed by this act shall be based upon such portion of the net income of such corporation for the fiscal or calendar year as defined in clause one

hereof as may be determined by allocations and apportionments made as follows

(a) Gains realized and losses sustained from the sale or exchange of capital assets if such consist of real estate or tangible personal property situated in the Commonwealth shall be allocated to this Commonwealth

(b) Gains realized and losses sustained from the sale or exchange of capital assets if such asset consist of real estate or tangible personal property situated outside of the Commonwealth shall not be allocated in any part to this Commonwealth

(c) The remainder of such net income shall be divided into three equal parts

(1) Of one-third such portion shall be attributed to business carried on within this Commonwealth as shall be found by multiplying said one-third by a fraction whose numerator is the value of the corporation's tangible property situated within this Commonwealth and whose denominator is the value of all the corporation's tangible property wherever situated

(2) Of one-third such portion shall be attributed to business carried on within the Commonwealth as shall be found by multiplying said one-third by a fraction whose numerator is the expenditures of the corporation for wages salaries commissions and other compensation to its employes and assignable to this Commonwealth as hereinafter provided and whose denominator is the total expenditures of the corporation for wages salaries commissions and other compensation to all its employes

(3) Of the remaining third such portion shall be attributed to business carried on within the Commonwealth as shall be found by multiplying said third by a fraction whose numerator is the amount of the taxpayer's gross receipts from business assignable to this Commonwealth as hereinafter provided and whose denominator is the amount of the taxpayer's gross receipts from all its business

In cases where only two of the foregoing three rules are applicable the remainder of the net income of the corporation shall be divided into two equal parts only each of which shall be apportioned in accordance with one of the remaining two rules If only one of the three rules is applicable the part of the net income received from business carried on within the Commonwealth shall be determined solely by that rule

The amount assignable to this Commonwealth of expenditures of the corporation for wages salaries commissions or other compensation to its employes shall be such expenditures for the taxable year as represent the wages salaries commissions or other compensation of employes not chiefly situated at connected with or sent out from premises for the transaction of business maintained by the corporation outside the Commonwealth

The amount of the corporation's gross receipts from business assignable to this Commonwealth shall be (1) the amount of its gross receipts for the taxable year except those negotiated or affected in behalf of the corporation by agents or agencies chiefly situated at connected with or sent out from premises for the transaction of business maintained by the taxpayer outside of the Commonwealth and except rentals and royalties and interest and dividends (2) rentals or royalties from property situated or from the use of patents within this Commonwealth and (3) dividends and interest except such dividends and interest attributable to the business conducted on premises maintained by the taxpayer outside the Commonwealth If a corporation maintains an office warehouse or other place of business in a state other than this Commonwealth for the purpose of reducing its tax under this subsection the department shall in determining the amount of its gross receipt from business assignable to this Commonwealth include therein the gross receipts attributed by the corporation to the business conducted at such place of business in another state In the case of construction contracts negotiated or effected at an office in the state of Pennsylvania but performed outside the state the gross receipts under such contracts shall be assignable outside the state except that if the activities under any such contract to which the gross receipts are attributable shall occur partly within the state and partly outside the state such proportion of the gross receipts under said contract shall be assignable to Pennsylvania as the direct and indirect costs incurred in Pennsylvania under the contract for the taxable year bear to the total costs incurred thereunder for the taxable year In the case of construction contracts negotiated or effected at an office outside the state but performed in the state the gross receipts under such contracts shall be assignable to the state except that if the activities under any such contract to which the gross receipts are attributable shall occur partly within the state and partly outside the state such proportion of the gross receipts under said contract shall be assignable to Pennsylvania as the direct and indirect costs incurred in the state under the contract for the taxable year bear to the total costs incurred thereunder for the taxable year

A rule shall not be deemed to be inapplicable merely because all the tangible property or the expenditures of a corporation for wages salaries commissions or other compensation or the gross receipts of the corporation are found to be situated incurred or received without the Commonwealth

3 In case the entire business of any corporation engaged in doing business as an insurance or surety company is not transacted within this Commonwealth the tax imposed by this act shall be based upon such portion of the net income of such corporation for the fiscal or calendar year as defined in clause one hereof as shall be attributed to business transacted within this Commonwealth by multiplying such net income by a fraction of which the numerator is the gross premiums received from business transacted within the Commonwealth as hereinafter defined and of which the denominator is the amount of the gross premiums received from all its business "Gross Premiums" shall mean the amount of dues fees and premiums stated in the policy contracts and shall include gross premiums of every character and description received during the taxable year from all underwriting activities whether said premiums were received in money or in the form of notes credits or any other substitutes for money less the following deductions

(a) All premiums returned on policies cancelled or not taken

(b) In the case of stock companies with participating features an additional deduction for that portion of the premiums returned to the policy-holders

(c) In the case of life insurance companies and additional deduction for dividends declared and actually used by policyholders in payment of renewal premiums

"Gross premiums received from business transacted in the Commonwealth" shall mean gross premiums received from policies and annuities writen on property or risks located or resident in the Commonwealth whether such premiums were collected in the Commonwealth or elsewhere

"Person" Every natural person association or corporation Whenever used in any clause prescribing and imposing a fine or imprisonment or both the term "person" as applied to associations shall mean the partners or members thereof and as applied to corporations the officers thereof

The singular shall include the plural and the masculine shall include the feminine and neuter

Section 3 Imposition of Tax Every corporation shall be subject to and shall pay for the privilege of doing business in this Commonwealth or having capital or property employed or used in this Commonwealth by or in the name of itself or any person partnership association limited partnership joint-stock association or corporation a State excise tax at the rate of six per centum per annum upon each dollar of net income of such corporation received by and accruing to such corporation during the calendar year one thousand nine hundred thirty-five except where a corporation reports to the Federal Government on the basis of a fiscal year and has certified such facts to the department as required by section four of this act in which case such tax at the rate of six per centum shall be levied collected and paid upon all net income received by and accruing to such corporation during the fiscal year commencing in

the calendar year one thousand nine hundred thirty-five and ending in the calendar year one thousand nine hundred thirty-six a similar tax at the rate of ten per centum per annum upon each dollar of the net income of such corporation received by and accruing to such corporation during the calendar year one thousand nine hundred thirty-six except where a corporation reports to the Federal Government on the basis of a fiscal year and has certified such fact to the department as required by section four of this act in which case such tax at the rate of ten per centum shall be levied collected and paid upon all net income received by and accruing to such corporation during the fiscal year commencing in the calendar year one thousand nine hundred thirty-six and ending in the calendar year one thousand nine hundred thirty-seven and a similar tax at the rate of seven per centum per annum upon each dollar of the net income of such corporation during the calendar years one thousand nine hundred thirty-seven one thousand nine hundred thirty-eight one thousand nine hundred thirty-nine one thousand nine hundred forty one thousand nine hundred forty-one and one thousand nine hundred forty-two except when a corporation reports to the Federal Government on the basis of a fiscal year and has certified such fact to the department as required by section four of this act in which case such tax at the rate of seven per centum shall be levied collected and paid upon all net income received by and accruing to such corporation during the fiscal years commencing in the calendar years one thousand nine hundred thirty-seven one thousand nine hundred thirty-eight one thousand nine hundred thirty-nine one thousand nine hundred forty one thousand nine hundred forty-one and one thousad nine hundred forty-two and a similar tax at the rate of four per centum per annum upon each dollar of the net income of such corporation received by and accruing to such corporation during the calendar years one thousand nine hundred forty-three one thousand nine hundred forty-hour one thousand nine hundred forty-five [and] one thousand nine hundred forty-six one thousand nine hundred forty-seven and one thousand nine hundred forty-eight except where a corporation reports to the Federal Government on the basis of a fiscal year and has certified such fact to the department as required by section four of this act in which case such tax at the rate of four per centum shall be levied collected and paid upon all net income received by and accruing to such corporation during the fiscal years commencing in the calendar years one thousand nine hundred forty-three one thousand nine hundred forty-four one thousand nine hundred forty-five [and] one thousand nine hundred forty-six one thousand nine hundred forty-seven and one thousand nine hundred forty-eight

The tax hereby imposed shall be in addition to all taxes now imposed on any corporation under the provisions of existing laws

Section 4 Report and Payment of Tax For the purpose of ascertaining the amount of tax payable under this act it shall be the duty of every corporation liable to pay tax under this act on or before the fifteenth day of April one thousand nine hundred thirty-six one thousand nine hundred thirty-seven one thousand nine hundred thirty-eight one thousand nine hundred thirty-nine one thousand nine hundred forty one thousand nine hundred forty-one one thousand nine hundred forty-two one thousand nine hundred forty-three one thousand nine hundred forty-four one thousand nine hundred forty-five one thousand nine hundred forty six [and] one thousand nine hundred forty-seven one thousand nine hundred forty-eight and one thousand nine hundred forty-nine to transmit to the department upon a form prescribed prepared and furnished by the department report under oath or affirmation of its president vice-president or other principal officer and of its treasurer or assistant treasurer of net income taxable under the provisions of this act Such report shall set forth

(a) A true copy of its return to the Federal Government of the annual net income arising or accruing in the calendar or fiscal year next preceding or such part or portions of said return as the department may designate

(b) If no return was filed with the Federal Government the report made to the department shall show such information as would have been contained in a return to the Federal Government had one been made and

(c) Such other information as the department may require

The failure of any corporation liable to pay tax under this act to procure or receive any report form shall not excuse it from making a report

Every corporation upon the date its report is required herein to be made shall pay to the department not less than one-half of the tax due to the Commonwealth by it for such preceding year and the remaining one-half of such tax shall be paid within the thirty days next succeeding and except as otherwise provided by law no extension of time for the filing of any report granted by the department shall extend the date any tax imposed by this act shall be due and payable The amount of all taxes imposed under the provisions of this act not paid on or before the times as above provided shall bear interest at the rate of six (6) per centum per annum from the date they are due and payable until paid except that if the taxable income has been or is increased by the Commissioner of Internal Revenue or by any other agency or court of the United States interest shall be computed on the additional tax due from thirty days after the corporation receives notice of the change of income until paid Provided however That any corporation may pay the full amount of such tax or any part thereof together with interest due to the date of payment without prejudice to its right to present and prosecute a petition for resettlement a petition for review or an appeal to court If it be thereafter determined that such taxes were overpaid the department shall enter a credit to the account of such corporation which may be used by it in the manner prescribed by law

If the officers of any corporation shall neglect or refuse to make any report as herein required or shall knowingly make any false report an additional ten per centum of the amount of the tax shall be added by the department to the tax determined to be due

If any corporation closes its fiscal year not upon the thirty-first day of December but upon some other date and reports to the Federal Government as of such other date or would so report were it to make a return to the Federal Government such corporation shall certify such fact to the Department of Revenue and shall make the report herein required within thirty (30) days after the return to the Federal Government is due or would be due were it to be required of such corporation subject in all other respects to the provisions of this act

If the corporation shall claim in its report that the return made to the Federal Government was inaccurate the amount claimed by it to be the net income taxable under this act and the basis of such claim of inaccuracy shall be fully specified

Section 5 Consolidated Reports The department shall not permit any corporation owning or controlling directly or indirectly any of the voting capital stock of another corporation or of other corporations subject to the provisions of this act to make a consolidated report showing the combined net income

Section 6 Extension of Time to File Reports The department may upon application made to it in such form as it shall prescribe on or prior to the past day for filing any report and upon proper cause shown grant to the corporation required to file such report an extension of not more than sixty (60) days within such report may be filed and in case the Federal income tax authorities at any time grant a longer extension of time for filing such reports with the Federal Government the department may grant an additional extension of time for filing the report under this act of not more than thirty (30) days after the termination of the Federal extension but the amount of tax due shall in such cases nevertheless be subject to intrest from the due dates and at the rates fixed by this act

Section 7 Changes Made by Federal Government (a) If the amount of the net income as returned by any corporation to the Federal Government is finally changed or corrected by the Commissioner of Internal Revenue or by any other agency or court of the United States such corporation within hirty (30) days after the receipt of such final change or correction shall make a corrected report under oath or affirmation to the department showing such finally changed or corrected net income upon which the tax is required to be paid to the United States In case a corporation fails to file a report of such correction which results in an increase in net income within the time prescribed there shall be added to the tax a penalty of five dollars ($5.00) for every day during which such corporation is in default but the department may abate any such penalty in whole or in part

(b) If as a result of such final change or correction there should be any change made in the amount of the net income of any corporation upon which tax is imposed by this act the department shall have the power and its duty shall be to resettle such taxes Whenever a resettlement shall have been made hereunder the departmnt shall resettle the account according to law and shall credit or charge as the case may be the amount resulting from such resettlement upon the current accounts of the corporation with which it is made The resettlement shall be subject to audit and approval by the Department of the Auditor General as in the case of original settlements and in case of the failure of the two departments to agree the resettlement shall be submitted to the Board of Finance and Revenue as in the case of original settlements

(c) Where a report of change correction or redetermination of Federal income or Federal tax has been filed after a petition for review or an appeal has been taken such report shall be deemed a part of the original report upon petition of the taxpayer at any subsequent proceeding as though it had been filed with the original report and no separate petition for review or appeal from the resettlement resulting from such report of change correction or redetermination shall be necessary

(d) The provisions of this section shall not be construed so as to permit a resettlement based upon the allowance of any deduction on account of net operating losses sustained in other fiscal or calendar years that are not allowed as deductions under the definition of "Net Income" as contained in section two of this act

Section 8 Settlement and Resettlement (a) All taxes due under this act shall be settled by the department and the Department of the Auditor General and shall so far such settlement shall be subject to audit and approval by as possible be made so that notice thereof may reach the taxpayer before the end of a year after the tax report was required to be made

(b) Promptly after the date of any such settlement the department shall send by mail or otherwise a copy thereof to such corporations The tax imposed by this act shall be settled resettled and otherwise imposed and adjusted in the same manner within the same peroids of time and right of esettlement review appeal and refund as provided by law in the case of capital stock and franchise taxes imposed upon corporations

(c) If within a period of two years after the date of any settlement the department is not satisfied with such settlement or if at any time the net income as returned by any corporation to the Federal Government is finally changed or corrected by the Commissioner of Internal Revenue or by any other agency or court of the United States with the result that tax in addition to the amount paid is due under this act the department is hereby authorized and empowered to make a resettlement of the tax due by such corporation based upon the facts contained in the report or upon any information within its possession or that shall come into its possession

Whenever a resettlement shall have been made hereunder the department shall resettle the account according to law and shall credit or charge as the case may be the amount resulting from such resettlement upon the current accounts of the corporation with which it is made

The resettlement shall be subject to audit and approval by the Department of the Auditor General as in the case of original settlement and in case of the failure of the two departments to agree the resettlement shall be submitted to the Board of Finance and Revenue as in the case of original settlements

(d) If any corporation shall neglect or refuse to make any report and payment of tax required by this act the department shall estimate the tax due by such corporation and subject to audit and approval by the Department of the Auditor General settle the amount due by it for taxes penalties and interest thereon as prescribed herein from which settlement there shall be no right of review or appeal but the department with the approval of the Department of the Auditor General may require a report to be filed and thereupon make a settlement based upon such report and cancel the estimated settlement

Section 9 Enforcement Rules and Regulations Inquisitorial Powers of the Department (a) The department is hereby charged with the enforcement of the provisions of this act and is hereby authorized and empowered to prescribe adopt promulgate and enforce rules and regulations not inconsistent with this act relating to any matter or thing pertaining to the administration and enforcement of the provisions of this act and the collection of taxes penalties and interest imposed by this act The department is hereby required to have such rules and regulations promulgated and adopted printed and shall distribute the same to any person upon request

(b) The department or any agent authorized in writing by it is hereby authorized to examine the books papers and records and to investigate the character of the business of any corporation in order to verify the accuracy of any report made or if no report was made by such corporation to ascertain and settle the tax imposed by this act Every such corporation is hereby directed and required to give to the department or its duly authorized agent the means facilities and opportunity for such examinations and investigations as are hereby provided and authorized Any information gained by the department as a result of any returns investigations or verifications required to be made by this act shall be confidential except for official purposes and any person divulging such information shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than one hundred dollars $100.00) or more than one thousand dollars $1000.00) and costs of prosecution or to unudergo imprisonment for not more than six (6) month sor both in the discretion of the court

(c) Whenever any person acting for or on behalf of the department shall in good faith institute legal proceedings for any violations of the provisions of this act and for any reason shall fail to recover costs of record such costs shall be a charge upon the proper county as shall such costs in the event defendant is imprisoned for failure to pay fine or costs or both and shall be audited and paid as are costs of like character in said county

(d) The powers conferred by this act upon the department relating to the administration or enforcement of this act shall be in addition to but not exclusive of any other powers heretofore or hereafter conferred upon the department by law

Section 10 Retention of Records by Corporation Penalty Each corporation shall maintain and keep for a period of three (3) years after any report is filed under this act such record or records of its business within this Commonwealth for the period covered by such report and other pertinent papers as may be required by the department

Any person violating any of the provisions of this section shall be guilty of a misdemeanor and shall upon conviction thereof be sentenced to pay a fine not exceeding one thousand dollars $1000.00) and costs of prosecution or to undergo imprisonment for not more than six (6) months or both in the discretion of the court

Section 11 Penalties (a) Any person who shall wilfully

make a false and fraudulent return of net income made taxable by this act shall be guilty of wilful and corrupt perjury and upon conviction thereof shall be subject to punishment as provided by law Such penalty shall be in addition to any other penalties imposed by this act

(b) Any person who wilfully fails neglects or refuses to make a report or to pay the tax as herein prescribed or who shall refuse to permit the department to examine the books papers and records of any corporation liable to pay tax under this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one thousand dollars ($1000.00) and costs of prosecution or to undergo imprisonment not exceeding six (6) months or both in the discretion of the court Such penalty shall be in addition to any other penalties imposed by this act

Section 12 Constitutional Construction The provisions of this act are severable and if any of its provisions shall be held unconstitutional the decision of the court shall not affect or impair any of the remaining provisions of this act It is hereby declared to be the legislative intent that this act would have been adopted had such unconstitutional provisions not been included herein

Section 13 Effective Date This act shall become effective immediately upon its final enactment and shall remain in force only for the imposition and collection of taxes on net income of corporations for the [twelve] calendar years one thousand nine hundred thirty-five one thousand nine hundred thirty-six one thousand nine hundred thirty-seven one thousand nine hundred thirty-eight one thousand nine hundred thirty-nine one thousand nine hundred forty one thousand nine hundred forty-one one thousand nine hundred forty-two one housand nine hundred forty-three one thousand nine hundred forty-four one thousand nine hundred forty-five [and] one thousand nine hundred forty-six one thousand nine hundred forty-seven and one thousand nine hundred forty-eight or for the [twelve] fiscal years ending in the calendar years one thousand nine hundred thirty-six one thousand nine hundred thirty-seven one thousand nine hundred thirty-eight one thousand nine hundred thirty-nine one thousand nine hundred forty one thousand nine hundred forty-one one thousand nine hundred forty-two one thousand nine hundred forty-three one thousand nine hundred forty-four one thousand nine hundred forty-five one thousand nine hundred forty-six [and] one thousand nine hundred forty-seven one thousand nine hundred forty-eight and one thousand nine hundred forty-nine

Section 2 This reenacting and amending act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Frazier,	Mahany,	Tyler,
Becker,	Geitz,	Mallery,	Wade,
Berger,	Haluska,	Margie,	Wagner,
Blass,	Hare,	Rahauser,	Walker,
Carr,	Holland,	Rosenfeld,	Watson,
Chapman,	Homsher,	Ruth,	Wilson,
Crider,	Jaspan,	Scarlett,	Wolfe,
Crowe,	Kephart,	Snowden,	Wood, L. H.,
Dent,	Klein,	Stevenson,	Wood, T. N.,
DiSilvestro,	Lane,	Stiefel,	Woodring,
Doehla,	Leader,	Tallman,	Heyburn,
Donlan,	Letzler,	Tarr,	Presiding Officer
Farrell,	Lord,	Taylor,	

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 666, as follows:

An Act to further amend section twenty-one of the act approved the first day of June one thousand eight hundred eighty-nine (P. L. 420) entitled "A further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine" postponing the manufacturing exemption with regard to capital stock tax and the franchise tax on domestic and foreign corporations joint-stock associations limited partnerships and companies

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section twenty-one of the act approved the first day of June one thousand eight hundred eighty-nine (P. L. 420) entitled "A further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine" as last amended by the act approved the sixteenth day of May one thousand nine hundred forty-five (P. L. 606) is hereby further amended to read as follows

Section 21 (a) That every domestic corporation other than corporations of the first class nonprofit corporation and cooperative agricultural associations not having capital stock and not conducted for profit and every joint-stock association limited partnership and company whatsoever from which a report is required under the twentieth section hereof shall be subject to and pay into the treasury of the Commonwealth annually through the Department of Revenue a tax at the rate of five mills upon ach dollar of the actual value of its whole capital stock of all kinds including common special and preferred as ascertained in the manner prescribed in said twentieth section Provided That the tax of five mills imposed by this subsection on reports filed for the calendar years one thousand nine hundred forty-seven and one thousand nine hundred forty-eight or for the fiscal years beginning in the calendar years one thousand nine hundred forty-seven and one thousand nine hundred forty-eight shall apply to the taxation of capital stock of corporations limited partnerships and joint-stock associations organized for manufacturing purposes excepting companies engaged in the distilling of liquors provided further that after said two year period the provisions of this section shall not apply to the taxation of the capital stock of corporations limited partnerships and joint-stock associations organized for manufacturing purposes which is invested in and actually and exclusively employed in carrying on manufacturing within the State excepting companies engaged in the distilling of liquors and such as enjoy and exercise the right of eminent domain but every corporation limited partnership or joint-stock association organized for the purpose of manufacturing shall pay the State tax of five mills herein provided upon such proportion of its capital stock if any as may be invested in any property or business not strictly incident or appurtenant to the manufacturing business in addition to the local taxes assessed upon its property in the district where located it being the object of this proviso to relieve from State taxation only so much of the capital stock as is invested purely in the manufacturing plant and business

(b) Every foreign corporation joint-stock association limited partnership and company whatsoever from which a report is required under the twentieth section hereof shall be subject to and pay into the treasury of the Commonwealth annually through the Department of Revenue a franchise tax at the rate of five mills upon a taxable value to be determined in the following manner The

actual value of its whole capital stock of all kinds including common special and preferred shall be ascertained in the manner prescribed in the twentieth section of this act and shall then be divided into three equal parts

(1) Of one-third such portion shall be attributed to business carried on within the Commonwealth as shall be found by multiplying said third by a fraction whose numerator is the value of the taxpayer's tangible property not actually and exclusively used in manufacturing situated within the Commonwealth and whose denominator is the value of all the taxpayer's tangible property wherever situated

(2) Of another third such portion shall be attributed to business carried on within the Commonwealth as shall be found by multiplying said third by a fraction whose numerator is the expenditures of the taxpayer for wages salaries commissions or other compensation to its employes not exclusively engaged in manufacturing in this Commonwealth and assignable to this Commonwealth as hereinafter provided and whose denominator is the total expenditures of the taxpayer for wages salaries commissions or other compensation to all its employes

(3) Of the remaining third such portion shall be attributed to business carried on within the Commonwealth as shall be found by multiplying said third by a fraction whose numerator is the amount of the taxpayer's gross receipts from business not strictly incident or appurtenant to manufacturing in this Commonwealth assignable to this Commonwealth as hereinafter provided and whose denominator is the amount of the taxpayer's gross receipts from all its business

The sum of the amounts determined in accordance with the foregoing three rules shall be the taxable value In a case where only two of the foregoing three rules are applicable the remaining third equal part of the value of the entire capital stock shall be divided into two equal parts each om which shall be apportioned in accordance with one of the remaining two rules If only one of the three rules is applicable that part of the entire capital stock attributed to business carried on within the Commonwealth shall be determined solely by that rule

The amount assignable to this Commonwealth of expenditures of the taxpayer for wages salaries commissions or other compensation to its employes shall be such expenditures for the taxable year as represent the wages salaries commissions or other compensation of employes not chiefly situated at connected with or sent out from premises for the transaction of business maintained by the taxpayer outside the Commonwealth

The amount of the taxpayer's gross receipts from business assignable to this Commonwealth shall be (1) the amount of its gross receipts for the taxable year except those negotiated or affected in behalf of the taxpayer by agents or agencies chiefly situated at connected with or sent out from premises for the transaction of business maintained by the taxpayer outside the Commonwealth and except rents and royalties and interest and dividends (2) rentals or royalties from property situated or from the use of patents within this Commonwealth and (3) dividends and interest except such dividends and interest attributable to the business conducted on premises maintained by the taxpayer outside the Commonwealth If a taxpayer maintains an office warehouse or other place of business in a state other than this Commonwealth for the purpose of reducing its tax under this subsection the Department of Revenue shall in determining the amount of its gross receipts from business assignable to this Commonwealth include therein the gross receipts attributed by the taxpayer to the business conducted at such place of business in another state

In the case of construction contracts negotiated or effected at an office in the State of Pennsylvania but performed outside the State the gross receipts under such contracts shall be assignable outside the State except that if the activities under any such contract to which the gross receipts are attributable shall occur partly within the State and partly outside the State such proportion of the gross receipts under said contract shall be assignable to Pennsylvania as the direct and indirect costs incurred in Pennsylvania under the contract for the taxable year bear to the total costs incurred thereunder for the taxable year In the case of construction contracts negotiated or effected at an office outside the State but performed in the State the gross receipts under such contract shall be assignable to the State except that if the activities under any such conract to which the gross receipts are attributable shall occur partly within the State and partly outside the State such proportion of the gross receipts under said contract shall be assignable to Pennsylvania as the direct and indirect costs incurred in the State under the contract for the taxable year bear to the total costs incurred hereunder for the taxable year

A rule shall not be deemed to be inapplicable merely because all the tangible property or the expenditures of a taxpayr for wages salaries commissions or other compensation or the gross receipts of the taxpayer are found to be situated incurred or received without the Commonwealth

Notwithstanding the foregoing provisions of this subsection (b) the franchise tax of five mills imposed by subsection (b) on reports filed for the calendar years one thousand nine hundred forty-seven and one thousand nine hundred forty-eight and for fiscal years beginning in the calendar years one thousand nine hundred forty-seven and one thousand nine hundred forty-eight shall apply to the taxation of corporations limited partnerships and joint-stock associations organized for manufacturing purposes excepting companies engaged in the distilling of liquors without excluding from the numerators of the applicable fractions tangible property actually and exclusively used in manufacturing compensation of employes exclusively engaged in manufacturing and gross receipts from business strictly incident or appurtenant to manufacturing

After said two year period the provisions of this subsection shall apply to the taxation of corporations limited partnerships and joint-stock associations organized for manufacturing purposes

(c) It shall be the duty of the treasurer or other officers having charge of any such corporation joint-stock association or limited partnership upon which a tax is imposed by this section to transmit the amount of said tax to the Treasury of the Commonwealth within the time prescribed by law Provided That for the purposes of this act interest in limited partnerships or joint-stock associations shall be deemed to be capital stock and taxable accordingly Provided further That corporations limited partnerships and joint-stock associations liable to a tax under this section shall not be required to pay any further tax on the mortgages bonds and other securities owned by them and in which the whole body of stockholders or members as such have the entire equitable interest in remainder but corporations limited partnerships and joint-stock associations owning or holding such securities as trustees executors administrators guardians or in any other manner than for the whole body of stockholders or members thereof as sole equitable owners in remainder shall return and pay the tax imposed by this act upon all securities so owned or held by them as in the case of individuals Provided further That the tax of five mills imposed by this section on reports filed for the calendar years one thousands nine hundred and thirty-five and one thousand nine hundred and thirty-six and for each calendar year thereafter or for the fiscal years beginning in the calendar years one thousand nine hundred and thirty-five and one thousand nine hundred and thirty-six and for each fiscal year thereafter shall apply to the taxation of the capital stock of corporations limited partnerships and joint-stock associations organized for laundering and for the processing and curing of meats their products and by products excepting companies engaged in the distilling of liquors Provided further That in case of fire and marine insurance companies the tax imposed by this section shall be at the rate of five mills

upon each dollar of the actual value of the whole capital stock Provided That nothing in this act shall be so construed as to apply to building and loan associations chartered by the State of Pennsylvania

Section 2 The provisions of this act shall be retroactive to the first day of January one thousand nine hundred forty-seven so that domestic and foreign corporations limited partnerships and joint-stock associations organized for manufacturing purposes shall pay the tax imposed for the calendar years one thousand nine hundred forty-seven and one thousand nine hundred forty-eight or for the fiscal years beginning in the calendar years one thousand nine hundred forty-seven and one thousand nine hundred forty-eight as other domestic and foreign corporations limited partnerships and joint-stock associations

Section 3 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Frazier,	Mahany,	Tyler,
Becker,	Geltz,	Mallery,	Wade,
Berger,	Haluska,	Margie,	Wagner,
Blass,	Hare,	Rahauser,	Walker,
Carr,	Holland,	Rosenfeld,	Watson
Chapman,	Homsher,	Ruth,	Wilson,
Crider,	Jaspan,	Scarlett,	Wolfe,
Crowe,	Kephart,	Snowden,	Wood, L. H.,
Dent,	Klein,	Stevenson,	Wood, T. N.,
DiSilvestro,	Lane,	Stiefel,	Woodring,
Doehla,	Leader,	Tallman,	Heyburn,
Donlan,	Letzler,	Tarr,	Presiding Officer
Farrell,	Lord,	Taylor,	

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILLS OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 788, on third reading, entitled:

An Act to add clause XXVI to section seven hundred two of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" authorizing the establishment of districts for police protection and providing for an equal assessment on all property benefited by such protection

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 803, on third reading, entitled:

An Act to further amend the act approved the twenty-ninth day of April one thousand nine hundred thirty-seven (P. L. 487) entitled "An act to provide for the permanent personnel registration of electors in boroughs towns and townships as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors requiring the county commissioners of the various counties to act as a registration commission therefor and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school districts and imposing penalties" changing the provisions of said act relating to removal notices transfer of registration checkup of registers and street lists

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 882, on third reading, entitled:

An Act to further amend section thirty-eight of the act approved the twenty-ninth day of April one thousand nine hundred thirty-seven (P. L. 487) entitled "An act to provide for the permanent personnel registration of electors in boroughs towns and townships as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors requiring the county commissioners of the various counties to act as a registration commission therefor and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors and imposing penalties" further regulating and changing the provisions of the act relating to cancellation of registration upon failure to vote within two years by giving removal notice same effect as request for reinstatement

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON SECOND READING CALENDAR

BILLS OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 190, on second reading, entitled:

An Act to repeal certain statutes relating to oleomargarine butterine or similar substances manufactured wholly or partly from fats oil or oleoginous substances

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 273, on second reading, entitled:

An Act to amend clauses one and two of section one thousand seven hundred nine, of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-one (P. L. 1206), entitled "An act concerning townships of the first class; amending, revising, consolidating, and changing the law relating thereto," by further providing for certain tax levies.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 439, on second reading, entitled:

An Act to add section five point one to the act approved the nineteenth day of June one thousand nine hundred thirty-one (P. L. 589) entitled as amended "An act to promote the public health and safety by providing for the examination and licensure of those who desire to engage in the occupation of barbering regulating barber shops and barber schools and apprentices and students therein regulating compensation for service rendered conferring certain powers and duties on the Department of Public Instruction and providing penalties" further regulating apprentices and students and their registration in such occupation in certain cases

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 494, on second reading, entitled:

An An to further amend the act approved the nineteenth day of June one thousand nine hundred thirty-one (P. L. 589) entitled as amended "An act to promote the public health and safety by providing for the examination and licensure of those who desire to engage in the occupation of barbering regulating barber shops and barber schools and apprentices and students therein regulating compensation for service rendered conferring certain powers and duties on the Department of Public Instruction and providing penalties" by further regulating the practice of barbering the annual renewal of certificates and the eligibility requirements for examinations

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 537, on second reading, entitled:

An Act requiring owners of hotels restaurants and places of amusement and entertainment to give notice to patrons thereof that concessions for certain services have been granted to other persons and that gratuities received by the employes of such concessions are the property of the owner thereof

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 578, on second reading, entitled:

An Act amending revising and consolidating the laws relating to delinquent county city except of the first and second class borough town township school district except of the first class and institution district taxes providing when how and upon what property and to what extent liens shall be allowed for such taxes the return and entering of claims therefor the collection and adjudication of such claims sales of real property including seated and unseated lands subject to the lien of such tax claims the disposition of the proceeds thereof including State taxes and municipal claims recovered and the redemption of property providing for the discharge and divestiture by certain tax sales of all estates in property and of mortgages and liens on such property and the proceedings therefor creating a Tax Claim Bureau in each county of the first class to act as agent for taxing districts defining its powers and duties including sales of property the management of property taken in sequestration and the management sale and disposition of property heretofore sold to the county commissioners taxing districts and trustees at tax sales providing a method for the service of process and notices imposing duties on tax districts and their officers and on tax collectors and certain expenses on counties and for their reimbursement by taxing districts and repealing existing laws

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILI ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 652, entitled:

An Act terminating the existence of the Pennsylvania Nautical School

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 1313, on second reading, entitled:

An Act to amend section one of the act approved the twenty-ninth day of May one thousand nine hundred forty-five (Appropriation Acts page 20 Act No. 26-A) entitled "An act making an appropriation to the Elwyn Training School at Elwyn in the County of Delaware Commonwealth of Pennsylvania and prescribing certain conditions upon which the appropriation will be available to the school" increasing the per capital annual maintenance rate of wards of the State and the amount of the total appropriation

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS INTRODUCED AND REFERRED

Mr. STEVENSON. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. STEVENSON read in place and presented to the Chair Senate Bill No. 717, entitled:

An Act making an appropriation to the Department of Public Instruction for use at the State Teachers' Colleges for payment of the costs of repairs, alterations, replacements and improvements to existing plant facilities and equipment, for the purchase or replacement of equipment, furnishings, and furniture and for the payment of the costs of necessary plans and supervisory and other technical services incident thereto.

Which was committed to the Committee on Education.

Mr. CROWE. Mr. President, I ask unanimous consent to introduce two bills, one of which is a bill formulated by the commission appointed in 1945 to investigate the Game and Fish Commission.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. CROWE read in his place and presented to the Chair Senate Bill No. 718, entitled:

An Act to further amend the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," abolishing collection of fines in the field; changing manner of declaring open antlerless deer seasons; providing for trapper's licenses; taking away the privilege of trapping under a hunter's license; and establishing a new schedule of nonresident licenses and fees.

Which was committed to the Committee on Forests and Waters, Game and Fish.

He also, read in his place and presented to the Chair Senate Bill No. 719, entitled:

An Act making a deficiency appropriation to the Department of Public Instruction to aid the School District of the Borough of Summit Hill, Carbon County.

Which was committed to the Committee on Appropriations.

REPORT FROM COMMITTEE

Mr. WALKER. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER from the Committee on Judiciary General, reported as committed, Senate Bill No. 545, entitled:

An Act to further amend the act, approved the fourth day of April, one thousand nine hundred twenty-five (P. L. 127), entitled "An act relating to Adoption," further providing for the jurisdiction of adoption proceedings, the contents of petitions, necessary consents, hearings, and decrees, and validating certain adoptions.

BILLS ON FIRST READING

Mr. TALLMAN. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 33, entitled:

An Act making an appropriation to the Department of Forests and Waters for the permanent improvement and development of the Delaware Division of the Pennsylvania Canal.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 215, entitled:

An Act to further amend paragraph six of section one of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State Employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" including within the definition of State employe employes of the Pennsylvania Turnpike Commission.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 253, entitled:

An Act concerning liens of factors on merchandise and on any proceeds arising from the sale of such merchandise, and defining "factor" as one that lends or advances money on the security of merchandise whether or not employed to sell such merchandise.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 285, entitled:

An Act to further amend section seven of the act approved the twenty-seventh day of April one thousand nine hundred twenty-seven (P. L. 450) entitled as amended "An act relating to fires and fire prevent ion imposing duties and conferring powers upon the Pennsylvania State Police authorizing the appointment of the chiefs of fire departments and certain public officers and others as assistants to the Pennsylvania State Police and defining their powers and duties providing for the investigation of the cause origin and circumstance of fires and the inspection of all and the removal or change of certain buildings by owners and occupants thereof including political subdivisions imposing duties on school authorities and on certain corporations associations and fire rating agencies providing for the attendance of witnesses before the Pennsylvania State Police and the enforcement of its orders and prescribing penalties" by further imposing duties on certain school authorities.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 306, entitled:

An Act to consolidate amend and revise the penal laws of the Commonwealth.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 413, entitled:

An Act making an appropriation to the Department of Welfare to reimbuse state-aided hospitals for part of the cost of training student nurses in approved schools of nursing.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 438, entitled:

An Act to further amend section three of, and add section four to the act, approved the twenty-fourth day of May, one thousand eight hundred ninety-three (P. L. 129), entitled "An act to empower boroughs and cities to establish a police pension fund, to take property in trust therefor, and regulating and providing for the regulation of the same," deleting provisions relating to termination of right to participate in the fund and regulation thereof; and providing that compensation or pension is not to be subject to attachment, execution, assignment or transfer and payable only to beneficiary designated, in person.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 519, entitled:

An Act to amend the title and to further amend section one of the act approved the twelfth day of May, one thousand nine hundred forty-three (P. L. 259), entitled "An act providing for the payment by the State Treasurer, of one-half of the amount of the tax on premiums paid by foreign casualty insurance companies, to the treasurers of the several cities, boroughs, towns and townships, and for the payment thereof into police pension funds, and in certain cases into the Municipal Employes' Retirement System, and in certain other cases into the State Employes' Retirement Fund, for certain purposes," as last amended by the act approved the sixth day of April, one thousand nine hundred forty-five (P. L. 160), by adding to the title and by adding section one and one-tenth a provision relating to the purchase by the municipality of Pension Annuity Contracts for policemen.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 545, entitled:

An Act to further amend the act, approved the fourth day of April, one thousand nine hundred twenty-five (P. L. 127), entitled "An act relating to Adoption," further providing for the jurisdiction of adoption proceedings, the contents of petitions, necessary consents, hearings, and decrees, and validating certain adoptions.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 551, entitled:

An Act guaranteeing any person accused of the commission of crime the protection of the law; providing the procedure therefor; and prescribing penalties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 562, entitled:

An Act to amend section two and the first paragraph of section thirty of the act, approved the sixth day of April, nineteen hundred thirty-seven (P. L. 200), entitled "An act licensing and regulating the business of pawnbrokers; providing for the issuance of licenses by the Secretary of Banking; authorizing the Secretary of Banking to make examinations and issue regulations; limiting the interest and charges on loans; and prescribing penalties for the violation of this act," excluding storage warehousemen from the provisions thereof.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 615, entitled:

An Act making provisions for community property law; providing that the act shall apply to husbands and wives and their property subsequent to the effective date of the act; defining separate property and the community property of the husband and wife; providing for the management, control and disposition thereof, including the homestead; defining the ownership of funds on deposit in any bank or banking institution; providing for the rights and remedies of creditors; providing that either spouse may give or convey his or her community property to the other; providing for disposition of community property on dissolution of marriage; providing for the substitution of one spouse under certain conditions for the other through legal proceedings in the management, control and disposition of community property; providing for the administration and distribution of the interests of a deceased spouse in community property.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 637, entitled:

An Act authorizing the creation of mosquito control districts in or among the political subdivisions of the Commonwealth; defining their powers and duties; providing for the membership thereof; providing for cooperation with the Department of Agriculture and other State agencies and requiring certain reports.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 638, entitled:

An Act authorizing the Pennsylvania Historical and Museum Commission to release certain historic documents to the Attorney General of the United States for exhibition on the "Freedom Train."

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 652, entitled:

An Act to amend sub-section (g) of section nine hundred forty-two and clause (f) of section nine hundred forty-three of Article IX of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by regulating the use of posters comparable to those used by the Game Commission and providing penalties

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 659, entitled:

An Act to amend section one hundred one of the act approved the twenty-eighth day of May, one thousand nine hundred thirty-seven (P. L. 1019), entitled "An act relating to statutory laws prescribing an enacting clause for statutes; fixing the effective date and time of statues hereafer enacted; providing for notice of application for local and special legislation, for the correction of errors in statutes, and for the printing and publication of statutes; prescribing rules for the interpretation of statutes; defining certain words and phrases when used in statutes; and prescribing rules for the construction and operation of amendments, re-enactments and repeals of statutes," by defining "municipality authority" or "muncipal authority."

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 665, entitled:

A Supplement to the act, approved the seventh day of August, one thousand nine hundred forty-one (P. L. 887), entitled "An act authorizing the Department of Property and Supplies, with the approval of the Governor and the Department of Welfare, to acquire certain land adjacent to and for the use of the Scranton State Hospital, providing for the improvement and use thereof, authorizing the City of Scranton to pay the costs of such improvements in whole or in part, and making an appropriation," making an appropriation to the Department of Property and Supplies for the payment of the cost of acquiring certain property, and the improvement and beautification thereof.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1053, entitled:

A Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Pennsylvania by adding thereto a new section authorizing the creation of an additional debt by the Commonwealth for the payment of compensation to certain veterans.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1137, entitled:

An Act to further amend the act approved the twenty-sixth day of May one thousand nine hundred thirty-three (P. L. 1076) entitled "An act to provide for the organization incorporation operation and supervision of cooperative savings and credit associations to be termed credit unions designating such credit unions as corporations and defining their powers and duties conferring certain powers and duties on the Department of Banking and providing penalties further defining the membership of Credit Unions and permitting loans to other credit unions.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

HOUSE MESSAGES

RESOLUTION RECALLING FROM THE GOVERNOR HOUSE BILL No. 1148

The Clerk of the House of Representatives being introduced presented extract from the Journal of the House of Representatives, which was twice read as follows, considered and agreed to:

In the House of Representatives, May 6, 1947.

Resolved (if the Senate concur), That House Bill No. 1148, Printer's No. 371, entitled:

An Act to further amend section one thousand four of the act, approved the fifteenth day of May, one thousand nine hundred thirty-three (P. L. 624), entitled "Banking Code," further regulating the pledge of assets for deposits.

be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 875

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 875, entitled:

An Act to further amend section one of the act approved the seventh day of June, one thousand nine hundred eleven (P. L. 680), entitled "An act providing for the examination, licensure, and registration of persons, firms, or corporations engaged or engaging in the business or work of plumbing or house drainage, and prescribing certain rules, regulations, and requirements for the construction of plumbing, house drainage, and cesspools in cities of the first class, and imposing fines, penalties, and forfeitures for violation thereof," by exempting therefrom the construction of sewers and water lines.

THE PRESIDENT PRO TEMPORE (M. Harvey Taylor) IN THE CHAIR

BILLS SIGNED

The PRESIDENT pro tempore (M. Harvey Taylor) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

Senate Bill No. 1, entitled:

An Act to further amend section three hundred forty-one of the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance, exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," further defining and amplifying the powers of foreign insurance companies with relation to real property in this Commonwealth.

Senate Bill No. 2, entitled:

An Act to further amend the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 682), entitled "An act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," repealing sections four hundred four, four hundred five, and four hundred six thereof, and adding new sections restating and changing requirements relating to the investment of the capital reserves and surplus of and relating to the real estate which may be held by life insurance companies; and authorizing agreements between or among insurance companies concerning ownership and control of real estate owned by such companies or by corporations the stock of which is held or to be acquired by such companies

Senate Bill No. 109, entitled:

An Act to amend section one of the act, approved the tenth day of April one thousand nine hundred forty-five (P. L. 187), entitled "An act to provide for the receiving as evidence in any court, office, or other place in this State, official findings, records, reports, or certified copies thereof, of death, presumed death, missing or other status issued by the Secretaries of War and Navy, and other Federal officers and employees," providing that official statements of missing in action shall be prima facie evidence of death of the person therein named.

Senate Bill No. 221, entitled:

An Act to add section sixteen point one to the act, approved the seventeenth day of June, one thousand nine hundred thirteen (P. L. 507), entitled "An act to provide revenue for State and county purposes, and, in cities coextensive with counties, for city and county purposes; imposing taxes upon certain classes of personal property; providing for the assessment and collection of the same, providing for the duties and compensation of prothonotaries and recorders in connection therewith; and modifying existing legislation which provided for raising revenue for State purposes," by extending the time for payment of the tax without interest in certain cases; staying distraint or execution on such taxes; and requiring counties to make certain refunds.

House Bill No. 875, entitled:

An Act to further amend section one of the act approved the seventh day of June, one thousand nine hundred eleven (P. L. 680), entitled "An act providing for the examination, licensure, and registration of persons, firms or corporations engaged or engaging in the business or work of plumbing or house drainage, and prescribing certain rules, regulations, and requirements for the construction of plumbing, house drainage, and cesspools in cities of the first class, and imposing fines, penalties, and forfeitures for violation thereof," by exempting therefrom the construction of sewers and water lines.

Whereupon,

The PRESIDENT pro tempore (M. Harvey Taylor) in the presence of the Senate signed the same.

ADJOURNMENT

Mr. TALLMAN. Mr. President, I move that the Senate do now adjourn until Wednesday, May 7, 1947, at 2:00 o'clock, p. m., Eastern Standard Time.

Mr. WAGNER. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 6:12 o'clock, p. m., Eastern Standard Time until Wednesday, May 7, 1947, at 2:00 o'clock, p. m., Eastern Standard Time.

HOUSE OF REPRESENTATIVES

TUESDAY, May 6, 1947

The House met at 12:00 o'clock noon Eastern Standard Time.

The SPEAKER (Franklin H. Lichtenwalter) in the Chair.

PRAYER

The Chaplain, Rev. Lester C. Updegrove offered the following prayer:

O God of mercy, God of might, we thank Thee that love is the eternal pursuit of the Father of us all. In the spirit of expectation and humility we approach Thee and be gracious to hear our desires. Bless our fraternal interest in one another; may we share our burdens; make our toil sweet and satisfying. We commend unto Thee those who lead our thought in state and national affairs and those who sit in authority. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of Monday, May 5, 1947.

The Clerk proceeded to read the Journal of Monday, May 5, 1947, when, on motion of Mr. BANE unanimously agreed to, the further reading was dispensed with and the Journal approved.

REPORTS FROM COMMITTEES

Mr. HOCKER from the Committee on Counties, reported as committed, House Bill No. 757, entitled:

An Act to further amend sections five and sixteen of the act, approved the thirty-first day of March, one thousand eight hundred seventy-six (P. L. 13), entitled "An act to carry into effect section five of article fuorteen of the Constitution relative to the salaries of county officers, and the payment of fees received by them into the State or county treasury, in counties containing over one hundred and fifty thousand inhabitants," providing for the time of payment of salaries to county officers.

Mr. CHERVENAK from the Committee on Counties, reported as committed, House Bill No. 1118, entitled:

An Act to further amend section three hundred forty-eight of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh, and eighth classes; and revising, amending and consolidating the laws relating thereto," extending the provisions relative to the making of certain contracts and further regulating same.

Mr. CORDIER from the Committee on Military Affairs, reported as amended, House Bill No. 1296, entitled:

An Act to promote the welfare and general well-being of the veterans of this Commonwealth; creating a State Veterans' Authority as a body corporate and politic with power to purchase, sell, construct and administer real

estate, homes or farms in aid of veterans; authorizing and regulating the issuance of bonds by said Authority, and providing for the payment of such bonds, and the rights of the holders thereof; and providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act; further prescribing the powers and duties of said Authority and making an appropriation.

Mr. PATTEN from the Committee on Judiciary, reported as committed, Senate Bill No. 194, entitled:

An Act to validate and quiet the title to real estate in this Commonwealth held by a foreign corporation not authorized to transact business in Pennsylvania, and heretofore conveyed to a citizen or citizens of the United States or a corporation authorized to hold such real estate.

Mr. O'DONNELL from the Committee on Judiciary, reported as committed, Senate Bill No. 246, entitled:

An Act relating to trusts heretofore or hereafter created primarily for the benefit of employes under any stock bonus, pension, disability or death benefit, profit-sharing or other employe-benefit plan, and the application with respect thereto of any statute or rule of law against perpetuities, accumulations, or the suspension of the power of alienation.

Mr. CAPANO from the Committee on Judiciary, reported as committed, Senate Bill No. 250, entitled:

An Act permitting certain personnel of State-owned mental hospitals to certify as to the condition of mental patients in lieu of attendance in person before any court in certain cases

Mr. WEISS from the Committee on Judiciary, reported as committed, Senate Bill No. 311, entitled:

An Act to amend section four and subsection (a) of Section ten of the Act, approved the fifth day of August, one thousand nine hundred forty-one (P. L. 816), entitled "An Act regulating and limiting the rights of slayers in real and personal property and in the bentfits from insurance policies arising out of or as a result of the death of the person slain; protecting and saving the rights of purchasers and insurers dealing with slayers without notice of the slaying, and repealing certain legislation" by clarifying the wording thereof applicable when the slayer is a devisee, legatee, or appointee under the will of the person slain.

Mr. BANE from the Committee on Judiciary, reported as committed, Senate Bill No. 318, entitled:

An Act validating and confirming titles to real estate conveyed by cities of the third class unless proceedings to attack such sales are instituted within one year after the effective date of this act

Mr. PROPERT from the Committee on Public Utilities, reported as amended, Senate Bill No. 334, entitled:

An Act to amend the act, approved the second day of May one thousand nine hundred forty-five (P. L. 382) entitled, "An act providing for the incorporation as bodies corporate and politic of 'Authorities' for municipalities, counties and townships; prescribing the rights, powers and duties of such Authorities heretofore or hereafter incorporated; authorizing such Authorities to acquire, construct, improve, maintain and operate projects, and to borrow money and issue bonds therefor providing for the payment of such bonds, and prescribing the rights of the holders thereof; conferring the right of eminent domain on such Authorities authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof; and conferring exclusive jurisdiction on certain courts over rates," by further providing for the incorporation of such Authorities; and further prescribing the rights, powers, and duties of such Authorities.

Mr. GORMAN from the Committee on Judiciary, reported as committed, Senate Bill No. 492, entitled:

An Act to amend Section 2 of the act, approved the third day of May, one thousand nine hundred and thirty-three (P. L. 227), entitled, "An act authorizing stock corporations, with certain exceptions, to make provision for, and to issue, shares of capital stock of any class or classes, or to change shares of authorized or outstanding capital stock of any class into one or more classes, with or without normal or par value, and with such designations, terms, relative rights, powers, privileges, preferences, limitations, restrictions and qualifications as may be specified; regulating such corporations and the liabilitiies of their directors; making other provisions relating to the capital and capital stock of such corporations; and repealing all acts or parts of acts inconsistent herewith," by empowering, subject to certain conditions, the boards of directors of corporations to issue out the authorized but unissued shares of capital stock the kinds and classes of shares so authorized; regulating the creation and issuance of preferred or special stock in series and designating the variations in the relative rights and preferences as between different series; and empowering, subject to certain conditions, the boards of directors of corporations, as respects the authorized but unissued shares of preferred or special stock of the corporation, to divide the same into series and, subject to certaiin conditions and limitations, to fix and determine the relative rights and preferences of any series so established.

Mr. McDONALD from the Committee on Judiciary, reported as committed, Senate Bill No. 515, entitled:

An Act to amend section three of the act approved the eleventh day of May, one thousand nine hundred one (P. L. 166), entitled "An act providing for the commutation of sentences, for good behavior of convicts in prisons, penitentiaries, workhouses and county jails of this State, and regulations governing the same," changing the day on which monthly reports shall be forwarded to the Governor.

Mr. MINTESS from the Committee on Judiciary, reported as committed, Senate Bill No. 543, entitled:

An Act ratifying, confirming and validating certain sales of unused and unnecessary lands sold by any Board of School Directors.

Mr. ROSE from the Committee on Public Utilities, reported as amended, Senate Bill No. 557, entitled:

An Act providing for and regulating the merger and consolidation of corporations organized for the transportation and storage of oil by means of pipe lines and tanks; defining the rights and powers of the surviving or new corporation; providing for the service of process on foreign corporations; and defining the rights of dissenting stockholders.

Mr. READINGER from the Committee on Cities—Third Class, reported as amended, House Bill No. 274, entitled:

An Act to amend sections four thousand three hundred two, four thousand three hundred three and four thousand three hundred five of the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto," inserting additional provisions relating to retirement, basis for apportionment of pension and payments to pension fund by city.

Mr. ORBAN from the Committee on Counties, reported as committed, House Bill No. 500, entitled:

An Act to add sections ninety-eight and ninety-nine to the act approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," authorizing and regulating the formation of a state association by prothonotaries and clerks of the court of quarter sessions, and providing that certain expenses are to be paid by the counties.

Mrs. McCOSKER from the Committee on Judiciary, reported as committed, Senate Bill No. 370, entitled:

An Act validating charters of and amendments of the articles of incorporation of certain non-profit corporations incorporated under the Nonprofit Corporation Law.

MEMBER WELCOMED

The SPEAKER. The Chair is very happy to welcome back to the sessions a Member who has gone through a long siege of illness, who has been very ill, a hard-working member. I know that all of the Members are happy to welcome him back to the fold, the gentleman from Potter, Mr. Hall.

FORMER MEMBER WELCOMED

The SPEAKER. The Chair is informed that a former member, Honorable Ira H. Gardner, of Huntingdon County is in the hall of the House. The Chair is glad to welcome him.

The SPEAKER. The Chair requests the gentleman from Bucks, Mr. Stockham, to preside.

Mr. STOCKHAM IN THE CHAIR

BILLS INTRODUCED AND REFERRED

By Mr. CADWALADER. HOUSE BILL No. 1324.

An Act imposing a State tax payable by those herein defined as users on fuels used within the Commonwealth in internal combustion engines for the generation of power to propel motor vehicles using the public highways; providing for the collection and lien of the tax and the distribution and use of the proceeds thereof; requiring such users to secure licenses, to file bonds as a guarantee of payment of taxes, penalties, interest, fines, uncollectible check fees and Attorney General's fees; to file reports and to compile and retain certain records; imposing duties on dealers, wholesalers and carriers for hire; imposing certain costs on counties; conferring powers and imposing duties on certain State officers and departments; providing for refunds of taxes, penalties and interest illegally or erroneously collected from licensed users and making appropriations.

Referred to the Committee on Ways and Means.

By Mr. CADWALADER. HOUSE BILL No. 1325.

An Act to further amend the title and the definition of "Liquid Fuels" in section two of the act, approved the twenty-first day of May, one thousand nine hundred thirty-one (P. L. 149), entitled "An act imposing a State tax payable by those herein defined as distributors on liquid fuels used or sold and delivered within the Commonwealth, which are ordinarily, practically and commercially usable in internal combustion engines for the generation of power; providing for the collection and lien of the tax and the distribution and use of the proceeds thereof; requiring such distributors to secure permits to file corporate surety bonds and reports and to retain certain records; imposing duties on retail dealers, common carriers, county commissioners and such distributors; providing for rewards; imposing certain costs on counties; conferring powers and imposing duties on certain State officers and departments; providing for refunds; imposing penalties and making an appropriation," further prescribing the liquid fuels taxable under the provisions of said act.

Referred to the Committee on Ways and Means.

By Mr. POWERS. HOUSE BILL No. 1326.

An Act to further amend section one of the act, approved the thirteenth day of June, one thousand nine hundred seven (P. L. 640), entitled "An act to provide revenue by levying a tax upon shares of stock of companies incorporated under the provisions of section twenty-nine of an act, entitled 'An act to provide for the incorporation and regulation of certain corporations,' approved April twenty-ninth, one thousand eight hundred and seventy-four, and the supplements thereto; for the insurance of owners of real estate, mortgages, and others interested in real estate, from loss by reason of defective titles, liens and encumbrances; and of companies entitled to the benefits of, and of companies having any of the powers of, companies entitled to the benfits of an act, entitled 'An act conferring upon certain fidelity, insurance, safety deposit, trust, and savings companies the powers and privileges of companies incorporated under the provisions of section twenty-nine of an act, entitled "An act to provide for the incorporation and regulation of certain corporations," approved April twenty-ninth, Anno Domini one thousand eight hundred and seventy-four and of the supplements thereto,' approved June twenty-seventh, one thousand eight hundred and ninety-five, commonly known as title insurance or trust companies,' by imposing an additional tax upon shares of title insurance and trust companies, and providing for the distribution thereof.

Referred to the Committee on Ways and Means.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence, bills numbered and entitled as follows:

SENATE BILL No. 235.

An Act to establish The Brandywine Battlefield Park Commission and to authorize the acquisition by purchase condemnation or gift of lands for the establishment of the Brandywine Battlefield Park providing for the control management and supervision of the property to be acquired for such park by such commission authorizing the commission to make and to enforce rules and regulations for its preservation development and visitation and making appropriations.

Referred to the Committee on Appropriations.

SENATE BILL No. 372.

An Act to further amend section one thousand twelve and subsection C of section one thousand two hundred ten of the act approved the fifteenth day of May one thousand nine hundred and thirty-three (P. L. 624) entitled "An act relating to the business of banking and to exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations

authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employes of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" by further providing for the powers and duties and limitations upon powers of corporations and persons authorized to engage in a banking or fiduciary business or both.

Referred to the Committee on Banking and Building and Loan Associations.

SENATE BILL No. 459.

An Act to amend subsection B of section one thousand one of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 457) entitled "An act relating to the business of building and loan associations providing for the organization and voluntary dissolution of such associations defining the rights powers duties liabilities and immunities of such associations and of their officers directors shareholders solicitors and other employes prohibiting the transaction of business in this Commonwealth by foreign building and loan associations conferring powers and imposing duties upon the courts recorders of deeds and certain State departments commissions and officers establishing limitations of actions imposing penalties and repealing certain acts and parts of acts" further limiting the merger consolidation or conversion of building and loan associations in certain cases

Referred to the Committee on Banking and Building and Loan Associations.

SENATE BILL No. 491.

An Act to further amend Subsection C of Section two hundred four of the act approved the fifteenth day of May one thousand nine hundred thirty-three (P. L. 624) entitled "An act relating to the business of banking and to exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employes of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" by further providing for the establishment of branch offices and sub-agencies and for the approval thereof by the Department of Banking and the Banking Board.

Referred to the Committee on Banking and Building and Loan Associations.

SENATE BILL No. 496.

An Act making an appropriation to the Pennsylvania Museum and School of Industrial Art Philadelphia for the support of research and investigation of basic problems affecting the textile industry and providing for the making of a report thereon to the Department of Commerce.

Referred to the Committee on Appropriations.

SENATE BILL No. 523.

An Act to further amend paragraph four of Subsection A of Section one thousand one of the act approved the fifteenth day of May one thousand nine hundred thirty-three (P. L. 624) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employes of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" by further regulating the making of installment loans.

Referred to the Committee on Banking and Building and Loan Associations.

SENATE BILL No. 556.

An Act to further amend the act approved the fifteenth day of May one thousand nine hundred thirty-three (P. L. 624) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employes of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" further providing for authorized investments and limitations upon loans and discounts of savings banks.

Referred to the Committee on Banking and Building and Loan Associations.

SENATE BILL No. 577.

An Act to amend section one thousand one hundred five of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 457) entitled "An act relating to the business of building and loan associations providing for the organization and voluntary dissolution of such associations defining the rights powers duties liabilities and immunities of such associations and of their officers directors shareholders solicitors and other employes prohibiting the transaction of business in this Commonwealth by foreign building and loan associations conferring powers and imposing duties upon the courts recorders of deeds and certain State departments commis-

sions and officers establishing limitations of actions imposing penalties and repealing certain acts and parts of acts" providing for the transaction of business by a majority of the liquidating trustees.

Referred to the Committee on Banking and Building and Loan Associations.

SENATE BILL No. 587.

An Act to further amend subsection (b) of section thirty of the act approved the thirtieth day of March one thousand nine hundred thirty-seven (P. L. 115) entitled "An act to provide for the permanent personal registration of electors in cities of the first class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties bodies of electors registration commissions commissioners registrars inspectors of registration and other appointees of registration commission election officers municipal officers departments and bureaus police officers courts judges prothonotaries sehiffs county commissioners peace officers county treasurers county controllers registrars of vital statistics real estate brokers rental agents certain public service companies persons firms and corporations operating vehicles for moving furniture and household goods and boards of school directors and imposing penalties" clarifying the provisions relating to the time for giving change of party enrollment notice

Referred to the Committee on Elections and Apportionment.

SENATE BILL No. 613.

An Act to authorize counties cities boroughs incorporated towns townships school districts pood districts and county institution districts to file ax and municipal claims not filed within the time specified by law and to amend such claims where the property affected is not sufficiently described and to file suggestions of nonpayment and averments of default or to sue out writs of scire facias on certain tax or municipal claims and to revive judgments where the lien of such claims or the judgment thereon have been lost and providing for the reinstatement of the liens of such claims and judgment.

Referred to the Committee on Municipal Corporations.

SENATE BILL No. 617.

An Act to reenact and amend sections four hundred ninety-six, four hundred ninety-six point one, four hundred ninety-six point two, four hundred ninety-six point three, and four hundred ninety-six point four, of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes and revising, amending and consolidating the laws relating thereto," authorizing eighth class counties to acquire, operate and lease aviation landing fields and airdromes; conferring power of eminent domain for such purposes; authorizing the appropriation of certain lands purchased at tax sales for such purposes and joint action with other political subdivisions in the operation and maintenance of such airfields and providing for the expenditure of funds for such purposes in cooperation with State, Federal or other public agencies.

Referred to the Committee on Aeronautics.

SENATE BILL No. 651.

An Act making an additional deficiency appropriation to the Department of Public Assistance and providing for certain allocations therefrom for the purpose of carrying out the Public Assistance Law for the two fiscal years beginning June first one thousand nine hundred forty-five and for the payment of assistance and expenses accrued prior to and remaining unpaid on May thirty-first one thousand nine hundred forty-five.

Referred to the Committee on Appropriations.

RESOLUTION INTRODUCED AND REFERRED

By Messrs. DEMECH and SCANLON. Resolution No. 47.

In the House of Representatives, May 5, 1947.

Whereas, The Animal Trap Company of Lititz, Pennsylvania, has a virtual monopoly of trap manufacturing in America; employs about two hundred fifty employes and it is estimated it earned over three hundred thousand dollars ($300,000); and

Whereas, Low wage scale and substandard working conditions which prevailed for a long period of time resulted in a spontaneous strike last fall, subsequent to which the National Labor Relations Board conducted an election. The election was won by the United Electrical, Radio and Machine Workers of America, CIO, which is now the certified bargaining agent; and

Whereas, The strike was finally settled the wage scale is still very low and the working conditions are substandard to a deplorable degree and a legislative investigation may bring about a new wage plan and better working conditions and be used as a model plan for improving employer-employe relationships, therefore be it

Resolved, That a committee of five members of the House of Representatives be appointed by the Speaker to investigate the Animal Trap Company in connection with wage scales, general working conditions and general labor-management problems, so that, the said committee shall be in a position to present a complete report on the best methods of solving labor-management problems by legislative action; the said committee to make its report to the House of Representatives within thirty days of their appointment.

Referred to the Committee on Rules.

SENATE MESSAGES

PALESTINE

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, May 5, 1947.

Whereas, The problem of Palestine has been placed before the United Nations Assembly at the request of the mandatory power, the British government; and

Whereas, The matter of pressing solutions to immediately urgent problems such as immigration and land purchases may be prolonged or postponed subject to the appointment of a committee or commission of inquiry; therefore be it

Resolved, (if the House of Representatives concurs) That the General Assembly of the Commonwealth of Pennsylvania petitions the President of the United States to instruct its representative in the United Nations Assembly to implement the following objectives: First, the representation of the Jewish Agency for Palestine in the deliberations of the United Nations. Secondly, immediate revocation of the illegal restrictions of Jewish immigration and Jewish land purchase in the Jewish National Home—as interim measures pending final United Nations recommendations. Thirdly, United States initiative within the United Nations to achieve the Palestine program it has publicly indorsed.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

Referred to the Committee on Rules.

AMENDED SENATE BILL NONCONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has nonconcurred in the amendments made by the House of Representatives to Senate Bill numbered and entitled as follows:

SENATE BILL No. 313.

An Act to reenact amend and revise the act approved the first day of May one thousand nine hundred and thirty-three (P. L. 103) as amended, entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto"

BILL AND MESSAGE LAID ON TABLE

Mr. SORG. Mr. Speaker, I move that Senate Bill No. 313, together with the message from the Senate, be laid upon the table.

The motion was agreed to.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 875.

An Act to further amend section one of the act approved the seventh day of June, one thousand nine hundred eleven (P. L. 680), entitled "An act providing for the examination, licensure, and registration of persons, firms, or corporations engaged or engaging in the business or work of plumbing or house drainage, and prescribing certain rules, regulations, and requirements for the construction of plumbing, house drainage, and cesspools in cities of the first class, and imposing fines, penalties, and forfeitures for violation thereof," by exempting therefrom the construction of sewers and water lines

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER pro tempore. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 1, Page 4, Line 1, by inserting after the word "engineer" the following: "in those cases where a complete set of plans of said sewers to be constructed and water pipes to be laid shall have been filed with the appropriate office of said cities."

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—204

Aaronson,	Gallagher,	McCosker,	Sax,
Andrews,	Getchey,	McCullough,	Scanlon,
Bane,	Gibson,	McDonald,	Schuster,
Barrett,	Goff,	McKinney,	Scott,
Baumunk,	Goodling,	McMillen,	Serrill,
Beech,	Gorman,	Mihm,	Shoemaker,
Bender,	Graybill,	Mikula,	Simons,
Bentzel,	Greenwood,	Miller,	Smith, C. C.,
Bloom,	Greer,	Mills,	Smith, C. M.,
Boies,	Griffiths,	Mintess,	Snider,
Bonawitz,	Guthrie,	Mohr,	Sollenberger,
Boorse,	Gyger,	Mooney,	Sorg,
Bower,	Hall,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenshield,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Bucchin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,
Clevenger,	Jennings,	O'Dare,	Tompkins,
Cochran,	Johnson,	O'Donnell,	Toomey,
Cole,	Johnston,	O'Neill,	Turner,
Cook	Jones,	Orban,	Upshur,
Cooper,	Jump,	Patten,	Vaughan,
Cordier,	Kean,	Petrosky,	Verona,
Costa,	Kelley,	Pichney,	Wachhaus,
Crowley,	Kemp,	Pickens,	Wagner,
Dague,	Kent,	Polaski,	Waldron,
Dalrymple,	Kirley,	Powers,	Wallin,
Davison,	Kline,	Price,	Walton,
De Long,	Kohl,	Propert,	Waterhouse,
Demech,	Kratz,	Ragot,	Watkins,
Dennison,	Krise,	Readinger,	Watson,
Depuy,	Kurtz,	Reagan,	Weidner,
Dix,	Laughner,	Reese, D. P.,	Weiss,
Dye,	Layer,	Reese, R. E.,	Wescott,
Efenberg,	Lee,	Reilly, J. M.,	West,
Elder,	Leisey,	Reilly, W. J.,	Wheeler,
Erb,	Livingston,	Richter,	Wolf,
Evans,	Livingstone,	Riley,	Wood,
Ewing,	Loftus,	Robbins,	Worley,
Feola,	Lovett,	Robertson,	Yeakel,
Fish,	Lyons,	Root,	Yester,
Fiss,	Madden,	Rose,	Yetzer,
Flack,	Madigan,	Rowen,	Young,
Fleming,	Mazza,	Royer,	Lichtenwalter,
Foor,	McCormack,	Sarraf,	Speaker.
Frost,			

NAYS—0

NOT VOTING—1

Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

BILL ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 37, entitled:

An Act defining and providing for the licensing and regulation of private schools; conferring powers and imposing duties on the Department of Public Instruction; and imposing penalties.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

PERMISSION TO ADDRESS HOUSE

Mr. ANDREWS asked and obtained unanimous consent to address the House.

Mr. Speaker, there will probably be various amendments proposed to House Bill No. 1170. If those who have amendments in mind would let us have copies of the amendments it might save time, because we might want to caucus on the amendments. If the amendments are simply proposed on the floor and we have no advance notice we might have to ask permission to take time out to caucus, whereas if those who have the amendments

will let us have copies then we can caucus without taking any time of the House.

PERMISSION TO ADDRESS HOUSE

Mr. SORG asked and obtained unanimous consent to address the House.

Mr. Speaker, I am sure that the Minority Leader refers to copies of proposed amendments for himself and also for the Majority Leader. So that there may be no misunderstanding, I should also appreciate any copies that might be presented.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consieration of House Bill No. 1225, entitled:

An Act to further amend the fifth paragraph of section four hundred seven of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by further providing for the terms of legislative members of the Pennsylvania Aeronautics Commission

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

BILLS PASSED OVER

There being no objection,

Senate Bill No. 49, Printer's No. 46,
Senate Bill No. 87, Printer's No. 243,
Senate Bill No. 114, Printer's No. 21,
Senate Bill No. 152, Printer's No. 245,
Senate Bill No. 231, Printer's No. 221,
Senate Bill No. 232, Printer's No. 56,
Senate Bill No. 241, Printer's No. 76,
Senate Bill No. 282, Printer's No. 69,
Senate Bill No. 335, Printer's No. 55,
Senate Bill No. 381, Printer's No. 180,
Senate Bill No. 419, Printer's No. 157,
Senate Bill No. 433, Printer's No. 137,
Senate Bill No. 478, Printer's No. 244 and
Senate Bill No. 487, Printer's No. 168

were passed over at the request of the SPEAKER pro tempore.

TIME EXTENDED ON BILLS

Mr. SCOTT asked and obtained unanimous consent to extend the time five days on House Bill No. 554, Printer's No. 335 on page 15 of today's calendar, bill on second reading postponed.

Mr. SORG asked and obtained unanimous consent to extend the time five days on House Bill No. 641, Printer's No. 376 on page 15 of today's calendar, bill on final passage postponed.

THE SPEAKER (Franklin H. Lichtenwalter) IN THE CHAIR

The SPEAKER. The Chair thanks the gentleman from Bucks, Mr. Stockham, for presiding.

FORMER MEMBER WELCOMED

The SPEAKER. The Chair welcomes a former Member from Huntington County to the hall of the House, the Honorable Paul V. Heffner.

CLASS OF REEDSVILLE HIGH SCHOOL WELCOMED

The SPEAKER. The Chair is happy to welcome a class of the Reedsville Junior School, under the direction of Mrs. Herman Fisher. They are the guests of the gentleman from Mifflin, Mr. Price.

RECONSIDERATION OF VOTE

Mr. READINGER. Mr. Speaker, I move that the vote by which House Bill No. 1020, Printer's No. 359, entitled:

An Act to further amend Section seven hundred and six and Clause (h) of section nine hundred and three of the act aproved the first day of May one thousand nine hundred and twenty-nine (P. L. 905) entitled "Motor Vehicle Code" by increasing the annual registration fees of certain trailers and semi-trailers and fixing the maximum gross weight of truck tractors in combination with semi-trailers having two axles

was defeated on final passage Monday, April 28th, be reconsidered.

Mr. GIBSON. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Berks, Mr. Readinger vote on the final passage of this bill?

Mr. READINGER. Mr. Speaker, I voted in the majority.

The SPEAKER. How did the gentleman from Warren, Mr. Gibson vote on the final passage of this bill?

Mr. GIBSON. Mr. Speaker, I voted in the majority.

On the question,

Will the House agree to the motion?

Mr. ERB. Mr. Speaker, I feel that this bill had a very fair trial and I am opposed to any reconsideration whatsoever at this time. I ask for a roll call.

Mr. WORLEY. I second the request for a roll call, Mr. Speaker.

Mr. ANDREWS. Mr. Speaker, it has been my misfortune or fortune to be mostly the underdog side in this House, and so I have developed a happy sympathy for the person who has been defeated. I have always made it a policy, whether it was a Democratic bill or whether it was a Republican bill to give those interested in the bills a second chance if they thought they had a fighting chance. I am indeed surprised that there should be opposition to the idea of reconsidering a bill that has back of it a very substantial amount of sentiment in this House.

I have always made it a principle to vote to reconsider, even when I was opposed to the measure.

Mr. W. J. REILLY. Mr. Speaker, I want to say to you in this regard, first of all the original bill calls for 45,000 lbs. tonnage in other words, and this is an increase of 62,000, is that correct?

The SPEAKER. Is the gentleman interrogating the Chair?

Mr. W. J. REILLY. Well, nevertheless, Mr. Speaker, I am definitely opposed to any reconsideration.

On the question recurring,

Will the House agree to the motion?

The yeas and nays were required by Mr. Erb and Mr. Worley and were as follows:

YEAS—136

Aaronson,	Goff,	Mikula,	Schuster,
Andrews,	Greenwood,	Mills,	Scott,
Bane,	Greer,	Mintess,	Smith, C. C.,
Barrett,	Guthrie,	Mohr,	Snider,
Beech,	Gyger,	Mooney,	Sorg,
Bentzel,	Haller,	Moore, C. E.,	Sproul,
Boies,	Hoffman,	Moore, H. A.,	Stank,
Brice,	Hoopes,	Morrison,	Stimmel,
Brown,	Horan,	Murray,	Stockham,
Brunner,	Imbt,	Needham,	Stonier,
Bucchin,	Jennings,	Neff,	Stuart,
Capano,	Johnson,	Nelson,	Swope,
Chervenak,	Johnston,	O'Dare,	Thomassy,
Chudoff,	Jones,	O'Neill,	Thompson,
Cochran,	Jump,	Orban,	Toomey,
Cole,	Kean,	Petrosky,	Upshur,
Cook,	Kelley,	Pichney,	Vaughan,
Cooper,	Kemp,	Pickens,	Verona,
Cordier,	Kent,	Polaski,	Wachhaus,
Costa,	Kirley,	Powers,	Wagner,
Crowley,	Kratz,	Price,	Waldron,
Dague,	Kurtz,	Propert,	Wallin,
Davison,	Laughner,	Readinger,	Watkins,
De Long,	Layer,	Reagan,	Weidner,
Dennison,	Lee,	Reese, D. P.,	Weiss,
Evans,	Livingstone,	Reese, R. E.,	Wescott,
Ewing,	Lovett,	Richter,	Wheeler,
Feola,	Madigan,	Riley,	Wood,
Fish,	Mazza,	Root,	Yeakel,
Fleming,	McCullough,	Rose,	Yester,
Foor,	McDonald,	Rowen,	Yetzer,
Frost,	McKinney,	Royer,	Young,
Getchey,	McMillen,	Sarraf,	Lichtenwalter, Speaker.
Gibson,	Mihm,	Sax,	

NAYS—47

Baumunk,	Gorman,	Madden,	Scanlon,
Bonawitz,	Graybill,	McCosker,	Serrill,
Bower,	Griffiths,	Miller,	Smith, C. M.,
Cassidy,	Henry,	Myers,	Tittle,
Dalrymple,	Hewitt,	Najaka,	Tompkins,
Demech,	Hocker,	O'Connor,	Turner,
Depuy,	Kohl,	Patten,	Walton,
Dix,	Krise,	Ragot,	Watson,
Elder,	Leisey,	Reilly, J. M.,	West,
Erb,	Livingston,	Reilly, W. J.,	Wolf,
Flack,	Loftus,	Robbins,	Worley,
Gallagher,			

NOT VOTING—22

Bender,	Dye,	Helm,	Robertson,
Bloom,	Efenberg,	Kline,	Shoemaker,
Boorse,	Fiss,	Lyons,	Simons,
Breisch,	Goodling,	McCormack,	Sollenberger,
Cadwalader,	Hall,	Naumann,	Tahl,
Clevenger,	Haudenshield,	O'Donnell,	Trout,
			Waterhouse,

So the question was determined in the affirmative and the motion was agreed to.

On the question recurring,

Shall the bill pass finally?

Mr. ANDREWS. Mr. Speaker, I would like to speak to the minority and say that my vote on this bill does not denote a caucus position.

Mr. DALRYMPLE. Mr. Speaker, I would like to read a telegram just received: "Truck drivers Local Union 397 is opposed to House Bill 1020". Signed by Dale Carson, Secretary and Treasurer.

On the question recurring.

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—125

Aaronson,	Frost,	Mazza,	Scanlon,
Andrews,	Gibson,	McCullough,	Schuster,
Bane,	Goff,	McDonald,	Scott,
Barrett,	Gorman,	McKinney,	Smith, C. C.,
Beech,	Greenwood,	McMillen,	Smith, C. M.,
Bender,	Greer,	Mihm,	Snider,
Bentzel,	Griffiths,	Mikula,	Sorg,
Bloom,	Guthrie,	Mills,	Sproul,
Boies,	Gyger,	Mooney,	Stank,
Brice,	Haller,	Moore, C. E.,	Stimmel,
Brown,	Hoffman,	Moore, H. A.,	Stockham,
Brunner,	Hoopes,	Morrison,	Stonier,
Bucchin,	Horan,	Murray,	Stuart,
Capano,	Imbt,	Needham,	Swope,
Chudoff,	Jennings,	Neff,	Thomassy,
Cochran,	Johnson,	Nelson,	Thompson,
Cole,	Johnston,	O'Dare,	Toomey,
Cook,	Jones,	O'Neill,	Upshur,
Cooper,	Jump,	Orban,	Vaughan,
Cordier,	Kean,	Petrosky,	Verona,
Costa,	Kelley,	Pichney,	Wagner,
Crowley,	Kemp,	Pickens,	Waldron,
Dague,	Kirley,	Powers,	Waterhouse,
Davison,	Kratz,	Price,	Weidner,
De Long,	Kurtz,	Reese, R. E.,	Weiss,
Demech,	Laughner,	Richter,	Wescott,
Dennison,	Layer,	Robertson,	Wheeler,
Ewing,	Lovett,	Root,	Wood,
Feola,	Lyons,	Rose,	Yeakel,
Fish,	Madden,	Royer,	Yetzer,
Flack,	Madigan,	Sarraf,	Lichtenwalter, Speaker.
Foor,			

NAYS—62

Bonawitz,	Getchey,	Najaka,	Serrill,
Bower,	Graybill,	O'Connor,	Shoemaker,
Breisch,	Hewitt,	O'Donnell,	Sollenberger,
Cadwalader,	Hocker,	Patten,	Tittle,
Cassidy,	Kline,	Polaski,	Tompkins,
Chervenak,	Kohl,	Propert,	Turner,
Clevenger,	Krise,	Ragot,	Wachhaus,
Dalrymple,	Leisey,	Readinger,	Wallin,
Depuy,	Livingston,	Reagan,	Walton,
Dix,	Livingstone,	Reese, D. P.,	Watkins,
Dye,	Loftus,	Reilly, J. M.,	Watson,
Elder,	McCosker,	Reilly, W. J.,	West,
Erb,	Miller,	Riley,	Wolf,
Evans,	Mintess,	Robbins,	Worley,
Fleming,	Myers,	Sax,	Yester,
Gallagher,			Young,

NOT VOTING—18

Baumunk,	Hall,	Lee,	Rowen,
Boorse,	Haudenshield,	McCormack,	Simons,
Efenberg,	Helm,	Mohr,	Tahl,
Fiss,	Henry,	Naumann,	Trout,
Goodling,	Kent,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 207, as follows:

An Act to authorize cities boroughs incorporated towns townships and school districts to file suggestions of nonpayment and averments of default or to sue out writs of scire facias on certain tax or municipal claims and to revive judgments where the lien of such claims or the judgments thereon have been lost and providing for the reinstatement of the liens of such claims and judgments

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Whenever any city borough incorporated township or school district has heretofore filed in the office of the prothonotary of the proper county any tax or municipal claim and the city borough incorporated town or township or school district has not within the period of five (5) years after the date on which any such claim was filed sued out a writ or scire facias to reduce the same to judgment or in the case of a tax or municipal claim has not within said period of five (5) years filed a suggestion of nonpayment and an averment of default or whenever any writ of scire facias has been issued or reduce any such claim to judgment and by reason of defense or any other court proceedings judgment has not been entered within the period of five (5) years after the date on which such writ was issued or whenever any such tax or municipal claim has been reduced to judgment and the city borough incorporated town township or school district has not within the period of five (5) years after the date on which such judgment was entered or within five (5) years after the date on which such judgment was last revived filed a suggestion of nonpayment and an averment of default or sued out a writ of scire facias to revive the same then in any such case any such city borough incorporated town township or school district may within six (6) months after the passage and approval of this act issue its praecipe for a writ of scire facias on any such tax or municipal claim and proceed to judgment in the manner provided by law to obtain judgments upon tax or municipal claims or in case a not been reduced to judgment within five (5) years from the date of issuance issue its praecipe for an alias writ of scire facias on any such tax or municipal claim and proceed to judgment in the manner provided by law to obtain judgments upon tax or municipal claims or in the case of a tax or municipal claim where no judgment has been entered file a suggestion of nonpayment and an averment of default or in case judgment has been entered on a tax or municipal claim either file a suggestion of nonpayment and an averment of default or issue its praecipe for a writ of scire facias on any such judgment and proceed to judgment in the manner provided by law to obtain judgments of revival and such claim or judgment so entered or revived shall be a valid claim or judgment and be a lien upon the real estate upon which it was a lien at the time the claim was filed or the judgment was entered and said claim or judgment may be revived or further revived and collected as other claims or judgments upon tax or municipal claims are revived and collected. Provided however That the lien of any such claim or judgment shall not reattach against any real estate transferred to any purchaser during the time when the lien of any such tax xor municipal claim or judgment was lost nor shall the lien of any such claim or judgment impair or affect the priority of the lien of any mortgage or other lien which gained priority because of the failure of the city borough incorporated town township or school district to sue out the writ of scire facias or file a suggestion of nonpayment and an averment of default within the five (5) year period or was entered of record during the time the lien of such tax or municipal claim or judgment was lost

Section 2 The provisions of this act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—204

Aaronson,	Gallagher,	McCosker,	Sax,
Andrews,	Getchey,	McCullough,	Scanlon,
Bane,	Gibson,	McDonald,	Schuster,
Barrett,	Goff,	McKinney,	Scott,
Baumunk,	Goodling,	McMillen,	Serrill,
Beech,	Gorman,	Mihm,	Shoemaker,
Bender,	Graybill,	Mikula,	Simons,
Bentzel,	Greenwood,	Miller,	Smith, C. C.,
Bloom,	Greer,	Mills,	Smith, C. M.,
Boies,	Griffiths,	Mintess,	Snider,
Bonawitz,	Guthrie,	Mohr,	Sollenberger,
Boorse,	Gyger,	Mooney,	Sorg,
Bower,	Hall,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenshield,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Bucchin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,
Clevenger,	Jennings,	O'Dare,	Tompkins,
Cochran,	Johnson,	O'Donnell,	Toomey,
Cole,	Johnston,	O'Neill,	Turner,
Cook	Jones,	Orban,	Upshur,
Cooper,	Jump,	Patten,	Vaughan,
Cordier,	Kean,	Petrosky,	Verona,
Costa,	Kelley,	Pichney,	Wachhaus,
Crowley,	Kemp,	Pickens,	Wagner,
Dague,	Kent,	Polaski,	Waldron,
Dalrymple,	Kirley,	Powers,	Wallin,
Davison,	Kline,	Price,	Walton,
De Long,	Kohl,	Propert,	Waterhouse,
Demech,	Kratz,	Ragot,	Watkins,
Dennison,	Krise,	Readinger,	Watson,
Depuy,	Kurtz,	Reagan,	Weidner,
Dix,	Laughner,	Reese, D. P.,	Weiss,
Dye,	Layer,	Reese, R. E.,	Wescott,
Efenberg,	Lee,	Reilly, J. M.,	West,
Elder,	Leisey,	Reilly, W. J.,	Wheeler,
Erb,	Livingston,	Richter,	Wolf,
Evans,	Livingstone,	Riley,	Wood,
Ewing,	Loftus,	Robbins,	Worley,
Feola,	Lovett,	Robertson,	Yeakel,
Fish,	Lyons,	Root,	Yester,
Fiss,	Madden,	Rose,	Yetzer,
Flack,	Madigan,	Rowen,	Young,
Fleming,	Mazza,	Royer,	Lichtenwalter,
Foor,	McCormack,	Sarraf,	Speaker.
Frost,			

NAYS—0

NOT VOTING—1

Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 266, as follows:

An Act to amend section five hundred ten of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" by providing for the appointment of a deputy treasurer when treasurer is unable to perform the duties of his office

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section five hundred ten of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" is hereby amended to read as follows

(c) Treasurer

Section 510 Election of Treasurer At the municipal election in the year one thousand nine hundred and thirty-three and every fourth year thereafter the electors of each township shall elect a township treasurer for a term of four years from the first Monday of January next following his election

When the township treasurer is unable to perform the duties of his office and fails or refuses to appoint a deputy the court of common pleas on petition of the township commissioners shall appoint a deputy treasurer to serve until the treasurer is again able to perform the duties of his office or until such deputy is removed by the court but in no instance shall such deputy serve beyond the term of the treasurer in whose office he is serving as deputy treasurer the court shall also fix the compensation of such deputy treasurer at a rate not to exceed that paid to the elected township treasurer for the time such deputy shall serve such compensation shall be deducted from the compensation otherwise payable to the township treasurer such deputy shall furnish bond in the same manner as the bond of the treasurer

And said bill having been read at length the third time, considered and agreed to.

On the question recurring.

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—204

Aaronson,	Gallagher,	McCosker,	Sax,
Andrews,	Getchey,	McCullough,	Scanlon,
Bane,	Gibson,	McDonald,	Schuster,
Barrett,	Goff,	McKinney,	Scott,
Baumunk,	Goodling,	McMillen,	Serrill,
Beech,	Gorman,	Mihm,	Shoemaker,
Bender,	Graybill,	Mikula,	Simons,
Bentzel,	Greenwood,	Miller,	Smith, C. C.,
Bloom,	Greer,	Mills,	Smith, C. M.,
Boies,	Griffiths,	Mintess,	Snider,
Bonawitz,	Guthrie,	Mohr,	Sollenberger,
Boorse,	Gyger,	Mooney,	Sorg,
Bower,	Hall,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenshield,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Bucchin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,
Clevenger,	Jennings,	O'Dare,	Tompkins,
Cochran,	Johnson,	O'Donnell,	Toomey,
Cole,	Johnston,	O'Neill,	Turner,
Cook,	Jones,	Orban,	Upshur,
Cooper,	Jump,	Patten,	Vaughan,
Cordier,	Kean,	Petrosky,	Verona,
Costa,	Kelley,	Pichney,	Wachhaus,
Crowley,	Kemp,	Pickens,	Wagner,
Dague,	Kent,	Polaski,	Waldron,
Dalrymple,	Kirley,	Powers,	Wallin,
Davison,	Kline,	Price,	Walton,
De Long,	Kohl,	Propert,	Waterhouse,
Demech,	Kratz,	Ragot,	Watkins,
Dennison,	Krise,	Readinger,	Watson,
Depuy,	Kurtz,	Reagan,	Weidner,
Dix,	Laughner,	Reese, D. P.,	Weiss,
Dye,	Layer,	Reese, R. E.,	Wescott,
Efenberg,	Lee,	Reilly, J. M.,	West,
Elder,	Leisey,	Reilly, W. J.,	Wheeler,
Erb,	Livingston,	Richter,	Wolf,
Evans,	Livingstone,	Riley,	Wood,
Ewing,	Loftus,	Robbins,	Worley,
Feola,	Lovett,	Robertson,	Yeakel,
Fish,	Lyons,	Root,	Yester,
Fiss,	Madden,	Rose,	Yetzer,
Flack,	Madigan,	Rowen,	Young,
Fleming,	Mazza,	Royer,	Lichtenwalter, Speaker.
Foor,	McCormack,	Sarraf,	
Frost,			

NAYS—0

NOT VOTING—1

Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 344, as follows:

An Act to amend section four of the act approved the thirty-first day of May one thousand nine hundred twenty-three (P. L. 481) entitled "An act providing for the appointment of boards of examiners to examine applicants for certificates of qualification as mine foremen assistant mine foremen and fire bosses in the bituminous coal mines of this Commonwealth prescribing the qualifications defining the powers and duties and fixing the compensation of such examiners authorizing the Chief of the Department of Mines to determine the district in which boards of examiners shall hold examinations and to designate the boards before whom applicants in the various inspection districts shall appear providing for the issuance of certificates of qualification to successful applicants fixing the fees to be paid by applicants and providing for their disposition forbidding the employment of unqualified persons as mine foremen assistant mine foremen and fire bosses providing a penalty for forging or making false statements regarding certificates" changing compensation of board members

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section four of the act approved the thirty-first day of May one thousand nine hundred twenty-three (P. L. 481) entitled "An act providing for the appointment of boards of examiners to examine applicants for certificates of qualification as mine foremen assistant mine foremen and fire bosses in the bituminous coal mines of this Commonwealth prescribing the qualifications defining the powers and duties and fixing the compensation of such examiners authorizing the Chief of the Department of Mines to determine the district in which boards of examiners shall hold examinations and to designate the boards whom applicants in the various inspection districts shall appear providing for the issuance of certificates of qualification to successful applicants fixing the fees to be paid by applicants and providing for their disposition forbidding the employment of unqualified persons as mine foremen assistant mine foremen and fire bosses providing a penalty for forging or making false statements regarding certificates" is hereby amended to read as follows

Section 4 Each board member shall receive [six dollars ($6.00)] ten dollars ($10) a day for each day actually employed not exceeding fifteen days in all and mileage at the rate of five cents a mile for each mile necessarily traveled in going from his home to the place of meeting and return by the shortest practicable railway route The committee of six shall receive additional compensation at the rate of [six] ten dollars a day and mileage at the rate of five cents a mile while preparing the questions and answers Each member shall also be reimbursed for

all other necessary expenses incurred in the discharge of his duties Each board of examiners is hereby authorized to employ the services of a clerk whose compensation and rate of mileage shall be the same as that of members of the board The clerk of each board shall on final adjournment send to the Chief of the Department of Mines properly attested vouchers for compensation and expenses of each member of the board and also a voucher covering his own compensation and expenses which vouchers shall be approved by the chairman and the sevretary of the board The Chief of the Department of Mines shall then approve said vouchers and transmit them to the Auditor General who shall issue warrants on the State Treasurer for their payment.

And said bill having been read at length the third time, considered and agreed to.

On the question recurring.

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—204

Aaronson,	Gallagher,	McCosker,	Sax,
Andrews,	Getchey,	McCullough,	Scanlon,
Bane,	Gibson,	McDonald,	Schuster,
Barrett,	Goff,	McKinney,	Scott,
Baumunk,	Goodling,	McMillen,	Serrill,
Beech,	Gorman,	Mihm,	Shoemaker,
Bender,	Graybill,	Mikula,	Simons,
Bentzel,	Greenwood,	Miller,	Smith, C. C.,
Bloom,	Greer,	Mills,	Smith, C. M.,
Boies,	Griffiths,	Mintess,	Snider,
Bonawitz,	Guthrie,	Mohr,	Sollenberger,
Boorse,	Gyger,	Mooney,	Sorg,
Bower,	Hall,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenshield,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Bucchin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,
Clevenger,	Jennings,	O'Dare,	Tompkins,
Cochran,	Johnson,	O'Donnell,	Toomey,
Cole,	Johnston,	O'Neill,	Turner,
Cook,	Jones,	Orban,	Upshur,
Cooper,	Jump,	Patten,	Vaughan,
Cordier,	Kean,	Petrosky,	Verona,
Costa,	Kelley,	Pichney,	Wachhaus,
Crowley,	Kemp,	Pickens,	Wagner,
Dague,	Kent,	Polaski,	Waldron,
Dalrymple	Kirley,	Powers,	Wallin,
Davison,	Kline,	Price,	Walton,
De Long,	Kohl,	Propert,	Waterhouse,
Demech,	Kratz,	Ragot,	Watkins,
Dennison,	Krise,	Readinger,	Watson,
Depuy,	Kurtz,	Reagan,	Weidner,
Dix,	Laughner,	Reese, D P.,	Weiss,
Dye,	Layer,	Reese, R E.,	Wescott,
Efenberg,	Lee,	Reilly, J. M.,	West,
Elder,	Leisey,	Reilly, W. J.,	Wheeler,
Erb,	Livingston,	Richter,	Wolf,
Evans,	Livingstone,	Riley	Wood,
Ewing,	Loftus,	Robbins,	Worley,
Feola,	Lovett,	Robertson,	Yeakel,
Fish,	Lyons,	Root,	Yester,
Fiss,	Madden,	Rose,	Yetzer,
Flack,	Madigan,	Rowen,	Young,
Fleming,	Mazza,	Royer,	Lichtenwalter, Speaker.
Foor,	McCormack,	Sarraf,	
Frost,			

NAYS—0

NOT VOTING—1

Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 535, entitled:

An Act to amend section one thousand nine of Article Ten of the act approved the fifteenth day of May one thousand nine hundred and thirty-three (P. L. 624) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employes of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" as amended to permit certain Banks and Trust Companies to acquire and hold additional shares of stock acts and parts of acts" as amended to permit certain Banks and Trust Companies to acquire and hold additional shares of stock of certain Title Insurance Companies

On the question,

Will the House agree to the bill on third reading?

Mr. MORRISON. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend sec. 1 (Sec. 1009), page 5, by inserting between lines 6 and 7, the following: "D. This section shall not be construed to affect the power of a bank or a bank and trust company to take or hold shares of capital of a corporation in accordance with the provisions of this act as security for loans granted by such bank or bank and trust company"

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 541, as follows:

An Act to further amend paragraph six of section one of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858)

entitled "An act establishing a State employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by further defining State employe to include employes of the Interstate Commission on the Delaware River Basin

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Paragraph six of section one of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employes retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" as last amended by the act approved the twenty-fifth day of June one thousand nine hundred forty-one (P. L. 202) is hereby further amended to read as follows

Section 1 Be it enacted &c. That the following words and phrases as used in this act unless a different meaning is plainly required by the context shall have the following meanings

* * * * *

6. "State employee" shall mean any person holding a State office or position under the Commonwealth of Pennsylvania employed and paid on a yearly or monthly basis by the State Government of the Commonwealth of Pennsylvania in any capacity whatsoever and shall include also any attorney solicitor investigator appraiser and clerk employed by the year or by the month in the office of any register of wills nowsoever appointed whose compensation is actually paid from Commonwealth moneys and shall also include all judges of the several courts of this Commonwealth whose salaries are paid by the Commonwealth and also all clerks and secretaries employed by judges and paid on a yearly or monthly basis by such judges from moneys appropriated by the Commonwealth for such purposes and also all officers and employes of the Pennsylvania State College paid on a yearly or monthly basis other than those paid wholly from Federal funds and also all officers and employes of the Interstate Commission on the Delaware River Basin as of the date of entering the service of such commission and of the Delaware River Joint Commission and of the Delaware River Joint Toll Bridge Commission paid on a yearly or monthly basis if the Interstate Commission on the Delaware River Basin and the Delaware River Joint Commission and the Delaware River Joint Toll Bridge Commission shall agree to contribute and contributes to the State Employes' Retirement Fund from time to time the moneys required to build up the reserves necessary for the payment of the State annuities of such officers and employes without any liability on the part of the Commonwealth to make appropriations for such purposes and also but only for the purposes of this act all officers and employes of any separate independent public corporation created by act of Assembly (not including however any municipal or quasi-municipal) who immediately prior to their employment by such public corporation were employes of the Commonwealth so long as they remain officers or employes of such public corporation if such public corporation shall agree to contribute and contributes to the State Employes' Retirement Fund from time to time the moneys required to build up the reserve necessary for the payment of the State annuities of such officers and employes without any liability on the part of the Commonwealth to make appropriations for such purposes But the term "State employe" shall not include those persons defined as employes in section one paragraph seven of the act approved the eighteenth day of July one thousand nine hundred and seventeen (P. L. 1043) entitled "An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" as amended by section one paragraph seven of the act approved the twenty-first day of April one thousand nine hundred and twenty-one (P. L. 245) excepting such officers and employes of the Department of Public Instruction as are not members of or who may withdraw from the public school employes' retirement association provided by said act and no member shall be deprived of credit for prior service as a State employe because of the fact that such service was rendered while he or she was a member of the public school employes' retirement association

The term "State employe" shall also include all State officers and employes regularly employed by the year or by the month at a fixed annual or monthly compensation when the General Assembly is not in session but who during a legislative session instead of a fixed annual or monthly salary or compensation are paid upon a per diem basis or by a fixed salary or compensation from the legislative session

In all cases of doubt the retirement board shall determine whether any person is a State employe as defined in this paragraph and its decision shall be final

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—204

Aaronson,	Gallagher,	McCosker,	Sax,
Andrews,	Getchey,	McCullough,	Scanlon,
Bane,	Gibson,	McDonald,	Schuster,
Barrett,	Goff,	McKinney,	Scott,
Baumunk,	Goodling,	McMillen,	Serrill,
Beech,	Gorman,	Mihm,	Shoemaker,
Bender,	Graybill,	Mikula,	Simons,
Bentzel,	Greenwood,	Miller,	Smith, C. C.,
Bloom,	Greer,	Mills,	Smith, C. M.,
Boies,	Griffiths,	Mintess,	Snider,
Bonawitz,	Guthrie,	Mohr,	Sollenberger,
Boorse,	Gyger,	Mooney,	Sorg,
Bower,	Hall,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenshield,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Bucchin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,
Clevenger,	Jennings,	O'Dare,	Tompkins,
Cochran,	Johnson,	O'Donnell,	Toomey,
Cole,	Johnston,	O'Neill,	Turner,
Cook,	Jones,	Orban,	Upshur,
Cooper,	Jump,	Patten,	Vaughan,

Cordier,	Kean,	Petrosky,	Verona,
Costa,	Kelley,	Pichney,	Wachhaus,
Crowley,	Kemp,	Pickens,	Wagner,
Dague,	Kent,	Polaski,	Waldron,
Dalrymple,	Kirley,	Powers,	Wallin,
Davison,	Kline,	Price,	Walton,
De Long,	Kohl,	Propert,	Waterhouse,
Demech,	Kratz,	Ragot,	Watkins,
Dennison,	Krise,	Readinger,	Watson,
Depuy,	Kurtz,	Reagan,	Weidner,
Dix,	Laughner,	Reese, D. P.,	Weiss,
Dye,	Layer,	Reese, R. E.,	Wescott,
Efenberg,	Lee,	Reilly, J. M.,	West,
Elder,	Leisey,	Reilly, W. J.,	Wheeler,
Erb,	Livingston,	Richter,	Wolf,
Evans,	Livingstone,	Riley,	Wood,
Ewing,	Loftus,	Robbins,	Worley,
Feola,	Lovett,	Robertson,	Yeakel,
Fish,	Lyons,	Root,	Yester,
Fiss,	Madden,	Rose,	Yetzer,
Flack,	Madigan,	Rowen,	Young,
Fleming,	Mazza,	Royer,	Lichtenwalter,
Foor	McCormack,	Sarraf,	Speaker.
Frost,			

NAYS—0

NOT VOTING—1

Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 593, as follows:

An Act to further amend subsection nine of section eight of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" permitting contributors to change from the one one-hundred-sixtieth (1-160) to the one one-hundredth (1-100) class and providing for obtaining of full benefits by contributors heretofore or hereafter making such change

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection nine of section eight of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establisning a State employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" as last amended by section four of the act approved the eighteenth day of May one thousand nine hundred thirty-seven (P. L. 683) is hereby further amended to read as follows

Section 8 * * * * *

(9) A contributor whether an original member or a new member who is in active service on the [date when this amendment becomes effective] first day of June one thousand nine hundred forty-seven may transfer from the one one-hundred-sixtieth (1-160) class to the one one-hundredth (1-100) class Provided That he completes the transfer on or before the thirty-first day of December one thousand nine hundred and [thirty-seven] forty-seven Provided also That in the event of such transfer the per centum of salary deductions applicable to such transferred member in the one one-hundredth (1-100) class shall be based upon the same age of the contributor as was used in determining the per centum of salary deduction applicable while in the one one-hundred-sixtieth (1-160) class

Where a member has transferred from the one-one-hundred-sixtieth (1-160) class to the one one-hundredth (1-100) class as above provided his State annuity upon retirement shall except as hereinafter provided be calculated as follows

(a) For service prior to the time of transfer at the one one-hundred-sixtieth (1-160) rate

(b) For service subsequent to the date of transfer to the date of retirement at the one one-hundredth (1-100) rate

(c) For all service prior to the time of commencing contribution as the time he contributed at the one one-hundred-sixtieth (1-160) rate bears to the total time of contribution and as the time he contributed at the one one-hundredth (1-100) rate bears to the total time of contribution

A contributor whether an original member or a new member who is in active service on the date when this amendment becomes effective and who heretofore has transferred or shall hereafter transfer from the one one-hundred-sixtieth (1-160) class to the one one-hundredth (1-100) class as above provided may on or before the thirty-first day of December one thousand nine hundred forty-seven pay to the retirement association a sum equal to the difference between the sum of the amounts that would have been deducted from his or her pay-roll each pay-roll period since he or she became a member if he or she had elected to contribute in the one one-hundredth (1-100) class and the sum of the amounts actually deducted together with an amount equal to the additional regular interest that would have been credited to his or her accumulated deductions had he or she contributed in the one one-hundredth (1-100) class from the time he or she first became a member The State annuity upon retirement of any member having made such payments shall be the same as though the member had elected to contribute in the one one-hundredth (1-100) class immediately upon becoming a member

Section 2 The provisions of this act shall become effective the first day of June one thousand nine hundred forty-seven

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—204

Aaronson,	Gallagher,	McCosker,	Sax,
Andrews,	Getchey,	McCullough,	Scanlon,
Bane,	Gibson,	McDonald,	Schuster,
Barrett,	Goff,	McKinney,	Scott,
Baumunk,	Goodling,	McMillen,	Serrill,
Beech,	Gorman,	Mihm,	Shoemaker,
Bender,	Graybill,	Mikula,	Simons,
Bentzel,	Greenwood,	Miller,	Smith, C. C.,
Bloom,	Greer,	Mills,	Smith, C. M.,
Boies,	Griffiths,	Mintess,	Snider,
Bonawitz,	Guthrie,	Mohr,	Sollenberger,
Boorse,	Gyger,	Mooney,	Sorg,
Bower,	Hall,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,

Brice,	Haudenshield,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Bucchin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,
Clevenger,	Jennings,	O'Dare,	Tompkins,
Cochran,	Johnson,	O'Donnell,	Toomey,
Cole,	Johnston,	O'Neill,	Turner,
Cook,	Jones,	Orban,	Upshur,
Cooper,	Jump,	Patten,	Vaughan,
Cordier,	Kean,	Petrosky,	Verona,
Costa,	Kelley,	Pichney,	Wachhaus,
Crowley,	Kemp,	Pickens,	Wagner,
Dague,	Kent,	Polaski,	Waldron,
Dalrymple,	Kirley,	Powers,	Wallin,
Davison,	Kline,	Price,	Walton,
De Long,	Kohl,	Propert,	Waterhouse,
Demech,	Kratz,	Ragot,	Watkins,
Dennison,	Krise,	Readinger,	Watson,
Depuy,	Kurtz,	Reagan,	Weidner,
Dix,	Laughner,	Reese, D. P.,	Weiss,
Dye,	Layer,	Reese, R. E.,	Wescott,
Efenberg,	Lee,	Reilly, J. M.,	West,
Elder,	Leisey,	Reilly, W. J.,	Wheeler,
Erb,	Livingston,	Richter,	Wolf,
Evans,	Livingstone,	Riley,	Wood,
Ewing,	Loftus,	Robbins,	Worley,
Feola,	Lovett,	Robertson,	Yeakel,
Fish,	Lyons,	Root,	Yester,
Fiss,	Madden,	Rose,	Yetzer,
Flack,	Madigan,	Rowen,	Young
Fleming,	Mazza,	Royer,	Lichtenwalter,
Foor,	McCormack,	Serraf,	Speaker.
Frost,			

NAYS—0

NOT VOTING—1

Trout.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 651, as follows:

An Act to further amend section four thousand three hundred four of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating theerto" by providing that the right to participate in the police pension fund after having been established shall not be forfeited

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section four thousand three hundred four of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" as amended by the act approved the twenty-seventh day of April one thousand nine hundred forty three (P. L. 89) is hereby further amended to read as follows

Section 4304 Causes for Forfeiture of Rights in Fund Whenever any person shall become entitled to receive an allowance from the police pension fund and shall have been admitted to participate therein he shall not be deprived of his right to an equal and proportionate participatin therein upon the basis upon which he first became entitled thereto [save from one or more of the following causes that is to say Conviction of a crime or misdemeanor becoming an habitual drunkard or failing to comply with some general regulation relating to the management of said fun which may be made by ordinance and which may provide that a failure to comply therewith shall terminate the right to participate in the pension fund after such due notice and hearing as shall be prescribed by ordinance]

On the question,

Will the House agree to the bill on third reading?

Mr. LAYER. I rise, Mr. Speaker, in opposition to this bill.

I understand after reading this bill that if a member of the police force were to commit a crime such as murder or any other felony and was convicted he would still receive the benefits of the pension fund. We can take our national services, military services, navy services, and if someone is convicted of a crime he loses all rights and privileges thereto. The law as it stands today takes care of that. I am quoting from line 13, that is to say "conviction of a crime or misdemeanor, becoming a habitual drunkard or failing to comply with some general regulation relating to the management of said fund . . ." That part starting at line 13 is being eliminated from the present law. I think that is entirely wrong, Mr. Speaker. I think that if a man does commit a crime and some other things that it says here in the law, that he should not receive the benefits that all the other men that have lived a decent and clean life in the same organization are entitled to.

This means if this bill is passed, that if someone goes way off the beam and gets himself in trouble he will receive the same benefits and privileges that the majority of our men in the same profession receive. I ask the Members to vote this bill down.

Mr. DALRYMPLE. Mr. Speaker, the gentleman that just preceded me here has made some wrong statements in regard to this bill.

This bill only gives a little bit of protection to the police force in varius sections of the Commonwealth. For instance, if a policeman now is seen coming out of a saloon they can put him into the status of drinking on duty and he is removed and deprived of the benefits that he is entitled to due to the years of his service. It is not upholding any serious crime, and no pension committee and no city ordinance can uphold that, which is ridiculous in one sense of the word. It only protects him from the standpoint of trying to remove him from his job and place somebody else in it. In other words we might say some little politics connected with some such procedure as this. I might say for instance in some cities, in some police departments, it might be applied to such incidents as having an automobile accident, and trying to make out that he was under the influence of liquor at the time the accident happened. In other words this really gives him some protection, inasmuch as he has contributed to this fund he is entitled to his rightful protection. However, if he has committed murder or some crime he must pay the penalty and he is not going to be protected in any particular way. He must answer to the charge he is accused of, and I don't see anything wrong with this bill. I ask the support of the Members for this bill.

Mr. ANDREWS. Mr. Speaker, is Printer's No. 540 the correct number for this bill?

The SPEAKER. That is correct.

Mr. ANDREWS. And is all that is in this bill contained in lines eight to thirteen on page two?

The SPEAKER. That is correct.

Mr. ANDREWS. Is that all there is in that bill, Mr. Speaker?

The SPEAKER. That is correct.

Mr. ANDREWS. There is a very pronounced difference between pension funds which policemen are entitled to receive and privileges that might be given to men in the armed service. The contributor to a pension fund has created an estate to which he is entitled by reason of his contribution. He has placed the money in there, and it belongs to him. The money in the pension fund that he has contributed is as much his as is his home, or any other equity. To say that by reason of any offense a man should be denied the equities which his own personal contribution has created is to fly in the face of all of the law that we have written upon our statute books, even though the man was a murderer. In the event that widows participate in the pension allotments the money will properly go to the widow. Some pension funds provide that widows share in the fund, some do not, but if the man was a murderer and he were hung, he couldn't get the fund. If under the indentures of the pension act, widows were entitled to share in the pension fund, you cannot legally or properly deny them that right, so I believe the principles expressed in this bill are sound law.

Mr. LAYER. Mr. Speaker, I am heartily in agreement with the gentleman from Cambria, Mr. Andrews, that the men should receive the amount of money paid into the pension fund, but if I understand correctly, and from the information I have received the amount of money each particular member of the police force paid into the fund is possibly two or three percent, and in the majority of the cases I understand that the money would approximately last for one year after the man's retirement on pension. I am heartily in agreement that the individual pensioner should receive that share of it back, but there are other monies contributed to the pension fund from other people than himself, and when a man commits a crime against society he is not entiled to a pension from society, and again I ask that the bill be voted down.

Mr. EFENBERG. Mr. Speaker, I desire to interrogate the gentleman from Delaware, Mr. Layer.

The SPEAKER. Will the gentleman from Delaware permit himself to be interrogated?

Mr. LAYER. I shall, Mr. Speaker.

Mr. EFENBERG. Mr. Speaker, the gentleman made reference to the supposition that if the pensioner would commit a murder, and in the event that he was jailed, would he directly suffer from the cutting off of the pension or would his wife?

Mr LAYER. Mr. Speaker, I don't think the wife is in question here at all. The wife doesn't get that pension. However, he would continue to support his wife if he were in jail.

Mr. EFENBERG. Does the gentleman mean to say that the pension would support his wife.

Mr. LAYER. I do not believe, Mr. Speaker, that the pension was ever created with that idea in mind.

On the question recurring,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—161

Aaronson,	Gallagher,	Mihm,	Schuster,
Andrews,	Getchey,	Mikula,	Scott,
Bane,	Gibson,	Miller,	Serrill,
Barrett,	Goff,	Mills,	Shoemaker,
Baumunk,	Goodling,	Mintess,	Simons,
Beech,	Gorman,	Mohr,	Smith, C. C.,
Bender,	Graybill,	Mooney,	Smith, C. M.,
Bentzel,	Greenwood,	Moore, H. A.,	Snider,
Boies,	Greer,	Morrison,	Sollenberger,
Bonawitz,	Griffiths,	Murray,	Sorg,
Bower,	Guthrie,	Myers,	Stank,
Breisch,	Hall,	Najaka,	Stimmel,
Brice,	Haller,	Needham,	Stockham,
Brown,	Henry,	Neff,	Stuart,
Bucchin,	Hocker,	Nelson,	Swope,
Cassidy,	Hoffman,	O'Connor,	Thomassy,
Chervenak,	Horan,	O'Dare,	Thompson,
Chudoff,	Jennings,	O'Donnell,	Tittle,
Cole,	Johnson,	O'Neill,	Tompkins,
Cooper,	Johnston,	Orban,	Turner,
Cordier,	Jump,	Patten,	Upshur,
Costa,	Kean,	Petrosky,	Vaughan,
Crowley,	Kelley,	Pichney,	Verona,
Dague,	Kemp,	Polaski,	Wachhaus,
Dalrymple,	Kirley,	Powers,	Wagner,
Davison,	Kline,	Ragot,	Waldron,
De Long,	Kohl,	Readinger,	Wallin,
Demech,	Kurtz,	Reese, D. P.,	Walton,
Depuy,	Laughner,	Reese, R. E.,	Waterhouse,
Dye,	Lee,	Reilly, J. M.,	Watson,
Efenberg,	Livingston,	Reilly, W. J.,	Weidner,
Elder,	Livingstone,	Richter,	West,
Erb,	Loftus,	Robbins,	Wheeler,
Evans,	Lovett,	Robertson,	Worley,
Ewing,	Lyons,	Root,	Yeakel,
Feola,	Madden,	Rose,	Yester,
Fish,	Mazza,	Rowen,	Yetzer,
Flack,	McCormack,	Sarraf,	Young,
Fleming,	McCosker,	Sax,	Lichtenwalter,
Foor,	McCullough,	Scanlon,	Speaker.
Frost,	McDonald,		

NAYS—20

Brunner,	Imbt,	Leisey,	Propert,
Dix,	Jones,	Madigan,	Riley,
Gyger,	Kratz,	McKinney,	Sproul,
Hewitt,	Krise,	McMillen,	Weiss,
Hoopes,	Layer,	Moore, C. E.,	Wolf,

NOT VOTING—24

Bloom,	Cook,	Naumann,	Tahl,
Boorse,	Dennison,	Pickens,	Toomey,
Cadwalader,	Fiss,	Price,	Trout,
Capano,	Haudenshield,	Reagan,	Watkins,
Clevenger,	Helm,	Royer,	Wescott,
Cochran,	Kent,	Stonier,	Wood,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 714, as follows:

An Act to repeal the act approved the nineteenth day of June one thousand nine hundred thirty-nine (P. L. 430) entitled "An act providing a method of annexation of parts of townships of the first class in counties of the sectond class not in excess of twenty per centum of the assessed value of any such township in counties of the second class to contigious cities of the second class boroughs or other contiguous townships of the first class and regulating the proceedings pertaining thereto

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the nineteenth day of June one thousand nine hundred thirty-nine (P. L. 430) entitled "An act providing a method of annexation of parts of townships of the first class in counties of the second class not in excess of twenty per centum of the assessed value of any such township in counties of the second class to contiguous cities of the second class boroughs or other contiguous townships of the first class and regulating the proceedings pertaining thereto" is hereby repealed

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Cinstitution the yeas and nays were taken an dwere as follows:

YEAS—204

Aaronson,	Gallagher,	McCosker,	Sax,
Andrews,	Getchey,	McCullough,	Scanlon,
Bane,	Gibson,	McDonald,	Schuster,
Baumunk,	Goff,	McKinney,	Scott,
Barrett,	Goodling,	McMillen,	Serrill,
Beech,	Gorman,	Mihm,	Shoemaker,
Bender,	Graybill,	Mikula,	Simons,
Bentzel,	Greenwood,	Miller,	Smith, C. C.,
Bloom,	Greer,	Mills,	Smith, C. M.,
Boies,	Griffiths,	Mintess,	Snider,
Bonawitz,	Guthrie,	Mohr,	Sollenberger,
Boorse,	Gyger,	Mooney,	Sorg,
Bower,	Hall,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenshield,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Bucchin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Nelson,	Thomassy,
Chervenak,	Horan,	Neff,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,
Clevenger,	Jennings,	O'Dare,	Tompkins,
Cochran,	Jones,	O'Donnell,	Toomey,
Cole,	Johnson,	O'Neill,	Turner,
Cook,	Johnston,	Orban,	Upshur,
Cooper,	Jump,	Patten,	Vaughan,
Cordier,	Kean,	Petrosky,	Verona,
Costa,	Kelley,	Pickens,	Wachhaus,
Crowley,	Kemp,	Pichney,	Wagner,
Dague,	Kent,	Polaski,	Waldron,
Dalrymple,	Kirley,	Powers,	Wallin,
Davison,	Kline,	Price,	Watkins,
De Long,	Kohl,	Propert,	Walton,
Demech,	Kratz,	Ragot,	Waterhouse,
Dennison,	Krise,	Readinger,	Watson,
Depuy,	Kurtz,	Reagan,	Weidner,
Dix,	Laughner,	Reese, D. P.,	Weiss,
Dye,	Layer,	Reese, R. E.,	West,
Efenberg,	Lee,	Reilly, J. M.,	Wescott,
Elder,	Leisey,	Reilly, W. J.,	Wheeler,
Erb,	Livingston,	Richter,	Wolf,
Evans,	Livingstone,	Riley,	Wood,
Ewing,	Loftus,	Robbins,	Worley,
Feola,	Lovett,	Robertson,	Yeakel,
Fish,	Lyons,	Root,	Yester,
Fiss,	Madden,	Rose,	Yetzer,
Flack,	Madigan,	Rowen,	Young,
Fleming,	Mazza,	Royer,	Lichtenwalter,
Foor,	McCormack,	Sarraf,	Speaker.
Frost,			

NAYS—0

NOT VOTING—1

Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 759, as follows:

An Act to amend section one of the act approved the twenty-first day of May one thousand nine hundred forty-thre (P. L. 492) entitled "An act providing for the temporary appointment of policemen in boroughs incorporated towns and townships of the first class for a limited period without conferring civil service status upon the appointees" permitting the conferring of civil service status on appointees in certain cases

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one of the act approved the tewnty-first day of May one thousand nine hundred forty-three (P. L. 492) entitled "An act providing for the temporary apointment of policemen in boroughs incorporated towns and townships of the first class for a limited period without conferring civil service status upon the appointees" is hereby to read as follows:

Section 1 That the councils of boroughs incorporated towns and the township commissioners of townships of the first class may fill vacancies or add to the police force during the duration of the war and six months thereafter without regard to the requirements of any civil service act such appointments to terminate six months after the end of the war or sooner if the men displaced are avaliable and request reinstatement (in which case they shall be so reinstated) for duty and shall confer no civil service status upon the appointees except as hereinafter specified

Anyone appointed to fill a vacancy or added to the police force as above provided who has served more than one year under said appointment and the municipality desires to continue his employment and the man displaced is not available or does not request reinstatement for duty shall be eligible for permanent appointment and shall be entitled to all the benefits of the act approved the fifth day of June one thousand nine hundred forty-one (P. L. 84)

Nothing in this act shall nullify or disturb the civil service status conferred upon police officers appointed prior to the passage of this act through the operation of the act approved the fifth day of June one thousand nine hundred forty-one (P. L. 84)

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—204

Aaronson,	Gallagher,	McCosker,	Sax,
Andrews,	Getchey,	McCullough,	Scanlon,
Bane,	Gibson,	McDonald,	Schuster,
Barrett,	Goff,	McKinney,	Scott,
Baumunk,	Goodling,	McMillen,	Serrill,
Beech,	Gorman,	Mihm,	Shoemaker,
Bender,	Graybill,	Mikula,	Simons,
Bentzel,	Greenwood,	Miller,	Smith, C. C.,
Bloom,	Greer,	Mills,	Smith, C. M.,
Boies,	Griffiths,	Mintess,	Snider,
Bonawitz,	Guthrie,	Mohr,	Sollenberger,
Boorse,	Gyger,	Mooney,	Sorg,
Bower,	Hall,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenshield,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Bucchin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,

Clevenger,	Jennings,	O'Dare,	Tompkins,
Cochran,	Johnson,	O'Donnell,	Toomey,
Cole,	Johnston,	O'Neill,	Turner,
Cook,	Jones,	Orban,	Upshur,
Cooper,	Jump,	Patten,	Vaughan,
Cordier,	Kean,	Petrosky,	Verona,
Costa,	Kelley,	Pichney,	Wachhaus,
Crowley,	Kemp,	Pickens,	Wagner,
Dague,	Kent,	Polaski,	Waldron,
Dalrymple,	Kirley,	Powers,	Wallin,
Davison,	Kline,	Price,	Walton,
De Long,	Kohl,	Propert,	Waterhouse,
Demech,	Krise,	Ragot,	Watkins,
Dennison,	Kratz,	Readinger,	Watson,
Depuy,	Kurtz,	Reagan,	Weidner,
Dix,	Laughner,	Reese, D P.,	Weiss,
Dye,	Layer,	Reese, R. E.,	Wescott,
Efenberg,	Lee,	Reilly, J. M.,	West,
Elder,	Leisey,	Reilly, W. J.,	Wheeler,
Erb,	Livingston,	Richter,	Wolf,
Evans,	Livingstone,	Riley,	Wood,
Ewing	Loftus,	Robbins,	Worley,
Feola,	Lovett,	Robertson,	Yeakel,
Fish,	Lyons,	Root,	Yester,
Fiss,	Madden	Rose,	Yetzer,
Flack,	Madigan,	Rowen,	Young,
Fleming,	Mazza,	Royer,	Lichtenwalter,
Foor,	McCormack,	Sarraf,	Speaker
Frost,			

NAYS—0

NOT VOTING—1

Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 771, as follows:

An Act to further amend section one of the act approved the thirteenth day of April one thousand eight hundred eighty-seven (P. L. 21) entitled "An act for the establishment of a uniform standard of time throughout the Commonwealth" making further provision for such standard of time and providing for a referendum to decide upon the one hour advancement of the standard time between the last Sunday of April and the last Sunday of September of each year

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one of the act approved the thirteenth day of April one thousand eight hundred eighty-seven (P. L. 21) entitled "An act for the establishment of a uniform standard of time throughout the Commonwealth" as last amended by the act approved the third day of May one thousand nine hundred twenty-three (P. L. 129) is hereby further amended to read as follows

Section 1 Be it enacted &c That on and after the first day of July Anno Domini one thousand eight hundred and eighty-seven the mean solar time of the seventy-fifth meridian of longitude west of Greenwich commonly called eastern standard time shall be the sole and uniform legal standard of time throughout this Commonwealth and on and after the date aforesaid all days shall everywhere be taken to begin and end in accordance with said standard and every mention of or reference to any hour or time in any and all existing future acts of Assembly municipal ordinances and corporate by-laws in any and all existing or future rules or regulations adopted by any public officer or official board in any and all rules of the courts of the Commonwealth or any of them whether standing or special and whether now in force or hereafter to be promulgated in any and all orders judgments and decrees of said courts or any of them and judgments and sentences of magistrates pronounced or entered on or after the date aforesaid in any and al contracts deeds wills and notices and in the transactior of all matters of business public legal commercial or otherwise shall be construed with reference to and in accordance with the said standard hereby adopted unless a different standard is therein expressly provided for Provided however That this act shall not operate to impose upon any person any forfeiture of rights or subject him to the consequences of any default by reason of any failure occuring prior to the date aforesaid to comply with the requirement of or do any act under or in pursuance of any law ordinance contract notice deed will regulation rule order judgment sentence or decree if such person shall before the said date have properly done the act or acts which would be requisite to save such forfeiture or prevent such default had this law not been enacted And provided further That when the standard time shall be advanced for any portion of the year by any act of Congress now in force or hereafter passed the time so fixed by such act of Congress shall be the standard time of this Commonwealth for such portion of the year [And provided That no] if a majority of the electors voting in the referendum provided for by this act are in favor of the one hour advancement of standard time within the Commonwealth between the last Sunday of April and the last Sunday of September of each year the Governor shall issue a proclamation making the time so advanced the standard time of this Commonwealth for such portion of the year and making any other time illegal but if a majority of the electors voting in the referendum are not in favor of the one hour advancement in standard time between the last Sunday of April and the last Sunday of September of each year the Governor shall issue a proclamation stating that such advancement of time shall be illegal and no county city borough town township or other municipal subdivision of the Commonwealth shall by ordinance resolution or rule adopt a different standard of time for any year or any portion of the year than that herein provided and all ordinances resolutions and rules heretofore adopted contrary to this [proviso] section are declared to be void and [of no effect] unlawful

Section 2 At the municipal election to be held in the year one thousand nine hundred forty-seven there shall be submitted by ballot or voting machine in the manner provided by the election laws of the Commonwealth a question to determine the will of the electors of the Commonwealth at large with respect to a one hour advancement of the standard time within this Commonwealth between the last Sunday of April and the last Sunday of September of each year such question shall be in the following form

Do you favor the advancement by one hour of standard time within this Commonwealth between the last Sunday of April and the last Sunday of September of each year	Yes NO

Section 2 The question shall be printed on the official ballots used in such municipal election by the county boards of elections of each county in districts where voting machines are used such question shall appear on the face of such machines

The votes cast on such question shall be canvassed computed and returns thereof made to the county board of elections as provided by the election laws of the Commonwealth

The county boards of elections shall certify the result of such returns to the secretary of the Commonwealth who shall make a report of the results of such election to the Governor

Section 4 The provisions of this act shall become effective immediately upon final enactment

On the question,

Will the House agree to the bill on third reading?

Mr. STONIER. Mr. Speaker, I would like to interrogate he gentleman from Adams Mr. Worley.

Mr. WORLEY. Mr. Speaker, I ask that this bill go over n order.

Mr. STONIER. Mr. Speaker, I object to having the bill o over in order. I would like to have the gentleman rom Adams explain it to me a little bit.

The SPEAKER. There is objection to the bill going ver in order.

Mr. WORLEY. Mr. Speaker, there have been several ther bills that have gone over in order, and I asked the Chair to have this bill go over in order before it was read. don't see why it cannot go over in order.

The SPEAKER. The Chair would inform the gentleman from Adams that that requires unanimous consent. The Chair heard objection.

The Chair recognizes the gentleman from "Lancaster" Mr. Tittle.

Mr. TITTLE. Mr. Speaker, I would like to poke a couple f questions at the sponsor of this bill.

The SPEAKER. The Chair understands that the gentleman wishes to interrogate the sponsor of the bill?

Mr. TITTLE. Yes, Mr. Speaker.

The SPEAKER. Will the gentleman from Adams Mr. Worley permit himself to be interrogated?

Mr. WORLEY. I shall, Mr. Speaker.

Mr. TITTLE. Mr. Speaker, what will House Bill No. 771, Printer's No. 502, do to my ancestors?

Mr. WORLEY. I cannot answer that question, Mr. Speaker, seeing that they are dead for a long time.

POINT OF ORDER

Mr. TURNER. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman from Delaware will tate it.

Mr. TURNER. Mr. Speaker, there is some kind of a aker in this House with his hat on.

The SPEAKER. The Chair fails to see any hat. He ears a bell ringing.

Mr. TITTLE. Mr. Speaker. I further wish to poke uestions at the sponsor of the bill.

The SPEAKER. The gentleman will proceed.

Mr. TITTLE. If this bill passes who will notify the ows so that they will not be confused?

Mr. WORLEY. Will the gentleman please repeat the uestion?

Mr. TITTLE. I reiterate, Mr. Speaker, if the bill passes vho will notify the cows, so that they will not be confused?

Mr. WORLEY. Mr. Speaker, I still cannot hear the entleman.

Mr. TITTLE. I will try to make it louder, Mr. Speaker.

Mr. WORLEY. I cannot hear the gentleman, Mr. Speaker, here is so much noise in the House.

Mr. TITTLE. Now that the House is in order, Mr. Speaker, if this passes who will notify the cows so that hey will not be confused? Will the sponsor of the bill lo that?

Mr. WORLEY. I would think, Mr. Speaker, that it vould be whoever owns the cows.

Mr. TITTLE. I further wish to poke another question at he sponsor, Mr. Speaker.

The SPEAKER. The gentleman will proceed.

Mr. TITTLE. If this bill passes will the House meet at the same time as the Senate or will it not meet at all?

Mr. WORLEY. Mr. Speaker, my answer to the gentleman is that I am reliably informed that the Senate is now operating on daylight time and that we here in the House are on the right or standard time, an illustration of the confusion that exists throughout the Commonwealth of Pennsylvania, right here in the Legislature itself.

The SPEAKER. The Chair is becoming confused, and would now ask if this bill passes will the House then meet on Worley time?

Mr. WORLEY. Mr. Speaker, I would state that the Chair will more likely have to meet on Lichtenwalter's time, since he controls the House.

Mr. TITTLE. Mr. Speaker, I thank the gentleman, and if I would go on record it would be as voting against the bill.

Mr. C. M. SMITH. Mr. Speaker, I would like to make a brief statement in regard to the bill because I do not believe that the gentleman from Adams realizes how serious a bill this is.

As our good friend, the Minority Leader, often says the city slickers are trying to out-slick the hicks from the sticks, and with this bill asking for a referendum on daylight saving time at the municipal election, certainly the cities or the large municipalities where our votes are mostly all cornered would be definitely outvoting the country members. We from Philadelphia at least certainly do not want to tell the country members what kind of time they shall have, and I am sure that the gentlemen from the rest of the municipalities do not want to tell the country members what kind of time they will have. We are certainly for the local option bill and I want to just make the gentleman from Adams realize that in two years from now when he comes back, or comes up for election, his constituents will say to him "You let those city slickers outslick you. We got daylight saving time and we don't want it." I personally feel that you are a very good friend and I certainly want you to come back, so I think you would be a little better off to vote "no" on this bill yourself.

Mr. WORLEY. Mr. Speaker, I would like to state the purpose of this bill. This bill does not vote in nor does it vote out day-light savings time, nor does it vote in or vote out standard time. It carries no penalty. It lets all the people of Pennsylvania decide at the November election whether this state shall have day-light time or standard time and ends the state wide confusion.

After the vote by the people the Governor then has the authority under the act to issue a proclamation in accordance with the will of the people. This is letting the people rule and is a form of direct democracy. Now, I know that there is some opposition to this bill, but it comes from a very small group. It comes largely from the Chamber of Commerce. The persons who are opposed to this bill are simply saying that they are afraid of the vote of the people and afraid of direct democracy. I do not see how as Members representing the people of this Commonwealth we can deny them this sovereign privilege of a referendum.

Mr. BROWN. Mr. Speaker, I desire to interrogate the gentleman from "Lancaster," Mr. Tittle.

The SPEAKER. The Chair might say that the gentleman

does not need counsel when he interrogates. The Chair might also state that the gentleman certainly got a quick shave.

Mr. BROWN. Mr. Speaker, that was the question that I wanted to ask the gentleman: how does he change himself so quickly, and where does he get the long flowing beard that can be put on and taken off with such ease? That was the question, Mr. Speaker: you anticipated me.

Mr. TITTLE. Mr. Speaker, I got the costume from the museum; they took it off one dummy and put it on another one.

Mr. STONIER. Mr. Speaker, I desire to interrogate the gentleman from Adams Mr. Worley again.

The SPEAKER. Will the gentleman from Adams permit himself to be interrogated?

Mr. WORLEY. I will, Mr. Speaker.

Mr. STONIER. Mr. Speaker, the gentleman said that after they had an election he would have the governor issue a proclamation. I would like to know how long that governor's proclamation would be good for, whether it would be good for one year, the governor's term or forever.

Mr. WORLEY. Mr. Speaker, I took that matter up with the Legislative Reference Bureau, and I am informed by them that the referendum once voted on and the proclamation then issued by the governor in accordance with the vote of the people, it will last until the legislature changes the law.

Now when we think of the local option laws I think there is something there providing for every five years, but that is because the act says so. We had thought of putting something like that in this act, but the reason that we didn't was because we thought that if the Legislature at a later session ever felt that it should be changed, it should be submitted again to the people. The sole purpose of this bill is to end the state-wide confusion which is causing an enormous lot of trouble to all the rural people of this Commonwealth, as well as many of the city people.

Mr. STONIER. Mr. Speaker, I thank the gentleman for his very clear information.

Mr. HEWITT. Mr. Speaker, I have been confused on this piece of legislation, and I would like to interrogate the gentleman from Adams for just one question.

The SPEAKER. Will the gentleman from Adams permit himself to be interrogated?

Mr. WORLEY. I think I can stand another one, Mr. Speaker.

Mr. HEWITT. Mr. Worley, in discussing this bill with the Members it seems that the complaint is from the farmers, that they have to cut the hay, that is, the hay that they cut today, by tomorrow the dew on that hay would keep it in such a condition that you are not able to put it in the barn. Now, Mr. Speaker, does the gentleman claim that the bill arranges with the sun to come two hours earlier? Is that true or not?

Mr. WORLEY. Mr. Speaker, about the matter of two hours earlier, I can't control the sun, but I would like in further explanation of my answer to say to the gentleman that it is an old political trick to interrogate the sponsor and finally vote against his bill, but I hope that the Members have got that in mind.

Mr. HEWITT. I hope they do too, Mr. Speaker.

Mr. CORDIER. Mr. Speaker, I am still confused and I would like to interrogate the sponsor of the bill.

The SPEAKER. The sponsor is becoming weary with all this time on his hands. Will the gentleman from Adams permit himself to be interrogated?

Mr. WORLEY. I will, Mr. Speaker.

Mr. CORDIER. Does the gentleman from Adams, Mr. Speaker, contend that this bill will provide for a "vox pop" throughout the Commonwealth.

Mr. WORLEY. Mr. Speaker, I couldn't hear the gentleman's question.

Mr. CORDIER. Mr. Speaker, my question was, does the gentleman contend that this bill will provide for a "vox pop" throughout the Commonwealth?

The SPEAKER. The Chair might request that the gentleman put his question in writing.

Mr. WORLEY. If the gentleman means by that statement, the voice of the people—

Mr. CORDIER. Mr. Speaker, I didn't know what it meant. I was asking the gentleman.

Mr. WORLEY. Mr. Speaker, it will provide for the voice of the people.

Mr. CORDIER. In the event this bill passes, Mr. Speaker, might the majority of the people of the state decide that we go on standard time, that will provide an extra hour of sleep for those people who are on standard time? Am I correct?

Mr. WORLEY. Mr. Speaker, is the gentleman interested in defeating the bill by delaying it?

Mr. CORDIER. Mr. Speaker, I am trying to get a reason for voting for it.

Mr. WORLEY. Mr. Speaker, I cannot control how long people sleep.

Mr. CORDIER. Will the gentleman point to the sleeper in this bill, Mr. Speaker.

Mr. WORLEY. Mr. Speaker, would the gentleman mind repeating the question?

Mr. CORDIER. I have just one more question. As we know one of the most astute and one of the most esteemed Members of this House, one of the best constitutional lawyers in this House is the gentleman from Allegheny, Mr. Brown, and I have some doubt as to the constitutionality of this bill. I think I saw the gentleman from Allegheny, Mr. Brown, get up here on several occasions and say there was no "saving clause" in various pieces of legislation brought before us. The gentleman has no time saving clause in this legislation. Will he hold it over until we can be sure to amend it and have a "time saving" clause in it?

Mr. WORLEY. After all this debate, Mr. Speaker, all this interrogation and all this worry I don't see how the gentleman can ask now to have this bill passed over for a day. This bill has been on the calendar for some time.

Mr. CORDIER. I might say, Mr. Speaker, I have heard that many times, but I am still confused.

The SPEAKER. The Chair might say that he feels that the House has been amply enlightened on this subject.

Mr. CORDIER. I thank the gentleman, Mr. Speaker.

The SPEAKER. I will ask the gentleman from Adams, Mr. Worley, if he wishes to have the bill go over or to have a roll call at this time.

Mr. WORLEY. I have risen for a purpose, Mr. Speaker,

and I should like to see it go through to a vote. I hope the Members here will vote for this bill, because they are turning over to the people of Pennsylvania a proper privilege which they need, and I am sure the people of Pennsylvania would be glad to have this privilege.

The SPEAKER. The Chair wishes to inform the gentleman that if he desires to have the bill go over in order, the Chair is quite confident that that privilege will be granted him. If the gentleman desires a roll call at this time we will have a roll call.

Mr. WORLEY. Mr. Speaker, I desire a roll call.

On the question recurring,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—113

Andrews,	Flack,	Madigan,	Royer,
Bane,	Foor,	Mazza,	Scott,
Baumunk,	Frost,	McCullough,	Serrill,
Bender,	Getchey,	McKinney,	Shoemaker,
Bonawitz,	Gibson,	McMillen,	Snider,
Boorse,	Goff,	Mikula,	Sollenberger,
Bower,	Goodling,	Miller,	Stockham,
Breisch,	Graybill,	Mills,	Swope,
Brice,	Greenwood,	Moore, C. E.,	Thomassy,
Brown,	Greer,	Moore, H. A.,	Tompkins,
Brunner,	Guthrie,	Morrison,	Toomey,
Bucchin,	Gyger,	Murray,	Turner,
Capano,	Hocker,	Najaka,	Wachhaus,
Chervenak,	Hoffman,	Needham,	Wagner,
Clevenger,	Hoopes,	Neff,	Watkins,
Cochran,	Imbt,	Nelson,	Weidner,
Cole,	Jennings,	O'Connor,	Weiss,
Cook,	Johnson,	O'Neill,	Wescott,
Cordier,	Jones,	Orban,	Wheeler,
Demech,	Jump,	Petrosky,	Wolf,
Dennison,	Kelley,	Pickens,	Wood,
Dix,	Kemp,	Price,	Worley,
Dye,	Kirley,	Propert,	Yeakel,
Elder,	Kohl,	Ragot,	Yester,
Erb,	Krise,	Reagan,	Yetzer,
Evans,	Kurtz,	Reese, R. E.,	Young,
Ewing,	Lovett,	Reilly, J. M.,	Lichtenwalter,
Fish,	Lyons,	Riley,	Speaker.
Fiss,	Madden,		

NAYS—76

Aaronson,	Gallagher,	Mihm,	Scanlon,
Barrett,	Gorman,	Mohr,	Smith, C. C.,
Beech,	Griffiths,	Mooney,	Sorg,
Bentzel,	Haller,	Myers,	Sproul,
Bloom,	Helm,	O'Dare,	Stank,
Boies,	Henry,	O'Donnell,	Stimmel,
Cadwalader,	Hewitt,	Patten,	Stonier,
Cassidy,	Kean,	Pichney,	Stuart,
Chudoff,	Kent,	Polaski,	Thompson,
Cooper,	Kline,	Powers,	Tittle,
Costa,	Kratz,	Readinger,	Upshur,
Crowley,	Laughner,	Reese, D. P.,	Vaughan,
Dague,	Layer,	Reilly, W. J.,	Verona,
Dalrymple,	Lee,	Richter,	Waldron,
Davison,	Livingston,	Robbins,	Wallin,
De Long,	Livingstone,	Root,	Walton,
Efenberg,	Loftus,	Rose,	Waterhouse,
Feola,	McCosker,	Rowen,	Watson,
Fleming,	McDonald,	Sarraf,	West,

NOT VOTING—16

Depuy,	Johnston,	Naumann,	Simons,
Hall,	Leisey,	Robertson,	Smith, C. M.,
Haudenshield,	McCormack,	Sax,	Tahl,
Horan,	Mintess,	Schuster,	Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Mr. WORLEY. Mr. Speaker, I want to thank the Membership and the Speaker for voting for this bill. I hope the Senate and my friend the governor will do likewise.

The SPEAKER. The Chair understands that the gentleman desires to thank the 113 Members.

Mr. WORLEY. The 113, Mr. Speaker, and I will thank the rest of the members also.

The SPEAKER. The Chair might suggest to the gentleman that he include the two Clerks.

BILL ON SECOND READING

Mr. WATERHOUSE asked and obtained unanimous consent to call up out of order House Bill No. 146, Printer's No. 506 on page 3 of today's calendar, bills on second reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 146, entitled:

An Act to add subsection (d) to section twelve of the act approved the third day of May one thousand nine hundred thirty-three (P. L. 252) entitled as amended "An act to regulate and restrain the traffic in malt and frewed beverages as herein defined providing for the licensing of the manufacture transportation sale and distribution of such beverages imposing license and permit fees and providing for collection and distribution thereof restricting ownership and interest in licensed places permitting municipalities and townships by vote of the electors to prevent the licensing therein of places where such beverages may be sold for consumption on the premises and regulating elections for the purpose imposing duties upon the Pennsylvania Liquor Control Board quarter sessions courts district attorneys the Department of Justice proper authorities of political subdivisions of the State and election officers providing penalties and repealing existing acts" limiting the number of distributors' and importing distributors' licenses to be issued

The first section was read.

On the question,

Will the House agree to the section?

Mr. WATERHOUSE offered the following amendments:

Amend Section 1, page 3, lines 12, 13 and 14 by striking out "but at least two such licenses may be granted in each county of the Commonwealth, notwithstanding that the quota has been reached," and instead, insert therein, "except where the total population of a county does not exceed 80,000 inhabitants, that there be allowed four distributors' licenses."

Amend Section 1, page 3, line 17, by striking out the word "one" and inserting therein the word, "two."

Amend Section 1, page 3, line 19, by adding "this shall apply to those counties having 80,000 or less inhabitants."

On the question,

Will the House agree to the amendments?

Mr. O'DONNELL. Mr. Speaker, I would like to interrogate the sponsor of this bill.

The SPEAKER. Will the gentleman from Philadelphia yield?

Mr. O'DONNELL. I shall, Mr. Speaker.

Mr. TURNER. Mr. Speaker, I would like to interrogate

the sponsor of the bill, the gentleman from Erie, Mr. Waterhouse.

The SPEAKER. Will the gentleman from Erie permit himself to be interrogated?

Mr. WATERHOUSE. I shall, Mr. Speaker.

Mr. TURNER. Mr. Speaker, will the gentleman from Erie be willing to pass this matter over for today.

Mr. WATERHOUSE. Mr. Speaker, I really can see no reason for delaying any further action on this legislation. The bill has been on the calendar since last week. It was on first reading on Thursday. I did not call the bill up yesterday so that the Members might have time to study it further, and so that any objectionable parts of the bill could be removed by any amendments that I offered. I would like to have the bill called up and passed on second reading today. I can see no merit in further delaying the bill.

Mr. TURNER. Mr. Speaker, I will yield to the gentleman from Philadelphia, Mr. O'Donnell.

Mr. IMBT. Mr. Speaker, I ask that the Clerk read the amendments again more slowly.

The SPEAKER. The Clerk will again read the amendments.

The amendments were read by the Clerk.

Mr. O'DONNELL. Mr. Speaker, I desire to interrogate the sponsor of the bill, the gentleman from Erie, Mr. Waterhouse.

The SPEAKER. Will the gentleman from Erie permit himself to be interrogated?

Mr. WATERHOUSE. I shall, Mr. Speaker.

Mr. O'DONNELL. Mr. Speaker, has the gentleman from Erie considered the population of Adams County in sponsoring or drawing this bill or the amendments to it?

Mr. WATERHOUSE. Mr. Speaker, I have not considered the population of Adams County in particular.

Mr. O'DONNELL. Does the gentleman, Mr. Speaker, know the population of Adams County?

Mr. WATERHOUSE. I do not, Mr. Speaker.

Mr. O'DONNELL. Mr. Speaker, does the gentleman know how man D distributors of malt beverages there are in the County of Adams?

Mr. WATERHOUSE. Mr. Speaker, I have no knowledge of that.

Mr. O'DONNELL. Mr. Speaker, does the gentleman know the number of importing distributors there are in that county?

Mr. WATERHOUSE. I do not, Mr. Speaker.

Mr. O'DONNELL. Mr. Speaker, is the gentleman familiar with the population of any county?

Mr. WATERHOUSE. No, Mr. Speaker, but I can give the gentleman some information on Philadelphia if he would like to have it.

Mr. O'DONNELL. I will come to that in a minute, Mr. Speaker. We will come back to that now. Does the getleman know the population of Philadelphia County?

Mr. WATERHOUSE. I do not, Mr. Speaker.

Mr. O'DONNELL. Mr. Speaker, does the gentleman know hom many D distributors there are in Philadelphia County?

Mr. WATERHOUSE. As of what date, Mr. Speaker?

Mr. O'DONNELL. Any date that the gentleman is familiar with, Mr. Speaker.

Mr. WATERHOUSE. They are increasing very fast, Mr. Speaker.

Mr. O'DONNELL. Let us take the latest date that the gentleman has, Mr. Speaker, the latest number.

Mr. WATERHOUSE. Mr. Speaker, as of May 1, 1947, there were one thousand three hundred ninety-three D distributors; there are four hundred and fifty importing distributors.

Mr. O'DONNELL. Mr. Speaker, may I ask the gentleman from Erie where he got his information.

Mr. WATERHOUSE. Mr. Speaker, I don't think that that is pertinent to the gentleman.

Mr. O'DONNELL. Mr. Speaker, does the gentleman know if that information agrees with the records of the Pennsylvania Liquor Control Board?

Mr. WATERHOUSE. I know it is correct, Mr. Speaker.

Mr. O'DONNELL. Mr. Speaker, does the gentleman know whether his information agrees with the records of the Pennsylvania Liquor Control Board.

Mr. WATERHOUSE. It did as of May 1, Mr. Speaker.

Mr. O'DONNELL. Did the gentleman get that information from the Pennsylvania Liquor Control Board?

Mr. WATERHOUSE. I obtained the information, Mr. Speaker, from a reliable source.

Mr. O'DONNELL. Mr. Speaker, does the gentleman know how many brands of beer are sold in the Philadelphia County?

Mr. WATERHOUSE. Mr. Speaker, there are numerous brands and I imagine practically every brand on the market is there.

Mr. O'DONNELL. Mr. Speaker, does the gentleman know the number of the brands?

Mr. WATERHOUSE. I would not know that, Mr. Speaker.

Mr. O'DONNELL. Does the gentleman know how many beers are imported from beyond the state lines in Philadelphia?

Mr. WATERHOUSE. I do not, Mr. Speaker.

Mr. O'DONNELL. Mr. Speaker, does the gentleman know how many beers are imported into any county?

Mr. WATERHOUSE. Mr. Speaker, I am really not a beer drinker and I haven't gone into that matter.

Mr. O'DONNELL. Mr. Speaker, does the gentleman know the number of licenses on May first 1946?

Mr. WATERHOUSE. I wouldn't say as to May first, Mr. Speaker, but I know in 1946 there were four hundred more IP's, distributors.

Mr. O'DONNELL. Mr. Speaker, on what date in 1946?

Mr. WATERHOUSE. I am very sorry, but I cannot give the gentleman any particular date.

Mr. O'DONNELL. Mr. Speaker, does the gentleman know how much of an increase that represents? It looks like 49 IP's and one hundred and some D licensees. Does the gentleman know how many of them are GI's who have returned back to go into business?

Mr. WATERHOUSE. Mr. Speaker, I wouldn't be able to answer that question because I don't know of any particular license at any particular place.

Mr. O'DONNELL. Mr. Speaker, as a matter of information has the gentleman from Erie sought that?

Mr. WATERHOUSE. I have not, Mr. Speaker.

Mr. O'DONNELL. Does the gentleman know the evils to be corrected by this bill?

Mr. WATERHOUSE. I certainly do, Mr. Speaker.

Mr. O'DONNELL. Mr. Speaker, can the gentleman tell us the evils?

Mr. WATERHOUSE. Mr. Speaker, I think it is very apparent, as we all know, that there is a limitation on all retail outlets for alcoholic beverages. Every town, every community is regimented very closely as far as licenses go and the method of distribution. During the period from February 27, 1947, until May 1, 1947, in Philadelphia County alone there were approximately 80 new distributors added. This has been a condition which prevails throughout the State. It has developed now that the distribution of malt beverages has become more or less a house to house proposition. You legislate against selling alcoholic beverages to minors and yet you allow this condition to prevail of giving promiscuous licenses to distributors who will peddle at their back doors by the case. As the number of licenses increases the chances of keeping it well policed deceases, and I believe that it is only through an orderly system of licensing and limitation thereon that you will have control of your alcoholic beverages.

Mr. O'DONNELL. Mr. Speaker, isn't beer considered by the industry as a food and not as an alcoholic drink?

Mr. WATERHOUSE. I wouldn't think so, Mr. Speaker. You can get an awful kick out of drinking beer.

Mr. O'DONNELL. Mr. Speaker, does the gentleman know that the industry looks at beer as a food?

Mr. WATERHOUSE. If they do, Mr. Speaker, I never heard of it.

Mr. O'DONNELL. Mr. Speaker, does the gentleman know that there was a beer strike in Pittsburgh that lasted some months?

Mr. WATERHOUSE. I am familiar with that, Mr. Speaker.

Mr. O'DONNELL. Mr. Speaker, does the gentleman know how many D licenses were granted in the County of Allegheny while that strike was in progress.

Mr. WATERHOUSE. Yes, they dropped, Mr. Speaker, considerably while the strike was in progress. Would the gentleman like to have the information?

Mr. O'DONNELL. Mr. Speaker, while the strike was in progress does the gentleman know how much they decreased?

Mr. WATERHOUSE. Mr. Speaker, new licenses in Allegheny County from May 1, 1946 were 101 D's and 9 IP's.

Mr. O'DONNELL. Does the gentleman know in what month they were granted?

Mr. WATERHOUSE. No, Mr. Speaker, I wouldn't know.

Mr. O'DONNELL. Mr. Speaker, does the gentleman know whether any of them were granted while the strike was in progress?

Mr. WATERHOUSE. I would be of the opinion that they were, Mr. Speaker.

Mr. O'DONNELL. Mr. Speaker, has the gentleman sought that information?

Mr. WATERHOUSE. I haven't exactly pinned them down, Mr. Speaker.

Mr. O'DONNELL. Mr. Speaker, has the gentleman inquired as to the number of GI's who were in that group in Allegheny County?

Mr. WATERHOUSE. No, I did not, Mr. Speaker.

Mr. O'DONNELL. Mr. Speaker, does the gentleman know how many men in Pennsylvania are presently in the service?

Mr. WATERHOUSE. No, Mr. Speaker, I wouldn't know that.

Mr. O'DONNELL. Is the gentleman from Erie familiar with House Bill 1170?

Mr. WATERHOUSE. I know some of the provisions of that bill, Mr. Speaker, although it is not the bill now under consideration.

Mr. O'DONNELL. Mr. Speaker, has the gentleman read the repeal section?

Mr. WATERHOUSE. No, Mr. Speaker, I have not. I am not really talking on House Bill 1170. We are talking on House Bill 146.

Mr. O'DONNELL. Mr. Speaker, may I call the gentleman's attention to the fact that on page 202 of the very act that he is endeavoring to amend by this bill, this act is repealed absolutely so that if House Bill 1170 is enacted into law, House Bill 146, even though signed, will fall?

Mr. WATERHOUSE. Mr. Speaker, I will take my chances on that.

Mr. O'DONNELL. I wish to thank the gentleman.

Mr. Speaker, I well realize that the Liquor Control Committee has given this bill and all bills before it their profound study. I know they have gone into the subject thoroughly and that it was a majority vote that turned out House Bill 146 for our consideration. But I submit to you, that as I understand the law, and of course, I will stand corrected if I am wrong, if House Bill 146 is enacted into law, followed subsequently by House Bill 1170, House Bill 146 cannot stand because it is repealed by House Bill 1170.

I, therefore, think, Mr. Speaker, that perhaps this bill should be recommitted to the Liquor Control Committee for proper study. I think much can be done. I am in sympathy with the beer distributors. I know the evil of having a great number of distributors in any county, although I am not in favor of the limitation of licenses. I feel that the Liquor Control Board should not look on licenses as property, although some of them do. It is something that should be regulated. I think that limitation is properly the action of the Liquor Control Board and that we should help them, but I do not think we are helping them in this fashion by passing this bill, House Bill 146.

BILL RECOMMITTED

Mr. O'DONNELL. Mr. Speaker, I move that this bill be recommitted to the Committee on Liquor Control together with the amendments.

On the question,

Will the House agree to the motion?

Mr. WATERHOUSE. Mr. Speaker, I rise in opposition to the motion of the gentleman from Philadelphia, Mr. O'Donnell. I think it is true that probably the gentleman knows the beer distributing business, as I understand he has some connections with it. However, knowing the evils and so forth, I can hardly understand why he would be opposed to a bill of this nature, because as I said before this bill certainly is not intended to create any hardship on any distributor or any brewer. The distributors are in accord with this bill, and with the amendments that were offered. The brewers' association has no objection to this bill. They realize that only

through an orderly system can we maintain a public sentiment that is at all favorable to the distribution of alcoholic products. We know what happened during the prohibition era, and we naturally do not want to go back to that again. If we keep on licensing at the rate we have been to distributors loosely, we will only have a public resentment that will result in more and more dry districts and I know for one that I don't want it. I believe that this is good legislation, and I certainly oppose the motion of the gentleman to recommit.

Mr. O'DONNELL. Mr. Speaker, may I briefly answer the gentleman from Erie, Mr. Waterhouse? I humbly say that all limitations are unAmerican. I think to limit the licenses at this time while we have so many boys in service, the exact number of which I do not know, is depriving them of the opportunity of going into a legitimate business upon their return to civil life.

Mr. ANDREWS. Mr. Speaker, I am very much interested in this motion to recommit. I am very much interested in the bill. I am interested in the situation that is confronting this House. We have a proposition to declare a closed shop as far as beer distributors are concerned. I am very interested in that phase of the subject as to whether or not this House is for the closed shop principle as far as beer distributors are concerned, and is for the open shop principle as far as clubs are concerned. I would suggest that if the gentleman desires to recommit, he is on the trail of some of the fundamental differences in the decisions that this House can make because the Liquor Control Board has unfortunately been riding several different horses in several different directions at the same time. If it does not want to spill itself in its velocity, I think it would be well to recommit the gentleman's bill to committee until there has been a decision as to the fundamental policy, because as the gentleman from Philadelphia says, the effect of the vote upon the gentleman's bill is very significant. So, I would suggest that this bill go back to committee until the Liquor Control Committee can unscramble its velocity.

On the question recurring,

Will the House agree to the motion?

The yeas and nays were required by Mr. Kean and Mr. McDonald and were as follows:

YEAS—104

Aaronson,	Gallagher,	McCosker,	Robbins,
Andrews,	Goodling,	McCullough,	Rose,
Bane,	Gorman,	McDonald,	Rowen,
Barrett,	Greenwood,	Mihm,	Sarraf,
Baumunk,	Gyger,	Mikula,	Sax,
Bender,	Hall,	Mills,	Schuster,
Bentzel,	Henry,	Mintess,	Scott,
Boorse,	Hocker,	Mohr,	Shoemaker,
Bower,	Hoffman,	Mooney,	Smith, C. M.,
Breisch,	Hoopes,	Morrison,	Sproul,
Brice,	Imbt,	Myers,	Stank,
Brown,	Johnson,	Najaka,	Thomassy,
Bucchin,	Jump,	Needham,	Thompson,
Cadwalader,	Kean,	O'Connor,	Tompkins,
Capano,	Kelley,	O'Donnell,	Toomey,
Cassidy,	Kirley,	O'Neill,	Upshur,
Chervenak,	Kline,	Orban,	Verona,
Chudoff,	Kohl,	Petrosky,	Waldron,
Clevenger,	Krise,	Pickens,	Wallin,
Cochran,	Layer,	Powers,	Walton,
Cole,	Leisey,	Price,	Watson,
Cooper,	Livingston,	Propert,	Weidner,
Demech,	Livingstone,	Ragot,	Weiss,
Evans,	Loftus,	Reese, R. E.,	West,
Feola,	Lovett,	Reilly, W. J.,	Wheeler,
Foor,	Madigan,	Richter,	Worley,

NAYS—63

Boles,	Goff,	Miller,	Stockham,
Bonawitz,	Graybill,	Moore, C. E.,	Stonier,
Brunner,	Greer,	Moore, H. A.,	Stuart,
Cook	Guthrie,	Nelson,	Swope,
Davison,	Hewitt,	O'Dare,	Tittle,
De Long,	Johnston,	Polaski,	Turner,
Dennison,	Jones,	Readinger,	Vaughan,
Depuy,	Kratz,	Reese, D. P.,	Wagner,
Dix,	Kurtz,	Reilly, J. M.,	Waterhouse,
Dye,	Laughner,	Riley,	Wolf,
Efenberg,	Lee,	Root,	Yeakel,
Erb,	Lyons,	Serrill,	Yester,
Ewing,	Madden,	Smith, C. C.,	Yetzer,
Fleming,	Mazza,	Snider,	Young,
Frost,	McKinney,	Sollenberger,	Lichtenwalter,
Gibson,	McMillen,	Sorg,	Speaker.

NOT VOTING—38

Beech,	Flack,	McCormack,	Scanlon,
Bloom,	Getchey,	Murray,	Simons,
Cordier,	Griffiths,	Naumann,	Stimmel,
Costa,	Haller,	Neff,	Tahl,
Crowley,	Haudenshield,	Patten,	Trout,
Dague,	Helm,	Pichney,	Wachhaus,
Dalrymple,	Horan,	Reagan,	Watkins,
Elder,	Jennings,	Robertson,	Wescott,
Fish,	Kemp,	Royer,	Wood,
Fiss,	Kent,		

So the question was determined in the affirmative and the motion was agreed to.

Mr. READINGER asked and obtained unanimous consent to call up out of order House Bill No. 326, Printer's No. 479 on page 3 of today's calendar, bills on second reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 326, entitled:

An Act relating to marriage and amending revising consolidating and changing the law relating thereto

The first section was read.

On the question,

Will the House agree to the section?

Mr. READINGER offered the following amendments:

Amend Sec. 1, page 1, line 2, by inserting after the letter "a" "marriage".

Amend Sec. 1, page 1, line 3, by striking out the words "for the purpose"

Amed Sec. 1, page 1, line 4, by striking out the word "the" and inserting in lieu thereof: "any",

Amend Sec. 1, page 1, lines 4 and 5, by striking out the words "where the marriage is to be performed or where either of the contracting parties resides"

Amend Sec. 1, page 1, line 5, by striking out the words "in the county where"

Amend Sec. 1, page 2, line 1, by striking out the words "in either of the contracting parties resides"

Amend Sec. 1, page 2, line 2, by striking out the words "any county" and inserting in lieu thereof: "the county where the license is issued or in any other county".

They were agreed to.

The section was agreed to as amended.

The second and third sections were separately read and agreed to.

The fourth section was read.

On the question,

Will the House agree to the section?

Mr. READINGER offered the following amendments:

Amend Sec. 4, page 4, line 6, by inserting after the word "magistrate" the following: "notary public".

Amend Sec. 4, page 4, line 18, by striking out the word "hoc" and inserting in lieu thereof: "hac".

The fifth section was read and agreed to.

The sixth section was read.

On the question

Will the House agree to the section?

Mr. READINGER offered the following amendments:

Amend Sec. 6, page 8, line 15, by inserting after the word "magistrate" the following: "notary public".

Amend Sec. 6, page 8, lines 15 and 16, by striking out the words "the county wherein the applicant resides" and inserting in lieu thereof: "any other county".

Amend Sec. 6, page 9, line 10, by inserting after the word "magistrate" the following: "notary public".

Amend Sec. 6, page 9, line 19, by inserting after the word "magistrate" the following: "notary public".

Amend Sec. 6, page 10, line 6, by inserting after the word "magistrates" the following: "notaries public".

The seventh and eight sections were separately read and agreed to.

The ninth section was read.

On the question,

Will the House agree to the section?

Mr. READINGER offered the following amendment:

Amend Sec. 9, page 12, by inserting between lines 12 and 13 "A.....B.....Clerk"

The tenth to sixteenth sections inclusive were separately read and agreed to.

The seventeenth section was read.

On the question,

Will the House agree to the section?

Mr. READINGER offered the following amendment:

Amend Sec. 17, page 19, by inserting between lines 6 and 7 the following: "A magistrate, alderman, notary public or justice of the peace, for services rendered by him under the provisions of this act, shall be entitled to a fee of fifty (50) cents".

It was agreed to.

The section was agreed to as amended.

The eighteenth section was read and agreed to.

The nineteenth section was read.

On the question,

Will the House agree to the section?

Mr. READINGER offered the following amendment:

Amend Sec. 19, page 21, line 16, by inserting after the word "magistrate" the following: "notary public".

The twentieth to twenty-third sections inclusive and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

RECONSIDERATION OF VOTE

Mr. FLEMING. Mr. Speaker, I move that the vote by which House Bill No. 542, Printer's No. 534, entitled:

An Act creating as bodies corporate and politic "Parking Authorities" in cities of the second class; prescribing the rights, powers and duties of such authorities; authorizing such authorities to acquire, construct, improve, maintain and operate parking projects; to conduct research of the parking problem and to establish a permanent coordinated system of parking facilities and to borrow money and issue bonds therefor; providing for the payment of such bonds and prescribing the rights of the holders thereof; conferring the right of eminent domain on such authorities; empowering such authorities to enter into contracts with and to accept grants from the Federal Government, State political subdivisions of the State, or any agency thereof; exempting the property and securities of such parking authorities from taxation and conferring exclusive jurisdiction on certain courts over rates.

was defeated in final passage, May 5, 1947 be reconsidered.

Mr. SORG. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Allegheny, Mr. Fleming vote on the final passage of this bill?

Mr. FLEMING. Mr. Speaker, I voted in the majority.

The SPEAKER. How did the gentleman from Elk, Mr. Sorg vote on the final passage of this bill?

Mr. SORG. Mr. Speaker, I voted in the majority.

On the question,

Will the House agree to the motion?

Mr. SORG. Mr. Speaker, I should like to state in connection with this motion to reconsider that I have joined with the gentleman from Allegheny, Mr. Fleming, for two reasons. It has to recommend it, in addition to the fact that a bill once defeated on final passage might well be given a second chance, as the gentleman from Cambria has said earlier this afternoon so aptly, but also I understand that if the motion prevails there will immediately be presented a motion to place the bill on the postponed calendar so that it might be amended to conform with the wishes and the views of the Members of the House who originally voted against this measure.

On the question recurring,

Will the House agree to the motion?

It was agreed to.

On the question recurring,

Shall the bill pass finally?

BILL POSTPONED

Mr. FLEMING. Mr. Speaker, I move that this bill be placed on the final passage postponed calendar.

The motion was agreed to.

INTERROGATION

Mr. BROWN. Mr. Speaker, may I interrogate the gentleman from Elk, the Majority Leader, Mr. Speaker?

The SPEAKER. Will the gentleman from Elk permit himself to be interrogted?

Mr. SORG. I shall, Mr. Speaker.

Mr. BROWN. Mr. Speaker, I understood the gentleman to say one of the reasons why he joined the gentleman from Allegheny, Mr. Fleming, in asking for reconsideration of this measure, was that he had been informed that the bill would be amended to meet the objections of those who voted against it? I understood the gentleman to say that. Now, I may not be quite clear. Is that what the gentleman said, Mr. Speaker?

Mr. SORG. Mr. Speaker, I said that a motion would be submitted to place the bill on the final passage postponed calendar for that purpose.

Mr. BROWN. Mr. Speaker, just so that I might be clear, is it the understanding of the gentleman from Elk that the amendments that he speaks of, which the opponents of the bill want, have been agreed upon by anyone?

Mr. SORG. That is not my understanding, Mr. Speaker.

Mr. BROWN. I thank the gentleman, Mr. Speaker.

PERMISSION TO ADDRESS HOUSE

Mr. FLEMING asked and obtained unanimous consent to address the House.

Mr. Speaker, for the purpose of the record I would like it to be known that it was not my intention when I made this motion that there was any agreement entered into by anybody as far as the amendments were concerned. I feel that this bill is of such vital importance to Allegheny County and the City of Pittsburgh that every opportunity should be given to the proponents, the sponsors of the measure, the gentleman from Allegheny, Mr. Brown, and the gentleman from Allegheny, Mr. Richter, and also the opponents of the bill, to sit down over the week-end and try to work out some form of equitable legislation which will meet with the approval of the membership of this House so that we in Allegheny County and the City of Pittsburgh will be given much needed relief by proper legislation.

FORMER MEMBERS WELCOMED

The SPEAKER. The Chair welcomes a former Member of the House from Elk County, the Hon. Clifford M. Wood, who is present in the Hall of the House. The Chair is very happy to have the gentleman present.

The SPEAKER. The Chair is also happy to welcome another former Member of the House from Washington County, Mr. Peter Elish.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 869, entitled:

An Act to further amend section twenty-five of the act approved the twenty-fifth day of July one thousand nine hundred thirteen (P. L. 1311) entitled "An act providing for the establishment of a State Industrial Home for Women authorizing the purchase of a site and the erection thereon and equipment of necessary buildings providing for the commitment to said State Industrial Home for Women of females between the ages of sixteen and thirty years convicted of or pleading guilty to the commission of any criminal offense and providing for the government and management of said institution and making an appropriation to carry out the purposes of this act" providing for payment of certain salaries by the State without including the same in computing cost of maintaining inmates

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED

Mrs. McCOSKER. Mr. Speaker, I move that this bill be placed on the third reading postponed calendar.

The motion was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 892, as follows:

An Act to add section four hundred eleven point one to the act approved the twenty-ninth day of November one thousand nine hundred thirty-three (1933-34 P. L. 15) entitled as amended "An act to regulate and restrain the sale manufacture possession transportation importation traffic in and use of alcohol and alcoholic and malt or brewed beverages conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents the Department of Public Instruction other officers of the State government courts and district attorneys authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises and the granting of licenses subject to local option to sell such beverages for consumption on and off the premises forbidding importation or bringing of such beverages into the State except as herein provided prohibiting certain sales or practices in connection with and transactions in such beverages by licensees and others providing for the forfeiture of certain property making disposition of the receipts from State stores and of fees and imposing penaltiees" relating to the capacity and deceptive appearance of glasses and other containers used for sale of liquor for consumption on the premises

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the twenty-ninth day of November one thousand nine hundred thirty-three (1933-34 P. L. 15) entitled as amended "An act to regulate and restrain the sale manufacture possession transportation importation traffic in and use of alcohol and alcoholic and malt or brewed beverages conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents the Department of Public Instruction other officers of the State Government courts and district attorneys authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises and the granting of licenses subject to local option to sell such beverages for consumption on and off the premises forbidding importation or bringing of such beverages into the State except as herein provided prohibiting certain sales or practices in connection with and transactions in such beverages by licensees and others providing for the forfeiture of certain property making disposition of the receipts from State stores and of fees and imposing penalties" is hereby amended by adding thereto after section four hundred eleven thereof a new section to read as follows

Section 411.1 Containers Capacity Use and Possession Penalty (a) No unmixed whiskey unmixed gin or unmixed rum shall be sold or offered for sale at retail for consumption on the premises except in a glass or other container having a capacity of one fluid ounce minimum or multiples of one-half ounce in excess thereof Provided That a variation of not more than one-eighth fluid ounce above or below the capacity of any such glass or container shall be allowed The provisions of this section shall not prohibit the esale of any unmixed whiskey unmixed gin or unmixed rum by vessels or railroad cars licensed for consumption on the premises of liquor under the provisions of this act in glasses or containers regularly used and having a different fluid capacity

(b) No person or persons licensed to sell liquor at retail for consumption on the premises shall be used in such sales or possess on such premises any glass or other container so constructed as to be deceptive in appearance or to mislead the consumer as to its true capacity The board shall adopt and promulgate rules and regulations necessary to effectuate the provisions of this amendment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—204

Aaronson,	Gallagher,	McCosker,	Sax,
Andrews,	Getchey,	McCullough,	Scanlon,
Bane,	Gibson,	McDonald,	Schuster,
Barrett,	Goff,	McKinney,	Scott,
Baumunk,	Goodling,	McMillen,	Serrill,
Beech,	Gorman,	Mihm,	Shoemaker,
Bender,	Graybill,	Mikula,	Simons,

Bentzel,	Greenwood,	Miller,	Smith, C. C.,
Bloom,	Greer,	Mills,	Smith, C. M.,
Boies,	Griffiths,	Mintess,	Snider,
Bonawitz,	Guthrie,	Mohr,	Sollenberger,
Boorse,	Gyger,	Mooney,	Sorg,
Bower,	Hall,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenshield,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stuart,
Brunner,	Henry,	Myers,	Swope,
Bucchin,	Hewitt,	Najaka,	Stockham,
Cadwalader,	Hocker,	Naumann,	Stonier,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,
Clevenger,	Jennings,	O'Dare,	Tompkins,
Cochran,	Johnson,	O'Donnell,	Toomey,
Cole,	Johnston,	O'Neill,	Turner,
Cook,	Jones,	Orban,	Upshur,
Cooper,	Jump,	Patten,	Vaughan,
Cordier,	Kean,	Petrosky,	Verona,
Costa,	Kelley,	Pichney,	Wachhaus,
Crowley,	Kemp,	Pickens,	Wagner,
Dague,	Kent,	Polaski,	Waldron,
Dalrymple,	Kirley,	Powers,	Wallin,
Davison,	Kline,	Price,	Walton,
De Long,	Kohl,	Propert,	Waterhouse,
Demech,	Kratz,	Ragot,	Watkins,
Dennison,	Krise,	Readinger,	Watson,
Depuy,	Kurtz,	Reagan,	Weidner,
Dix,	Laughner,	Reese, D. P.,	Weiss,
Dye,	Layer,	Reese, R. E.,	Wescott,
Efenberg,	Lee,	Reilly, J. M.,	West,
Elder,	Leisey,	Reilly, W. J.,	Wheeler,
Erb,	Livingston,	Richter,	Wolf,
Evans,	Livingstone,	Riley,	Wood,
Ewing,	Loftus,	Robbins,	Worley,
Feola,	Lovett,	Robertson,	Yeakel,
Fish,	Lyons,	Root,	Yester,
Fiss,	Madden,	Rose,	Yetzer,
Flack,	Madigan,	Rowen,	Young,
Fleming,	Mazza,	Royer,	Lichtenwalter,
Foor,	McCormack,	Sarraf,	Speaker.
Frost,			

NAYS—0

NOT VOTING—1

Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection

House Bill No. 958, Printer's No. 432,

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 961, as follows:

An Act to amend section one thousand five hundred two of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1296) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" providing for the furnishing and installation of ornamental standards for street lighting with fittings and underground wiring therefor and the assessment and collection of the cost thereof from property benefited thereby

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one thousand five hundred of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" is hereby amended by adding thereto a new clause to read as follows

Section 1502 The corporate power of a township of the first class shall be vested in the board of township commissioners The board shall have power

XIII.I Ornamental Standards for Street Lighting On the petition of the owners of seventy-five per cent of the lineal feet frontage along any highway or portion thereof in any village within the township to provide for the furnishing and installation of ornamental standards for street lighting with fittings and underground wiring therefor along such highway or the portion thereof affected and to enter into contracts with electric as or other lighting companies to furnish and install such standards with the fittings and wiring therefor

The township commissioners shall assess or cause to be assessed the cost and expenses of the furnishing and intallation of said standards fittings and underground wiring by an equal assessment on all property benefited by the furnishing and installation of such standards fittings and underground wiring in proportion to the number of feet the same fronts on the street or highway or portion thereof to be lighted The township commissioners may provide for an equitable reduction from the frontage of lots at intersections or where from the peculiar or pointed shape of lots an assessment of the full frontage would be inequitable No such assessment shall be made against and farm land but vacant lots between built-up sections whether tilled or untilled shall not be deemed to be farm lands All assessments for the cost of furnishing and installation of such standards fittings and underground wiring shall be filed with the township treasurer who shall give thirty days written or printed notice that the assessments are due and payable stating the due date to each party assessed either by service on the owner of the property or by mailing such notice to the owner at his last known post office address The township treasurer shall be entitled to the same commission for the collection of such assessments as he is entitled to by law for the collection of the township tax If the assessments or any of them remain unpaid at the expiration of a period not exceeding ninety days the exact time to be fixed by the township commissioners they shall be placed in the hands of the township solicitor for collection The solicitor shall collect the same together with five per centum (5%) as attorney's commission and interest from the date such assessments were due by a municipal claim filed against the property of the delinquent owner in like manner as municipal claims are by law filed and collected Where an owner has two or more lots against which there is an assessment all such lots may be embraced in one claim All assessments when collected shall be paid over to the township treasurer who shall receive and shall keep all such assessments collected in a separate account and pay out the same only upon orders signed by the president or vice president of the township commissioners attested by the secretary os assistant secretary The treasurer shall make a report to the auditor or controller of the township annually until all of such assessments are paid in full

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Gallagher,	McCosker,	Sax,
Andrews,	Getchey,	McCullough,	Scanlon,
Bane,	Gibson,	McDonald,	Schuster,
Barrett,	Goff,	McKinney,	Scott,

Baumunk,	Goodling,	McMillen,	Serrill,
Beech,	Gorman,	Mihm,	Shoemaker,
Bender,	Graybill,	Mikula,	Simons,
Bentzel,	Greenwood,	Miller,	Smith, C. C.,
Bloom,	Greer,	Mills,	Smith, C. M.,
Boles,	Griffiths,	Mintess,	Snider,
Bonawitz	Guthrie,	Mohr,	Sollenberger,
Boorse,	Gyger,	Mooney,	Sorg,
Bower,	Hall,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenshield,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Bucchin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,
Clevenger,	Jennings,	O'Dare,	Tompkins,
Cochran,	Johnson,	O'Donnell,	Toomey,
Cole,	Johnston,	O'Neill,	Turner,
Cook,	Jones,	Orban,	Upshur,
Cooper,	Jump,	Patten,	Vaughan,
Cordier,	Kean,	Petrosky,	Verona,
Costa	Kelley,	Pichney,	Wachhaus,
Crowley,	Kemp,	Pickens,	Wagner,
Dague,	Kent,	Polaski,	Waldron,
Dalrymple,	Kirley,	Powers,	Wallin,
Davison,	Kline,	Price,	Walton,
De Long,	Kohl,	Propert,	Waterhouse,
Demech,	Kratz,	Ragot,	Watkins,
Dennison,	Krise,	Readinger,	Watson,
Depuy,	Kurtz,	Reagan,	Weidner,
Dix,	Laughner,	Reese, D. P.,	Weiss,
Dye,	Layer,	Reese, R. E.,	Wescott,
Efenberg,	Lee,	Reilly, J. M.,	West,
Elder,	Leisey,	Reilly, T. J.,	Wheeler,
Erb,	Livingston,	Richter,	Wolf,
Ewing,	Livingstone,	Riley,	Wood,
Feola,	Loftus,	Robbins,	Worley,
Fish,	Lovett,	Robertson,	Yeakel,
Fiss,	Lyons,	Root,	Yester,
Flack,	Madden,	Rose,	Yetzer,
Fleming	Madigan,	Rowen,	Young,
Foor,	Mazza,	Royer,	Lichtenwalter,
Frost,	McCormack,	Sarraf,	Speaker.

NAYS—1

Evans,

NOT VOTING—1

Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1010, as follows:

An Act to aid in alleviating the acute housing shortage by authorizing housing authorities to provide housing for veterans and families of servicement and to cooperate with the Federal Government for such purposes

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 It is hereby declared that an acute housing shortage exists in many areas of this State so that families of returning veterans and of servicemen are unable to obtain housing and that returning veterans are being denied their rights to education because of the lack of housing at educational institutions and therefore a public exigency emergency and distress now exists and the providing of housing for such persons constitutes a public use and purpose for which public money should be spent and private property acquired and is a governmental function of State concern

Section 2 Whenever used in this act the term "veterans" shall include any person who has served in the military or naval forces of the United States during World War II and who has been discharged or released therefrom under conditions other than dishonorable "servicemen" shall include any person in the military or naval forces of the United States who served therein during World War II "families of servicemen" shall include the families of persons who died in the armed forces of the United States during World War II "housing authority" shall mean any housing authority established or hereafter established pursuant to any act of assembly "Federal Government" shall mean the United States of America or any agency or instrumentality thereof corporate or otherwise

Section 3 For the purpose of making housing available for veterans and their families or single veterans and for families of servicemen in those areras of the State where sufficient housing accommodations are not available and private enterprise is not providing an adequate supply of housing within the means of such families or persons any housing authority may

(a) acquire real or personal property by purchase gift lease baliment or otherwise and exercise the power of eminent domain for the acquisition of real property

(b) clear and prepare sites on which any such housing is to be located and install streets sidewalks utilities and other necessary facilities

(c) construct or otherwise provide housing or other structures that can be used as dwellings and remove such housing that is of a temporary character after it has served the purposes of this act

(d) operate such housing for the purposes of this act

(e) provide or assist in providing transportation where necessary in order to enable the use of housing where suitable transportation (based on the nature and extent of service and the rates) is not otherwise available.

(f) borrow money and accept grants from the Federal Government the State or from other local agencies or other sources

(g) comply with such terms and conditions as may be prescribed by the Federal Government in obtaining assistance from it for the purposes of this act and

(h) take such other action as is necessary to carry out the purposes of this act

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—204

Aaronson,	Gallagher,	McCosker,	Sax,
Andrews,	Getchey,	McCullough,	Scanlon,
Bane,	Gibson,	McDonald,	Schuster,
Barrett,	Goff,	McKinney,	Scott,
Baumunk,	Goodling,	McMillen,	Serrill,
Beech,	Gorman,	Mihm,	Shoemaker,
Bender,	Graybill,	Mikula,	Simons,
Bentzel,	Greenwood,	Miller,	Smith, C. C.,
Bloom,	Greer,	Mills,	Smith, C. M.,
Boles,	Griffiths,	Mintess,	Snider,
Bonawitz,	Guthrie,	Mohr,	Sollenberger,
Boorse,	Gyger,	Mooney,	Sorg,
Bower,	Hall,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenshield,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Bucchin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,
Clevenger,	Jennings,	O'Dare,	Tompkins,
Cochran,	Johnson,	O'Donnell,	Toomey,
Cole,	Johnston,	O'Neill,	Turner,
Cook,	Jones,	Orban,	Upshur,
Cooper,	Jump,	Patten,	Vaughan,
Cordier,	Kean,	Petrosky,	Verona,
Costa,	Kelley,	Pichney,	Wachhaus,

Crowley,	Kemp,	Pickens,	Wagner,
Dague,	Kent,	Polaski,	Waldron,
Dalrymple,	Kirley,	Powers,	Wallin,
Davison,	Kline,	Price,	Walton,
De Long,	Kohl,	Propert,	Waterhouse,
Demech,	Kratz,	Ragot,	Watkins,
Dennison,	Krise,	Readinger,	Watson,
Depuy,	Kurtz,	Reagan,	Weidner,
Dix,	Laughner,	Reese, D. P.,	Weiss,
Dye,	Layer,	Reese, R. E.,	Wescott,
Efenberg,	Lee,	Reilly, J. M.,	West,
Elder,	Leisey,	Reilly, W. J.,	Wheeler,
Erb,	Livingston,	Richter,	Wolf,
Evans,	Livingstone,	Riley,	Wood,
Ewing,	Loftus,	Robbins,	Worley,
Feola,	Lovett,	Robertson,	Yeakel,
Fish,	Lyons,	Root,	Yester,
Fiss,	Madden,	Rose,	Yetzer,
Flack,	Madigan,	Rowen,	Young,
Fleming,	Mazza,	Royer,	Lichtenwalter, Speaker.
Foor,	McCormack,	Sarraf,	
Frost,			

NAYS—0

NOT VOTING—1

Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for conucurrence.

HON. F. CLAIR ROSS WELCOMED

The SPEAKER. The Chair recognizes in the Hall of the House this afternoon, and is very happy to welcome Justice F. Clair Ross of the Pennsylvania Superior Court.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1011, as follows:

An Act to declare valid and legal the development and administration of housing projects for veterans and servicemen of World War II and their families and to declare valid and legal all contracts agreements obligations undertakings indebtedness applications and all proceedings acts and things heretofore undertaken performed or done with reference thereto

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 That all proceedings acts and things heretofore undertaken performed or done with reference to the development construction management administration maintenance or operation of housing projects for veterans and servicemen of World War II and their families by any municipality or housing authority of the Commonwealth are hereby validated ratified confirmed approved and declared legal in all respects

Section 2 That all contracts agreements obligations undertakings indebtedness and appropriations of municipalities and of housing authorities heretofore entered into undertaken and made relating to the financing or aiding in the development construction management administration maintenance or operation of any housing projects for veterans and servicemen of World War II and their families together with all proceedings acts and things heretofore undertaken performed or done with reference thereto are hereby validated ratified confirmed approved and declared legal in all respects

Section 3 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—204

Aaronson,	Frost,	McCosker,	Sarraf,
Andrews,	Gallagher,	McCormack,	Sax,
Bane,	Getchey,	McCullough,	Scanlon,
Barrett,	Gibson,	McDonald,	Schuster,
Baumunk,	Goff,	McKinney,	Scott,
Beech,	Goodling,	McMillen,	Serrill,
Bender,	Gorman,	Mihm,	Shoemaker,
Bentzel,	Graybill,	Mikula,	Simons,
Bloom,	Greenwood,	Miller,	Smith, C. O.,
Boies,	Greer,	Mills,	Smith, C. M.,
Bonawitz,	Griffiths,	Mintess,	Snider,
Boorse,	Guthrie,	Mohr,	Sollenberger,
Bower,	Gyger,	Mooney,	Sorg,
Breisch,	Hall,	Moore, C. E.,	Sproul,
Brice,	Haller,	Moore, H. A.,	Stank,
Brown,	Haudenshield,	Morrison,	Stimmel,
Brunner,	Helm,	Murray,	Stockham,
Bucchin,	Henry,	Myers,	Stonier,
Cadwalader,	Hewitt,	Najaka,	Stuart,
Capano,	Hocker,	Naumann,	Swope,
Cassidy,	Hoffman,	Needham,	Tahl,
Chervenak,	Hoopes,	Neff,	Thomassy,
Chudoff,	Horan,	Nelson,	Thompson,
Clevenger,	Imbt,	O'Connor,	Tittle,
Cochran,	Jennings,	O'Dare,	Tompkins,
Cole,	Johnson,	O'Donnell,	Toomey,
Cook,	Johnston,	O'Neill,	Turner,
Cooper,	Jones,	Orban,	Upshur,
Cordier,	Jump,	Patten,	Vaughan,
Costa,	Kean,	Petrosky,	Verona,
Crowley,	Kelley,	Pichney,	Wachhaus,
Dague,	Kemp,	Pickens,	Wagner,
Dalrymple,	Kent,	Polaski,	Waldron,
Davison,	Kirley,	Powers,	Wallin,
De Long,	Kline,	Price,	Walton,
Demech,	Kohl,	Propert,	Waterhouse,
Dennison,	Kratz,	Ragot,	Watkins,
Depuy,	Krise,	Readinger,	Watson,
Dix,	Kurtz,	Reagan,	Weidner,
Dye,	Laughner,	Reese, D. P.,	Weiss,
Efenberg,	Layer,	Reese, R. E.,	Wescott,
Elder,	Lee,	Reilly, J. M.,	West,
Erb,	Leisey,	Reilly, W. J.,	Wheeler,
Evans,	Livingston,	Richter,	Wolf,
Ewing,	Livingstone,	Riley,	Wood,
Feola,	Loftus,	Robbins,	Worley,
Fish,	Lovett,	Robertson,	Yeakel,
Fiss,	Lyons,	Root,	Yester,
Flack,	Madden,	Rose,	Yetzer,
Fleming,	Madigan,	Rowen,	Young,
Foor,	Mazza,	Royer,	Lichtenwalter, Speaker.

NAYS—0

NOT VOTING—1

Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affrmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1017, as follows:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1216) entitled "An act to define real estate brokers and real estate salesmen and providing for the licensing regulation and supervision of resident and nonresident real estate brokers and real estate salesmen and their business' by further defining real estate brokers and real estate salesmen and further regulating the licensing and supervision of such persons and their business

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsections (a) and (c) of section two subsections (b) and (c) of section seven and subsections (a) and (e) of section ten of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1216) entitled "An act to define real estate brokers and real estate salesmen and providing for the licensing regulation and supervision of resident and non-resident real estate brokers and real estate salesmen and their business' as amended by the act approved the twenty-fifth day of May one thousand nine hundred forty-five (P. L. 1023) are hereby further amended to read as follows

Section 2 (a) The term "real estate broker" shall include all persons copartnerships associations and corporations foreign and domestic who for another and for a fee commission or other valuable consideration shall sell exchange purchase or rent or shall negotiate the sale exchange purchase or rental or shall offer or attempt to negotiate the sale exchange purchase or rental or shall hold himself or themselves out as engaged in the business of selling exchanging purchasing or renting of any real estate interest in real estate the property of another whether the same shall be located within the State of Pennsylvania or elsewhere or shall collect or offer or attempt to collect rental for the use of real estate the property of another or shall negotiate or offer or attempt to negotiate a loan secured or to be secured by mortgage or other encumbrance upon or transfer of any such real estate It shall also include any person copartnership association or corporation employed by the owner or owners of lots or other parcels of real estate including cemetery lots at a stated salary or upon a commission or upon a salary and commission basis or otherwise to sell such real estate or any parts thereof in lots or other parcels and who sell or exchange or offer or attempt to negotiate the sale or exchange of any such lot or parcel of real estate One act in consideration of compensation by fee commission or otherwise of buying selling renting or exchanging any such real estate of or for another or attempting or offering so to do or negotiating a loan upon or leasing or renting or placing for rent any such real estate or collection of rent therefrom shall constitute prima facie evidence that the person copartnership association or corporation so acting or attempting to act is a real estate broker within the meaning of this act The term "real estate broker" shall also include [all persons copartnerships associations and corporations foreign and domestic the principal business of whom or which is the purchasing selling renting trading or exchanging of real estate whether for another or as purchaser seller or owner of such real estate and] all real estate auctioneers and real estate appraisers [and all persons who negotiate or offer for sale any mortgage or other security for which real estate is the collateral] as well as all managers of office buildings apartment buildings and other buildings and persons employed by the owners of such buildings banking institutions and trust companies for the foregoing purposes

* * * * *

(c) Neither of the said terms "real estate broker" or "real estate salesman" shall be held to include within the meaning of this act any person firm association partnership or corporation who as owner shall perform any of the acts with reference to property owned by them [unless the principal business of such person firm association partnership or corporation is the purchasing selling renting trading or exchanging of such property] nor any person holding in good faith a duly executed letter of attorney from the actual owner of any real estate authorizing the sale conveyance or leasing of such real estate for and in the name of such owner or the negotiating of any loan thereon where [only one transaction is involved and where] such letter of attorney is recorded in the office of the recorder of deeds nor shall they be held to include in any way attorneys at law and justices of the peace nor shall they be held to include any receiver trustee in bankruptcy administrator or executor or any other person or corporation acting under the appointment or order of any court or as trustee under the authority of a will or deed of trust where only the transactions pertaining thereto are involved or the duly elected executive office of any banking institution or trust company operating under the banking laws of Pennsylvania

Section 7

* * * * *

(b) Application for licenses as real estate broker shall be made in writing to the department upon a blank provided for the purpose by the department and shall contain information as to the applicant or when the application is made by a copartnership association or a corporation as to its members or officers as the [department] commission shall require The application shall be signed by the applicant and shall be accompanied by the recommendation of at least two citizens not related to the applicant or in the case of a copartnership or corporation to any member or officer thereof who shall be owners of real estate within and residents of the county in which the applicant resides or has his their or its place of business certifying to the honesty truthfulness and good repute of the applicant or in the case of a copartnership or association or corporation its members or officers by name and recommending that a license be granted the applicant and by the recommendation of one licensed real estate broker or licensed member or officer of a copartnership association or corporation licensed as a real estate broker If the applicant or in the case of a copartnership or corporation any of its members or officers shall have resided or shall have engaged in business for less than one year in the county from which the application is made such application shall also be accompanied by the recommendation of at least two (2) real estate owners not related to the applicant of each of the counties where he or each of such members or officers has formerly resided or engaged in business during the said period of one year prior to the filing of such application certifying to the honesty truthfulness and good repute of the applicant or its members or officers by name and recommending that the license be granted Each application shall be accompanied by two photographs of the applicant or in the case of a copartnership association or corporation of the applicant members or officers thereof Where the applicant for a real estate broker's license maintains more than one place of business within the Commonwealth he shall be required to apply for and procure a duplicate license for each branch office so maintained by him such duplicate license to be issued with an additional charge of two dollars and fifty cents ($2.50) for each additional office or place of business Every such application shall state the name of the person copartnership association or corporation and the location of the place or places of business for which such license is desired and the license shall expire on the last day of February immediately following the date of issue unless sooner revoked or suspended by the commission or renewed annually as hereinafter described Provided That upon the filing of an application the commission may investigate the allegations therein contained and if upon investigation it finds such allegations untrue it may refuse to examine or license the applicant setting forth in writing its findings and the reasons for its refusal and furnishing a copy thereof to the applicant

(c) Application for license as real estate salesman shall be made in writing to the department signed by the applicant setting forth the period of time during which he has been engaged in the business stating the name of the last employer and the name and place of business of the person firm copartnership association or corporation then employing him or into whose employ he is then about to enter All applications shall be made upon a blank provided for the purpose by the department and shall contain such information as to the applicant in addition to the above prescribed as the [department] commission shall require The application shall be accompanied by the recommendation of his employer or prospective employer certifying that the applicant is honest truthful and of good repute and recommending that such license be granted All such licenses shall expire on the last day February immediately following the date of issue unless

sooner revoked or suspended by the commission or renewed annually as hereinafter described

No person may hereafter be licensed as a real estate salesman and no person copartnership association or corporation may hereafter be licensed as a real estate broker by the department unless such person and all of the members of any such copartnership or association and all of the officers of any such corporation intending to actually engage in or actually engaging in the real estate business as a real estate broker or salesman shall first submit to and pass an examination conducted by the commission and prepared by the commission The commission shall hold examinations on the second Saturdays in January April July and October in the cities of Philadelphia Pittsburgh Harrisburg Wilkes-Barre and Erie at such hours and under such rules and regulations as the commission shall prescribe Provided That the commission may make a special dispensation or exception because of religious scruples of applicants as to the day of the week upon which the examination shall be held The examination for a broker's license shall include questions on real estate practice real estate law the applicant's ability to read and write English his knowledge of mathematics and other common school branches The examination for salesman's license shall be limited to [the common school branches] mathematics applicable to real estate business the Real Estate Brokers' License Act and ethical practices thereunder Provided however That in event the license of any real estate broker or salesman shall be cancelled by the commission subsequent to the enactment of this act no new license shall be issued to such person unless he complies with the provisions of this act Provided further however That the commission may waive these requirements in the case of an application from a nonresident broker of those states having similar requirements under the laws of which similar recognition and courtesies are extended to licensed real estate brokers and real estate salesmen of this State

An individual who fails to pass the examination may apply for and receive from the department a temporary permit to operate as a real estate salesman until the next regular examination [but not more than two successive temporary permits shall be issued to any individual] Any individual who fails to pass the examination at two successive examinations shall be ineligible for a similar examination until after the expiration of six months from the tme such individual took the last examination

Section 10 (a) The commission may upon its own motion and shall promptly upon the verified complaint in writing of any person setting forth specially the wrongful act or acts complained of investigate any action or business transaction of any licensed real estate broker or real estate salesman and shall have the power temporarily to suspend or permanently to revoke licenses theretofore issued by the department under the provisions of this act at any time when after due proceedings as hereinafter provided it shall find the holder thereof to have been guilty in the performance or attempt to perform any of the acts prohibited to others than licensed real estate brokers or real estate salesmen under the provisions of this act

(1) Of knowingly making any substantial misrepresentation or

(2) Of knowingly making any false promise of a character likely to influence persuade or induce or

(3) Of a continued or flagrant course of misrepresentation or making of false promises through agents or salesmen or

(4) When it shall be shown that the licensee within five years prior to the issuance of the license then in force has been convicted in a court of competent jurisdiction of this or any other state of forgery embezzlement obtaining money under false pretenses extortion conspiracy to defraud or other like offense or offenses

(5) Of any failure to account for or to pay over moneys belonging to others which has come into his her or its possession arising out of a real estate transaction or

(6) Of any misleading or untruthful advertising or

(7) Of any act or conduct in connection with a real estate transaction which demonstrates incompetency bad faith or dishonesty

(8) Of displaying a "for rent" or "for sale" sign on any property without any exclusive agency therefor or without the owner's consent

(9) Of failing to furnish voluntarily a copy of the agreement of sale to the buyer and the seller

(10) Of buying a property listed through a straw party with the intent of reselling to a buyer already secured thus making a profit in addition to the commission agreed upon with the owner listing the property

* * * * *

(e) The order or ruling of the commission in any such proceeding shall become of full force and effect upon the date fixed by the commission in the said notice by it given thereof to the parties thereto unless notice of appeal therefrom shall prior to said date be duly served upon the commission as hereinbefore provided If an appeal shall be so taken such an appeal shall act as supersedeas until ten (10) days from and after the date of the filing of the transcript by the commission in the court of common pleas of Dauphin County and notice thereof by it given to the licensee but not longer unless the said court of common pleas shall upon motion of the licensee grant an order of supersedeas in which case the appeal shall be heard by the said court and its decision entered [within thirty (30) days] after the granting of such order of supersedeas An appeal shall lie from the decision of the said court of common pleas to the Superior Court but no such appeal shall operate as a supersedeas unless made so by special order of the appellate court

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—204

Aaronson,	Frost,	McCormack,	Sarraf,
Andrews,	Gallagher,	McCosker,	Sax,
Bane,	Getchey,	McCullough,	Scanlon,
Barrett,	Gibson,	McDonald,	Schuster,
Baumunk,	Goff,	McKinney,	Scott
Beech,	Goodling,	McMillen,	Serrill,
Bender,	Gorman,	Mihm,	Shoemaker,
Bentzel,	Graybill,	Mikula,	Simons,
Bloom,	Greenwood,	Miller,	Smith, C. C.,
Boies,	Greer,	Mills,	Smith, C. M.,
Bonawitz,	Griffiths,	Mintess,	Snider,
Boorse,	Guthrie,	Mohr,	Sollenberger,
Bower,	Gyger,	Mooney,	Sorg,
Breisch,	Hall,	Moore, C. E.,	Sproul,
Brice,	Haller,	Moore, H. A.,	Stank,
Brown,	Haudenshield,	Morrison,	Stimmel,
Brunner,	Helm,	Murray,	Stockham,
Bucchin,	Henry,	Myers,	Stonier,
Cadwalader,	Hewitt,	Najaka,	Stuart,
Capano,	Hocker,	Naumann,	Swope,
Cassidy,	Hoffman,	Needham,	Tahl,
Chervenak,	Hoopes,	Neff,	Thomassy,
Chudoff,	Horan,	Nelson,	Thompson,
Clevenger,	Imbt,	O'Connor,	Tittle,
Cochran,	Jennings,	O'Dare,	Tompkins,
Cole,	Johnson,	O'Donnell,	Toomey,
Cook,	Johnston,	O'Neill,	Turner,
Cooper,	Jones,	Orban,	Upshur,
Cordier,	Jump,	Patten,	Vaughan,
Costa,	Kean,	Petrosky,	Verona,
Crowley,	Kelley,	Pichney,	Wachhaus,
Dague,	Kemp,	Pickens,	Wagner,
Dalrymple,	Kent,	Polaski,	Waldron,
Davison,	Kirley,	Powers,	Wallin,
De Long,	Kline,	Price,	Walton,
Demech,	Kohl,	Propert,	Waterhouse,
Dennison,	Kratz,	Ragot,	Watkins,
Depuy,	Krise,	Readinger,	Watson,
Dix,	Kurtz,	Reagan,	Weidner,
Dye,	Laughner,	Reese, D. P.,	Weiss,
Efenberg,	Layer,	Reese, R. E.,	Wescott,
Elder,	Lee,	Reilly, J. M.,	West,

Erb,	Leisey,	Reilly, W. J.,	Wheeler,
Evans,	Livingston,	Richter,	Wolf,
Ewing,	Livingstone,	Riley,	Wood,
Feola,	Loftus,	Robbins,	Worley,
Fish,	Lovett,	Robertson,	Yeakel,
Fiss,	Lyons,	Root,	Yester,
Flack,	Madden,	Rose,	Yetzer,
Fleming,	Madigan,	Rowen,	Young,
Foor,	Mazza,	Royer,	Lichtenwalter, Speaker.

NAYS—0

NOT VOTING—1

Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1035, as follows:

An Act to amend section forty of the act approved the twenty-fifth day of May one thousand nine hundred forty-five (P. L. 1050 entitled "An act relating to the collection of taxes levied by counties county institution districts cities of the third class boroughs towns townships certain school districts and vocational school districts conferring powers and imposing duties on tax collectors courts and various officers of said political subdivisions and prescribing penalties" by providing that the surety on the executor or administrator has been appointed shall have the sole right and power to take over the tax duplicates in which said surety is interester and to proceed to make collections thereon in accordance with the provisions of this section

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section forty of the act approved the twenty-fifth day of May one thousand nine hundred forty-five (P. L.1050 entitled "An act relating to the collection of taxes levied by counties county institution districts cities of the third class boroughs towns townships certain school districts and vocational school districts conferring powers and imposing duties on tax collectors courts and various officers of said subdivisions and prescribing penalties" is hereby amended to read as follows

Section 40 Collection of Taxes by Surities of Defaulting or Deceased Collectors (a) When any tax collector shall default in the payment of the taxes charged on the duplicates either by embezzlement negligence or failure to collect such taxes within the time prescribed by this act it shall be lawful for the surety or surieties on his bond to demand from the tax collector the tax duplicates in which said sureties are interested and the tax collector shall turn over to his said sureties such duplicates of the various taxing districts for which he is collector

(b) If the tax collector shall fail neglect or refuse to turn over such duplicates upon demand made by his surety or sureties it shall be lawful for the surety or sureties to present a petition to the court of common pleas of the county in which such tax collector resides setting forth the fact that such collector has defaulted in making collections The court being satisified that such default has been made shall make an order to compel the tax collector to turn over his sureties the tax duplicates upon which the sureties are liable

(b-1) When any tax collector shall have died and no executor or administrator within fifteen (15) days thereafter has been appointed to administer his estate the surety or sureties on his bond shall have the right and power after petitioning the court of common pleas of the county in which such deceased tax collector resided and after the said court has entered an order granting the prayer of the said petition to take over the tax duplicates in which said sureties are interested and to proceed to collect the taxes remaining unpaid such duplicates in accordance with the provisions of this section until such time if any when an executor or administrator of the estate of the deceased tax collector shall be appointed at which time the said surety or sureties shall file an accounting of such collections in the court where the said order was entered and shall pay such undistributed fund to said executor or administrator

(c) The holders of such duplicates shall have the right to appoint a collector for such period of time as herein provided to collect the taxes remaining unpaid upon such duplicates any collector so appointed shall have all the authority and power under the warrant issued to the original collector vested by this act The authorities issuing said warrents may issue an additional warrant to the collector of such delinquent taxes upon request of such sureties

(d) The provisions of any law extending the time or any warrant for the collection of taxes on duplicates shall likewise extend to the collection of taxes on such delinquent tax duplicates

(e) Whenever the surety or sureties on the bond of any defaulting or deceased tax collector shall under the provisions of this section undertake to collect delinquent taxes charged in any duplicate delivered to such defaulting tax collector by distress and sale of the goods and chattels of the delinquent or shall distrain on the goods and chattels of any person who shall allege that the taxes with which he stands charged have actually been paid or that such person whose goods and chattels have been distrained upon shall deny liability for such taxes then in either event the taxpayer may petition the court of quarter sessions of the county for a stay of any such sale of goods and chattels distrained upon setting forth the reasons therefor

The court shall have to stay such sale pending a hearing of the matter The court shall have power to fix a day for hearing of which due notice chall be given the surety or sureties of such defaulting or deceased tax collector as the court may prescribe

(f) It the court after hearing shall be of the opinion that a taxpayer has actually paid such taxes or is not liable for the taxes with which he stands charged on the duplicate it shall direct satisfaction to be entered on such duplicate by the surety or sureties

(g) The surety or sureties on the bond of any such defaulting or deceased tax collector or any taxpayer shall have the right upon demand made to have a jury pass upon the question whether or not a taxpaver has paid taxes with which he stands charged and if the jury shall find such taxes have been so paid the court shall direct the surety or sureties to enter satisfaction on the duplicate

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—204

Aaronson,	Gallagher,	McCosker,	Sax,
Andrews,	Getchey,	McCullough,	Scanlon,
Bane,	Gibson,	McDonald,	Schuster,
Barrett,	Goff,	McKinney,	Scott,
Baumunk,	Goodling,	McMillen,	Serrill,
Beech,	Gorman,	Mihm,	Shoemaker,
Bender,	Graybill,	Mikula,	Simons,
Bentzel,	Greenwood,	Miller,	Smith, C. C.,
Bloom,	Greer,	Mills,	Smith, O. M.,
Boies,	Griffiths,	Mintess,	Snider,
Bonawitz,	Guthrie,	Mohr,	Sollenberger,
Boorse,	Gyger,	Mooney,	Sorg,
Bower,	Hall,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenshield,	Morrison,	Stimmel,

Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Bucchin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,
Clevenger,	Jennings,	O'Dare,	Tompkins,
Cochran,	Johnson,	O'Donnell,	Toomey,
Cole,	Johnston,	O'Neill,	Turner,
Cook,	Jones,	Orban,	Upshur,
Cooper,	Jump,	Patten,	Vaughan,
Cordier,	Kean,	Petrosky,	Verona,
Costa,	Kelley,	Pichney,	Wachhaus,
Crowley,	Kemp,	Pickens,	Wagner,
Dague,	Kent,	Polaski,	Waldron,
Dalrymple,	Kirley,	Powers,	Wallin,
Davison,	Kline,	Price,	Walton,
De Long,	Kohl,	Propert,	Waterhouse,
Demech,	Kratz,	Ragot,	Watkins,
Dennison,	Krise,	Readinger,	Watson,
Depuy,	Kurtz,	Reagan,	Weidner,
Dix,	Laughner,	Reese, D. P.,	Weiss,
Dye,	Layer,	Reese, R. E.,	Wescott,
Efenberg,	Lee,	Reilly, J. M.,	West,
Elder,	Leisey,	Reilly, W. J.,	Wheeler,
Erb,	Livingston,	Richter,	Wolf,
Evans,	Livingstone,	Riley,	Wood,
Ewing,	Loftus,	Robbins,	Worley,
Feola,	Lovett,	Robertson,	Yeakel,
Fish,	Lyons,	Root,	Yester,
Fiss,	Madden,	Rose,	Yetzer,
Flack,	Madigan,	Rowen,	Young,
Fleming,	Mazza,	Royer,	Lichtenwalter,
Foor,	McCormack,	Sarraf,	Speaker.
Frost,			

NAYS—0

NOT VOTING—1

Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS PASSED OVER

There being no objection,

House Bill No. 1040, Printer's No. 397,

House Bill No. 1043, Printer's No. 433 and

House Bill No. 1175, Printer's No. 491

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1180, as follows:

An Act to further amend section one thousand one of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" increasing the compensation of township auditors

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one thousand one of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" as last amended by the act approved the ninth day of June one thousand nine hundred thirty-nine (P. L. 325) is hereby further amended to read as follows

Section 1001 Meetings General Duties Compensation The auditors of townships shall meet annually on the day following the day which is fixed by this act for the organization of the township commissioners and shall audit settle and adjust the accounts of the township commissioners township treasurer tax collector secretary and other officers and persons receiving and disbursing or authorizing the disbursement of the moneys of the township during the preceding fiscal year The auditors shall make an audit of the dockets transcripts and other official records of the offices of the justice of th peace of the township to determine the amounts of fines and costs paid or due to the township All justices of the peace shall open and mage available to the auditors their dockets transcripts records and all other official books or papers for the purpose of the audit Provided That in any case where a justice of the peace charges a fine contrary to ordinances or to any act which makes such fine payable to the township the said auditors have the power to surcharge such justices of the peace in any amount or amounts undercharged as set forth in said ordinances or act Two auditors shall constitute a quorum Each auditor shall receive [five dollars] seven dollars and fifty cents ($7.50) per diem for each day necessarily employed in the duties of his office to be paid out of funds of the township A day shall consist of not less than five hours in the aggregate In completing their audit the auditors shall be employed more than the following number of days In townships having a population of less than three thousand twenty days in townships having a population of three thousand and more but less than ten thousand thirty days and in townships having a population of ten thousand and more forty days

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Frost	McCosker,	Sax,
Andrews,	Gallagher,	McCullough,	Scanlon,
Bane,	Getchey,	McDonald,	Schuster,
Barrett,	Gibson,	McKinney,	Scott,
Baumunk,	Goff,	McMillen,	Serrill,
Beech,	Goodling,	Mihm,	Shoemaker,
Bender,	Gorman,	Mikula,	Simons,
Bentzel,	Graybill,	Miller,	Smith, C. C.,
Bloom,	Greenwood,	Mills,	Smith, C. M.,
Boies,	Greer,	Mintzess,	Snider,
Bonawitz,	Griffiths,	Mohr,	Sollenberger,
Boorse,	Guthrie,	Mooney,	Sorg,
Bower,	Gyger,	Moore, C. E.,	Sproul,
Breisch,	Hall,	Moore, H. A.,	Stank,
Brice,	Haller,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Bucchin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,
Clevenger,	Jennings,	O'Dare,	Tompkins,
Cochran,	Johnson,	O'Donnell,	Toomey,
Cole,	Johnston,	O'Neill,	Turner,
Cook,	Jones,	Orban,	Upshur,
Cooper,	Jump,	Patten,	Vaughan,
Cordier,	Kean,	Petrosky,	Verona,
Costa,	Kelley,	Pichney,	Wachhaus,
Crowley,	Kemp,	Pickens,	Wagner,
Dague,	Kent,	Polaski,	Waldron,
Dalrymple,	Kirley,	Powers,	Wallin,
Davison,	Kline,	Price,	Walton,
De Long,	Kohl,	Propert,	Waterhouse,
Demech,	Kratz,	Ragot,	Watkins,
Dennison,	Krise,	Readinger,	Watson,
Depuy,	Kurtz,	Reagan,	Weidner,
Dix,	Laughner,	Reese, D. P.,	Weiss,
Dye,	Layer,	Reese, R. E.,	Wescott,
Efenberg,	Lee,	Reilly, J. M.,	West,
Elder,	Leisey,	Reilly, W. J.,	Wheeler,
Erb,	Livingston,	Richter,	Wolf,

Evans,	Livingstone,	Riley,	Wood,
Ewing,	Loftus,	Robbins,	Worley,
Feola,	Lovett,	Robertson,	Yeakel,
Fish,	Lyons,	Root,	Yester,
Fiss,	Madden,	Rose,	Yetzer,
Flack,	Madigan,	Rowen,	Young,
Fleming,	Mazza,	Royer,	Lichtenwalter,
Foor,	McCormack,	Sarraf,	Speaker.

NAYS—1

Haudenshield,

NOT VOTING—1

Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1185, as follows:

An Act to further amend section one of the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 844) entitled as amended "An act authorizing the Commonwealth of Pennsylvania or any department or division thereof and counties cities boroughs incorporated towns townships school districts vocational school districts and institution districts to make contracts of life health hospitalization medical services and accident policies for the benefit of employes thereof and contracts for pensions for such employes and providing for the payment of the cost thereof" by extending the provisions of this act to elected and appointed officers

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one of the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 844) entitled as amended "An act authorizing the Commonwealth of Pennsylvania or any department or division thereof and counties cities boroughs incorporated towns townships school districts vocational school districts and institution districts to make contracts of life health hospitalization medical services and accident polisies for the benefit of employes thereof and contracts for pension of such employes and providing for the payment of the cost thereof" as last amended by the act approved the first day of August one thousand nine hundred forty-one (P. L. 749) is hereby further amended to read as follows

Section 1 Be it enacted &c That the Commonwealth of Pennsylvania or any department or division thereof and any county city borough incorporated town township school district vocational school district or institution district may and are hereby specifically authorized to make contracts of insurance with any insurance with any insurance company or nonprofit hospitalization corporation or nonprofit medical service corporation authorized to transact business within the Commonwealth insuring its elected or appointed officers and employes or any class or classes thereof under a policy or policies of group insurance covering life health hospitalization medical service or accident insurance and may contract with any such company granting annuities or pensions for the pensioning of such employes and for such purposes may agree to pay part or all of the premiums or charges for carrying such contracts and may appropriate out of its treasury any money necessary to pay such premiums or charges or portions thereof

The roper officer agency board or commission of any of the above political divisions or subdivisions having authority eo enter into such contracts of insurance are hereby authorized enabled and permitted to deduct from the officer's or employe's pay salary or compensation such part of the premium as is payable by the officer or employe and as may be so authorized by the officer or employe in writing

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—204

Aaronson,	Frost	McCormack,	Sarraf,
Andrews,	Gallagher,	McCosker,	Sax,
Bane,	Getchey,	McCullough,	Scanlon,
Barrett,	Gibson,	McDonald,	Schuster,
Baumunk,	Goff,	McKinney,	Scott,
Beech,	Goodling,	McMillen,	Serrill,
Bender,	Gorman,	Mihm,	Shoemaker,
Bentzel,	Graybill,	Mikula,	Simons,
Bloom,	Greenwood,	Miller,	Smith, C. C.,
Boles,	Greer,	Mills,	Smith, C. M.,
Bonawitz,	Griffiths,	Mintess,	Snider,
Boorse,	Guthrie,	Mohr,	Sollenberger,
Bower,	Gyger,	Mooney,	Sorg,
Breisch,	Hall,	Moore, C. E.,	Sproul,
Brice,	Haller,	Moore, H. A.,	Stank,
Brown,	Haudenshield,	Morrison,	Stimmel,
Brunner,	Helm,	Murray,	Stockham,
Bucchin,	Henry,	Myers,	Stonier,
Cadwalader,	Hewitt,	Najaka,	Stuart,
Capano,	Hocker,	Naumann,	Swope,
Cassidy,	Hoffman,	Needham,	Tahl,
Chervenak,	Hoopes,	Neff,	Thomassy,
Chudoff,	Horan,	Nelson,	Thompson,
Clevenger,	Imbt,	O'Connor,	Tittle,
Cochran,	Jennings,	O'Dare,	Tompkins,
Cole,	Johnson,	O'Donnell,	Toomey,
Cook,	Johnston,	O'Neill,	Turner,
Cooper,	Jones,	Orban,	Upshur,
Cordier,	Jump,	Patten,	Vaughan,
Costa,	Kean,	Petrosky,	Verona,
Crowley,	Kelley,	Pichney,	Wachhaus,
Dague,	Kemp,	Pickens,	Wagner,
Dalrymple,	Kent,	Polaski,	Waldron,
Davison,	Kirley,	Powers,	Wallin,
De Long,	Kline,	Price,	Walton,
Demech,	Kohl,	Propert,	Waterhouse,
Dennison,	Kratz,	Ragot,	Watkins,
Depuy,	Krise,	Readinger,	Watson,
Dix,	Kurtz,	Reagan,	Weidner,
Dye,	Laughner,	Reese, D P.,	Weiss,
Efenberg,	Layer,	Reese, R. E.,	Wescott,
Elder,	Lee,	Reilly, J. M.,	West,
Erb,	Leisey,	Reilly, W. J.,	Wheeler,
Evans,	Livingston,	Richter,	Wolf,
Ewing,	Livingstone,	Riley,	Wood,
Feola,	Loftus,	Robbins,	Worley,
Fish,	Lovett,	Robertson,	Yeakel,
Fiss,	Lyons,	Root,	Yester,
Flack,	Madden,	Rose,	Yetzer,
Fleming,	Madigan,	Rowen,	Young,
Foor,	Mazza,	Royer,	Lichtenwalter,
			Speaker.

NAYS—0

NOT VOTING—1

Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS PASSED OVER

There being no objection,

House Bill No. 1214, Printer's No. 530 and

House Bill No. 1230, Printer's No. 461

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1320, as follows:

An Act to amend the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven P. L. 955) entitled "An act to promote public health safety morals and welfare by declaring the necessity of creating public bodies corporate and politic to be known as housing authorities to engage in slum clearance and to undertake projects to provide dwelling accommodations for persons of low income providing for the organization of such housing authorities defining their powers and duties providing for the exercise of such powers including the acquisition of property by purchase gift or eminent domain the renting and selling of property and including borrowing money issuing bonds and other obligations and giving security therefor prescribing the remedies of obligees of housing authorities authorizing housing authorities to enter into agreements including agreements with the United States the Commonwealth and political subdivisions and municipalities thereof defining the application of zoning sanitary and building laws and regulations to projects built or maintained by such housing authorities exempting the property and securies of such housing authorities from taxation and imposing duties and conferring powers upon the State Board of Housing and certain other State officers and departments" authorizing authorities to undertake housing research and studies and to enter into agreements to secure Federal contributions and providing for the creation of regional housing authorities and rural housing

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 955) entitled "An act to promote public health safety morals and welfare by declaring the necessity of creating public bodies corporate and politic to be known as housing authorities to engage in slum clearance and to undertake projects to provide dwelling accommodations for persons of low income providing for the organization of such housing authorities defining their powers and duties providing for the exercise of such powers including the acquisition of property by purchase gift or eminent domain the renting and selling of property and including borrowing money issuing bonds and other obligations and giving security therefor prescribing the remedies of obligees of housing authorities authorizing housing authorities to enter into agreements including agreements with the United States the Commonwealth and political subdivisions and municipalities thereof defining the application of zoning sanitary and building laws and regulations to projects built or maintained by such housing authorities exempting the property and securities of such housing authorities from taxation and imposing duties and conferring powers upon the State Board of Housing and certain State officers and departments" is hereby amended by adding after section twenty-two seven new sections to read as follows

Section 22.1 Agreements to Secure Federal Contributions In addition to the powers conferred upon an Authority by other provisions of this act an Authority in any contract for annual contributions with the Federal Government may obligate itself (which obligation shall be specifically enforceable and shall not constitute a mortgage notwithstanding any other laws) to convey to the Federal Government the project to which such contract relates upon the occurrence of a substantial default with respect to the covenants or conditions to which the Authority is subject Such contract may further provide that in case of such conveyance the Federal Government may complete operate manage lease convey or otherwise deal with the project in accordance with the terms of such contract Provided That the contract requires that as soon as practicable after the Federal Government is satisfied that all defaults by reason of which it shall have acquired the project have been cured and that the project will thereafter be operated in accordance with the terms of the contract the Federal Government shall reconvey to the Authority the jroject as then constituted

Section 22.2 Housing Research and Studies In addition to all its other powers an Authority may within its field of operation undertake and carry out studies and analysis of the housing needs and of the meeting of such needs (including data with respect to population and family groups and the distribution thereof according to income groups the amount and quality of available housing and its distribution according to rentals and sales prices employment wages and other factors affecting the local housing needs and the meeting thereof) and make the results of such studies and analysis available to the public and the building housing and supply industries and may also engage in research and disseminate information on the subject of housing generally

Section 22.3 Creation of Regional Housing Authorities (a) The governing body of each of two or more contiguous counties may by resolution declare that there is need for one Regional Housing Authority to be created for all of such counties to exercise in such counties powers and other functions prescribed for a Regional Housing Authority if the governing body of each such county finds (1) that insanitary or unsafe inhabited dwelling accommodations or blighted areas exist in such county or there is a shortage of safe or sanitary dwelling accommodations in such county available to persons of low income at rentals or prices they can afford and (2) that a Regional Housing Authority would be a more efficient or economical administrative until than the Housing Authority of such county to carry out the purposes of this act in such county In determining whether dwelling accommodations are unsafe or insanitary a governing body may take into consideration the same factors as are elsewhere provided in this act with respect to such determinations by governing bodies in connection with the functioning of Housing Authorities for cities or counties

(b) The governing body of a county shall not adopt any resolution authorized by this section unless a public hearing has first been held The clerk of such county shall give notice of the time place and purpose of the public hearing at least ten days prior to the day on which the hearing is to be held in a newspaper published in such county or if there is no newspaper published in such county then in a newspaper published in the state and having a general circulation in such county Upon the date fixed for such public hearing an opportunity to be heard shall be granted to all residents of such county and to other interested persons

(c) The governing body of each county proposed to be included in a Regional Authority shall appoint one person as a member of such Authority Each such member to be first appointed by the governing body may be appointed at or after the time of the adoption of the resolution declaring the need for such Authority The governing body of each county shall appoint the successors of the member appointed by it The members of a Regional Authority shall be appointed for terms of five years except that all vacancies shall be filled for the unexpired terms A member thereof may be removed by the body which appointed him for the same causes and in the same manner as is provided in this act with respect to the removal of members of an Authority for a city

(d) After the appointment of the members of a Regional Authority in accordance with the foregoing provisions said members shall present to the Department of State an application signed by them which shall set forth (without any deail other than the mere recital) (1) the counties proposed to be included in the Regional Authority (2) that notice has been given and public hearings have been held as aforesaid (3) that the governing body of each of the counties has made the findings and determination as aforesaid and appointed the applicants as members of the Regional Authority (4) the

name and official residence of each such member (5) the name which is proposed for the Regional Authority and (6) the location of its principal office The application shall have attached thereto a certified copy of the appointment of each of the members of such Regional Authority and shall be subscribed and sworn to by each of said members before an officer authorized by law to take and certify oaths who shall certify upon the application that he personally knows such members and knows them to be the officers as asserted in the application and that each subscribed and swore (or affirmed) thereto in the officers presence The application shall be examined by the Department of State and if it is found that the name proposed for the Regional Authority is not identical with that of a person or any corporation or other public body of the State or so nearly similar as to lead to confusion and uncertainty the Department of State shall receive and file it and shall record it in an appropriate book of record in such department Upon such filing and recording of the application the Regional Authority shall constitute a separate and distinct public body corporate and politic under the named proposed in the application authorized to exercise its powers and other functions in the counties included in such Regional Authority in lieu of the Housing Authorities of such respective counties and the Department of State shall make and issue to such Regional Authority a certificate of approval thereof shall record the same with the application and shall file a duplicate thereof with the State Board of Housing

Section 22.4 Field of Operation of Regional Housing Authorities (a) The field of operation of a Regional Authority shall include all of the counties for which such Authority is created Provided That a Regional Authority shall not undertake any project or projects within the boundaries of any city unless a resolution shall have been adopted by the governing body of such city (and by any Housing Authority which shall have been therefore established and authorized to exercise its powers in such city) declaring that there is a need for the Regional Authority to exercise its powers within such a city

(b) The field of operation of a Regional Housing Authority may be increased from time to time to include one or more additional contiguous counties not already within a Regional Authority if the governing body of such additional county or counties by proper resolution makes the findings required by the preceding section and if the counties then included in the field of operation of such Authority and the members of such Authority adopt a resolution declaring that the Regional Authority would be a more efficient or economical administrative unit to carry out the purpose of this act in case the field of operation of the Regional Authority were increased to include such additional county or counties Provided That neither the government body of any county proposed to be added to a Regional Authority nor neither of the governing bodies of the counties then included in such Regional Authority shall adopt such a resolution until a public hearing has been held in each such county pursuant to notice published in the manner hereinbefore provided for notice of public hearing in connection with the creation of a Regional Authority And provided further That no such additional county shall become part of a Regional Authority until an application for such extension of the field of operation of the Regional Authority has been submitted to filed and recorded by the Department of State which application shall be subscribed and sworn to in the manner prescribed in the preceding section by each of the members of such Authority and the member appointed from such additional county and shall set forth (1) that notice has been given and public hearings have been held as required herein and (2) that the governing body of each of the counties included and proposed to be included in the Regional Authority and the members of the Regional Authority have made the required findings and determination and which application shall have attached thereto a certified copy of the appointment of the member from such additional county Upon receipt of such application the Department of State shall examine file and record it in the manner provided for the filing and recording of an application for the creation of a Regional Authority and issue to the Regional Authority a certificate of approval thereof and thereupon such Authority shall be authorized to exercise its powers and functions in such additional county in lieu of the Housing Authority of such county A duplicate of such certificate of approval shall be filed with the State Board of Housing

Section 22.5 Validity of Regional Housing Authority Organization In any suit action or proceedings involving the validity or enforcement of or relating to any contrct of a Regional Authority such Authority shall upon proof of the issuance of a certificate of approval of the organization of such Authority by the Department of State be conclusively deemed to have been established in accordance with the provisions of this act A copy of such certificate of approval duly certified by the Department of State shall be admissible as evidence in any suit action or proceedings and shall be conclusive proof of the filing and recordation of the certificate and that the Regional Authority has been properly created

Section 22.6 Powers of Regional Housing Authority (a) The members appointed as aforesaid shall constitute the Regional Authority and the powers of such Authority shall be vested in such members in office from time to time A majority of the members thereof shall constitute a quorum of such Authority for the purpose of conducting its business and exercising its powers and for all other purposes Action may be taken by the Regional Authority upon a vote of a majority of the members present unless in any case the by-laws of the Regional Authority shall require a large number Meetings of the members of such authority may be held anywhere within the perimeter boundaries of the field of operation of such Authority or within any additional area where such Authority is authorized to undertake a project Appointment may be made of any persons as members of the Regional Authority who reside within such boundaries or area and who are otherwise eligible for such appointments under this act The members of a Regional Authority shall elect a chairman and vice-chairman from among the members

(b) Except as otherwise provided herein a Regional Authority and the members thereof shall within the area of operation of such Authority have the same functions rights powers duties privileges immunities and limitations as are provided for Housing Authorities created for cities or counties and for the members of such Housing Authorities and all the provisions of law applicable to Housing Authorities created for cities or counties and the members thereof shall be applicable to Regional Authorities and the members thereof

Section 22.7 Rural Housing (a) It is hereby determined that housing cannot be provided on farms except on the basis of individual applications filed by the owners of such farms The owner of a farm operated or worked upon by a farmer of low income may file an application with the Authority established for that area requesting that it provide a dwelling on the farm for occupancy by that farmer of low income (who may be the farm owner or the person operating or working upon the farm) All applications received shall be examined by an authority in the formulation of its farm housing program

(b) "Farmers of low income" eligible for housing shall be persons or families who at the time of their admission to occupancy in a dwelling of the Authority (1) derive their principal income from operating or working upon a farm (2) whose average net income is less than the amount which is necessary (as determined by the authority undertaking a project) to enable them without financial assistance to obtain or provide themselves with decent safe and sanitary housing

(c) In providing housing outside of cities county and regional housing authorities shall not be subject to the tenant selection limitations provided in section thirteen

of this act No dwelling shall be provided on a farm by an Authority unless it has determined that by reason of the character of the farm with respect to which the dwelling is to be constructed and the manner of its operation the farmer is likely successfully to carry out the undertakings required of him under his purchase agreement or lease

(d) An Authority shall have power to sell or rent dwellings outside of cities and to make or accept such conveyances or leases including such convenants regarding the land and dwellings described therein (which shall run with the land if the authority so stipulates) as it deems necessary to carry out the rural housing purposes of this act

(e) Until a purchaser makes full payment for a dwelling which is constructed by an Authority on a farm such dwelling shall continue to be the property of the Authority regardless of the title to the land on which it is constructed and such dwelling shall be exempt from taxation in the same manner as other property of the Authority Any document making land available for use by an Authority shall be admitted to record and accordingly constitute notice in the same manner as a deed or other instrument relating to real estate

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—204

Aaronson,	Frost,	McCormack,	Sarraf,
Andrews,	Fullerton,	McCosker,	Sax,
Bane,	Getchey,	McCullough,	Scanlon,
Barrett,	Gibson,	McDonald,	Schuster,
Baumunk,	Goff,	McKinney,	Scott,
Beech,	Goodling,	McMillen,	Serrill,
Bender,	Gorman,	Mihm,	Shoemaker,
Bentzel,	Graybill,	Mikula,	Simons,
Bloom,	Greenwood,	Miller,	Smith, C. C.,
Boies,	Greer,	Mills,	Smith, C. M.,
Bonawitz,	Griffiths,	Mintess,	Snider,
Boorse,	Guthrie,	Mohr,	Sollenberger,
Bower,	Gyger,	Mooney,	Sorg,
Breisch,	Hall,	Moore, C. E.,	Sproul,
Brice,	Haller,	Moore, H. A.,	Stank,
Brown,	Haudenshield,	Morrison,	Stimmel,
Brunner,	Helm,	Murray,	Stockham,
Bucchin,	Henry,	Myers,	Stonier,
Cadwalader,	Hewitt,	Najaka,	Stuart,
Capano,	Hocker,	Naumann,	Swope,
Cassidy,	Hoffman,	Needham,	Tahl,
Chervenak,	Hoopes,	Neff,	Thomassy,
Chudoff,	Horan,	Nelson,	Thompson,
Clevenger,	Imbt,	O'Connor,	Tittle,
Cochran,	Jennings,	O'Dare,	Tompkins,
Cole,	Johnson,	O'Donnell,	Toomey,
Cook,	Johnston,	O'Neill,	Turner,
Cooper,	Jones,	Orban,	Upshur,
Cordier,	Jump,	Patten,	Vaughan,
Costa,	Kean,	Pettigrew,	Verona,
Crowley,	Kelley,	Pichney,	Wachhaus,
Dague,	Kemp,	Pickens,	Wagner,
Dalrymple,	Kent,	Polaski,	Waldron,
Davison,	Kratz,	Powers,	Wallin,
De Long,	Kirley,	Price,	Walton,
Demech,	Kline,	Propert,	Waterhouse,
Dennison,	Kohl,	Ragot,	Watkins,
Depuy,	Krise,	Readinger,	Watson,
Dix,	Kurtz,	Reagan,	Weidner,
Dye,	Laughner,	Reese, D. P.,	Weiss,
Efenberg,	Layer,	Reese, R. E.,	Wescott,
Elder,	Lee,	Reilly, J. M.,	West,
Erb,	Leisey,	Reilly, W. J.,	Wheeler,
Evans,	Livingston,	Richter,	Wolf,
Ewing,	Livingstone,	Riley,	Wood,
Feola,	Loftus,	Robbins,	Worley,
Fish,	Lovett,	Robertson,	Yeakel,
Fiss,	Lyons,	Root,	Yester,
Flack,	Madden,	Rose,	Yetzer,
Fleming,	Madigan,	Rowen,	Young,
Foor,	Mazza,	Royer,	Lichtenwalter, Speaker.

NAYS—0

NOT VOTING—1

Trout.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection,

Senate Bill No. 47, Printer's No. 73

was passed over at the request of the SPEAKER.

ANNOUNCEMENT

The SPEAKER. The Chair wishes to announce that buses for the party to be held on Wednesday, May 7th, at the Harrisburg Country Club, will be at the main entrance of the Capitol Building at 5:30 o'clock, Daylight Saving Time. Members who are driving their own cars will drive north on Front Street until they reach the intersection where a State Policeman is stationed to direct them which is about four or five miles north along the river.

REPORT FROM COMMITTEE

Mr. GRIFFITHS from the Committee on Judiciary reported as committed, House Bill No. 522, entitled:

An Act to amend section eight hundred one of the act, approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 289), entitled "An act relating to nonprofit corporations; defining and providing for the organization, merger, consolidation, and dissolution of such corporations; conferring certain rights, powers, duties, and immunities upon them and their officers and members; prescribing the conditions on which such corporations may exercise their powers; providing for the inclusion of certain existing corporations of the first class within the provisions of this act; prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth; conferring powers and imposing duties on the courts of common pleas, prothonotaries of such courts, recorders of deeds, and certain State departments, commissions and officers; authorizing certain local public officers and State departments to collect fees for service required to be rendered by this act; imposing penalties and repealing certain acts and parts of acts relating to corporations," by allowing the merger and consolidation of domestic and foreign nonprofit corporations.

PERMISSION TO ADDRESS HOUSE

Mr. WEISS asked and obtained unanimous consent to address the House.

Mr. Speaker, I note with a great deal of interest the recent activity of the Senate, the House and the Governor in reference to eliminating the conditions in our mental institutions. It is a pleasure for me to note that a delegation of State Senators visited the mental hospitals, and that just recently a delegation from the House of Representatives also visited the Hospitals. It further

was of great interest to note that in the Governor's message before the Joint Session of the House and Senate, the Governor recommended some positive action in reference to State Hospitals, although the Governor's message had to do mostly with physical conditions at these hospitals. It is also of interest to see that House Bill 1062 was reported out of Committee to permit forming a separate Department of Mental Health.

The conditions in our hospitals have been the most deplorable of any state in the Union. Time after time during the past ten years the plight of the hospitals has been called to the attention of the administration leaders, and nothing positive was done to help them. In most cases the war was given as an excuse although the same conditions did not exist in other states. It remained for the State of Pennsylvania to receive nation wide publicity as to the horrible conditions of its menetal hospitals. Certainly war conditions had something to do with that but as I stated previously, the same conditions did not exist in other states. Request after request from the Democratic State Committee called attention to the plight of our hospitals. Resolutions have been introduced in the past ten years in the House of Representatives to ask for remedial legislation.

A resolution was introduced which showed that conditions at the hospitals were caused by overcrowding, lack of proper sanitation, inadequate personnel, underpaid personnel, failure to properly segregate the various types of mental patients. No action was taken on same.

Ray Sprigle, well known Post-Gazette reporter and Pulitzer Prize winner, in a series of articles in the Post-Gazette drew back the "Iron Curtain" as far as informing the public as to the actual conditions in the various hospitals and the following is an editorial which appeared in the Post-Gazette on Wednesday, February 19, 1947. It was titled "Patients or Inmates" and reads as follows:

"A study of Pennsylvania's 22 mental hospitals, as reported by Ray Sprigle in the Post-Gazette, concludes that the trouble with the hospitals is more administrative than physical.

"The need for more and better buildings is indicated, of course, but physical improvements will count for little without better hospital personnel and a more efficient administrative set-up.

"The state is planning to build $82,000,000 worth of new mental hospital buildings. But that will take 10 years. Mr. Sprigle reports that it will be about two years before the first of these buildings is ready for occupancy.

"Meanwhile, 43,000 mental patients urgently need better care. It can be provided in their present crowded quarters if the state hires enough competent psychiatrists, nurses and attendants.

"Sufficient personnel will be hard to attract unless the state opens its purse strings and competes with the Federal Government in the hospital labor market. Federal salaries now are greater than those paid by Pennsylvania.

"The finest building will be nothing but a madhouse unless it is adequately staffed with trained personnel. The present buildings, with a little patching up, are capable of doing an interim job worthy of the name "hospitals" if they provide the mentally ill with more than just custodial care. Then these people can become patients rather than inmates.

"The Duff administration, pending fulfillment of its building program, should create a Department of Mental Health whose immediate goal would be the strengthening of hospital administration and personnel."

In the last article of Mr. Sprigle, article nine, there appeared some very constructive suggestions, and quoting from this particular article:

"Millions of dollars' worth of magnificent new buildings will not serve to correct the ancient evils that for decades have cursed the administration of the 22 mental hospitals maintained by the Commonwealth of Pennsylvania.

"New buildings, new housing, not only for patients but for nurses, attendants and physicians, are desperately needed at every one of the state's mental institutions.

"But new buildings alone will correct only one of the myriad forms of maladministration that besets the state's mental hospital system—the present terrific overcrowding of wards and facilities.

"New buildings are for next year at the earliest. It is likely to be two years at least before a single one of Pennsylvania's mental patients steps into the first of the projected new buildings. And as for $82,000,000 worth of new buildings—that's a 10-year plan. The idea's grand. It's a magnificent plan. Let's get on with it with all possible speed.

Will Be Gaudy Madhouses

"But if Pennsylvania's mental health system is not completely ripped to pieces and an entirely new organization set up in its stead, then all these new buildings will be just a collection of ornate, gaudy and luxurious madhouses.

"Because a madhouse becomes a mental hospital only when it is equipped with an adequate staff of trained, diligent, earnest psychiatrists, sufficient trained nurses and skilled, properly trained attendants, administering the most advanced methods of treatment and care to patients so that a goodly proportion of them are returned to their place in the world—cured. And calling a madhouse a mental hospital doesn't by any stretch of the imagination, make it one.

Matter of Few Hours

"All right—you're going to build a lot of new buildings and it'll take you 10 years to complete your program.

"So what about the next 30 days—the next 60 days—the next 90 days? What could be done as of days. What could be done as of right now to clean up part of the mess that Pennsylvania's mental hospital system has got itself into? What could be done for 43,000 Pennsylvania citizens who are jammed into the crowded wards of its mental institutions through no fault of their own?

"Well, within 24 hours the present Department of Welfare could plan and announce a complete revamping of its staff system and have it begin operation in another 24 hours.

Could Form Teams

"Fix salaries of physicians at from $4,000 to $10,000 a year in CASH money; salaries of nurses from $200 to $250 a month CASH, with training courses that will give them recognized psychiatric ratings.

"Set attendents' salaries at from $130 to $175—all of these salaries with subsistence.

"With organization of adequate staffs of trained psychiatrists in the 22 hospitals, psychiatrist teams similar to surgical teams which functioned on the battlefields might be organized to survey patients in every hospital in the state.

"Thousands who now face long years of confine-

ment could be marked for immediate and intensive treatment. And channeled into the institutions and the wards where they would receive it."

Mr. Sprigle has a lot more suggestions in reference to what can be done immediately for helping all these inmates. Mr. Speaker, we have been derelict in our duties for the past ten years in giving the right type of consideration to these unfortunate individuals. They have no high price lobbyist to work in their favor. It is only by our conscience and our will to do what is right for them that we will be able to give them a program that will be a benefit to the State. Let us make it possible to get immediate entrance to a State hospital by anyone needing it without having to resort to politics or political favors to get admitted. Let us each and everyone resolve that every effort will be made to correct the inequities so far as the hospitals are concerned. Let us follow a philosophy that human rights are greater than property rights. Let us all be proud to proclaim that when it comes to aiding the mentally ill, the physically ill and the disabled, the unfortunate among us, that the great state of Pennsylvania, my state, your state, will rank second to none; that the hands of the state of Pennsylvania will be outstretched to give aid and succor to all who need the same, regardless of race, creed or color.

PERMISSION TO ADD ADDITIONAL SPONSOR

Mr. PRICE asked and obtained unanimous consent to add the name of Mr. Neff to a bill he was about to introduce.

RESOLUTIONS

Mr. CHUDOFF offered a resolution which was filed with the Clerk under the Rules.

Mr. ANDREWS offered a resolution which was filed with the Clerk under the Rules.

BILL SIGNED BY SPEAKER

Bill numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the title was publicly read as follows:

HOUSE BILL No. 875.

An Act to further amend section one of the act approved the seventh day of June one thousand nine hundred eleven (P. L. 680) entitled "An act providing for the examination licensure and registration of persons firms or corporations engaged or engaging in the business or work of plumbing or house drainage and prescribing certain rules regulations and requirements for the construction of plumbing house drainage and cesspools in cities of the first class and imposing fines penalties and forfeitures for violation thereof" by exempting therefrom the construction of sewers and water lines

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

ANNOUNCEMENT

The SPEAKER. Members who did not receive tickets for the Veterans' dinner to be held at the Penn-Harris Hotel this evening, if they wish to attend, please contact Mr. Mikula in Mr. Roan's office immediately after adjournment.

RESOLUTION

RECALLING HOUSE BILL No. 1148 FROM SENATE

Mr. MIHM offered a resolution which was read, considered and adopted as follows:

In the House of Representatives, May 5, 1947.

Resolved (if the Senate concurs), That House Bill No. 1148, Printer's No. 371, entitled, "An act to further amend section one thousand four of the act approved the fifteenth day of May, one thousand nine hundred thirty-three (P. L. 624), entitled 'An act relating to the business of banking, and to the exercise of fiduciary powers by corporations; providing for the organization of corporations with fiduciary powers, and of banking corporations with or without fiduciary powers, including the conversion of National banks into State banks, and for the licensing of private bankers; defining the rights, powers, duties, liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers, of private bankers and of the officers, directors, trustees, shareholders, attorneys and other employes of all such corporations or private bankers or of affiliated corporations, associations or persons; restricting the exercise of banking powers by any other corporation, association or person and of fiduciary powers by any other corporation; conferring powers and imposing duties upon the courts, prothonotaries, recorders of deeds and certain State departments, commissions and officers; imposing penalties and repealing certain acts and parts of acts,' further regulating the pledge of assets for deposits," be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the Senate for concurrence.

COMMITTEE MEETINGS

Agriculture and Dairy Industries, Room No. 331, Wednesday, May 7, 1947, at 10:30 a. m., D. S. T.

Appropriations, Room No. 246, Wednesday, May 7, 1947, at 12:30 p. m., D. S. T.

Education, Room No. 324, Wednesday, May 7, 1947, at 11:30 a. m., D. S. T.

Game and Forestry, Room No. 331, Wednesday, May 7, 1947, at 12 Noon, D. S. T.

Mines and Mining, Room No. 323, Wednesday, May 7, 1947, at 11 a. m., D. S. T.

Motor Vehicles, Room No. 522, Wednesday, May 7, 1947, at 10 a. m., D. S. T.

Municipal Corporations, Room No. 521, Wednesday, May 7, 1947, at 11:30 a. m., D. S. T.

Professional Licensure, Old House Caucus Room, Wednesday, May 7, 1947, at 11 a. m., D. S. T.

State Government, Room No. 324, Tuesday, May 6, 1947, immediately following the Session of the House.

Welfare, Room No. 330, Wednesday, May 7, 1947, at 10 a. m., D. S. T.

ADJOURNMENT

Mr. BENDER. Mr. Speaker, I move that this House do now adjourn until Wednesday, May 7, 1947, at 12:00 noon, Eastern Standard Time.

The motion was agreed to, and (at 3:19 p. m., EST) the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1947. 137th of the General Assembly.

Vol. 30. HARRISBURG, PA., WEDNESDAY, MAY 7, 1947. No. 52.

SENATE

WEDNESDAY, May 7, 1947

The Senate met at 2:00 o'clock, p. m., Eastern Standard Time.

The PRESIDENT (Lieutenant-Governor Daniel B. Strickler) in the Chair.

PRAYER

In the absence of the Chaplain, prayer was offered by the Senator from Butler, Mr. CARR.

Our Heavenly Father, we feel that in the past few moments we have been in Thy presence, as our thoughts have been directed to those who were once with us and who are now in Thy presence in Thy Heaven and, our Heavenly Father, we are not unmindful of the fact that some day we too shall be called to give account of that which we have done with that which Thou hast given us in this world.

So we ask, our Father, that Thy blessing may rest upon our sisters and their families, and we thank Thee for the many advantages that Thou has given us to be used in the advancement of Thy kingdom in the hearts of men and for the advancement of Thy people here in this part of Thy earth.

Grant, O God, that we may in all things that we say and do glorify Thee. We ask it through Christ, the Redeemer. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. TALLMAN and Mr. DOEHLA, further reading was dispensed with, and the Journal was approved.

IN MEMORIAM

(At 2:00 p. m. this date memorial services were held in the Senate Chamber for: Hon. Franklin Spencer Edmonds, former Senator from the Twelfth Senatorial District; Hon. Howard I. James, former Senator from the Tenth Senatorial District; Hon. Adrian H. Jones, former Senator from the Twentieth Senatorial District and the late Major General Edward C. Shannon, former Lieutenant-Governor of this Commonwealth. Pursuant to Senate resolutions, unanimously agreed to, memorial books will be prepared containing a complete record of the individual proceedings.)

NOMINATIONS BY THE GOVERNOR

NOTARIES PUBLIC

The Secretary to the Governor being introduced, presented in writing from His Excellency, the Governor of the Commonwealth, nominations for appointment as Notaries Public.

CONSIDERATION OF NOTARIES PUBLIC

Mr. KEPHART. Mr. President, I move that the Senate do now proceed to the consideration of nominations for appointment as Notaries Public, sent to the Senate, by His Excellency, the Governor of the Commonwealth, on May 7, 1947.

Mr. CARR. Mr. President, I second the motion.

The motion was agreed to.

The nominations were read as follows:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 7, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Miss Mildred Scheible, Pittsburgh, 301 Smithfield St.

CLARION COUNTY

Mrs. Berniece V. Simonds, Clarion

DAUPHIN COUNTY

Lester W. Martin, Middletown

FAYETTE COUNTY

Mrs. Helen M. Burns, Redstone Twp., Box 14, Merrittstown

R. M. Wolf, Connellsville

LEBANON COUNTY

Aaron C. Stager, Lebanon

LUZERNE COUNTY

Mrs. Marion A. Lee, Kingston

McKEAN COUNTY

Joseph H. Ertz, Bradford

MONTGOMERY COUNTY

R. A. Ritter, Jenkintown

NORTHAMPTON COUNTY

Joseph J. Yosko, Bethlehem

PHILADELPHIA COUNTY

Miss Linda A. Hall, Phila., 1520 Spruce St.

YORK COUNTY

Miss Geraldine Whitcomb, York

JAMES H. DUFF.

NOMINATIONS FOR NOTARIES PUBLIC

A motion was made by Mr. KEPHART and Mr. CARR,

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taker agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahauser,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsher,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,
Donlan,	Leader,	Tallman,	Woodring,
Farrell,	Letzler,		

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

He also presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 7, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following:

ALDERMAN

George A. Painter, 1420 Northampton Street, Easton, Northampton County, as Alderman in and for the Eighth Ward of the City of Easton, Northampton County, until the first Monday of January, 1948, vice Leon S. Parr, resigned.

JUSTICE OF THE PEACE

Pete Russo, 114 Lloyd Avenue, Latrobe, Westmoreland County, as Justice of the Peace in and for the Borough of Latrobe, Westmoreland County, until the first Monday of January, 1948, vice Frank J. Schisler, deceased.

JAMES H. DUFF.

HOUSE MESSAGE

HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives being introduced presented for concurrence bills of the House, as follows:

House Bill No. 207, entitled:

An Act to authorize cities, boroughs, incorporated towns, townships and school districts to file suggestions of nonpayment and averments of default, or to sue out writs of scire facias on certain tax or municipal claims, and to revive judgments where the lien of such claims, or the judgments thereon, have been lost and providing for the reinstatement of the liens of such claims and judgments.

Which was committed to the Committee on Local Government.

House Bill No. 266, entitled:

An Act to amend section five hundred ten of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-one (P. L. 1206), entitled "First Class Township Law," by providing for the appointment of a deputy treasurer when treasurer is unable to perform the duties of his office.

Which was committed to the Committee on Local Government.

House Bill No. 344, entitled:

An Act to amend section four of the act approved the thirty-first day of May, one thousand nine hundred twenty-three (P. L. 481), entitled "An act providing for the appointment of boards of examiners to examine applicants for certificates of qualification as mine foremen, assistant mine foremen, and fire bosses in the bituminous coal mines of this Commonwealth; prescribing the qualifications; defining the powers and duties, and fixing the compensation of such examiners; authorizing the Chief of the Department of Mines to determine the district in which boards of examiners shall hold examinations, and to designate the boards before whom applicants in the various inspection districts shall appear; providing for the issuance of certificates of qualification to successful applicants; fixing the fees to be paid by applicants, and providing for their disposition; forbidding the employment of unqualified persons as mine foremen, assistant mine foreman, and fire bosses; providing a penalty for forging or making false statements regarding certificates," changing compensation of board members.

Which was committed to the Committee on Mines and Mining.

House Bill No. 541, entitled:

An Act to further amend paragraph six of section one of the act, approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858), entitled "State Employes' Retirement Law," by further defining State employe to include employes of the Interstate Commission on the Delaware River Basin.

Which was committed to the Committee on State Government.

House Bill No. 593, entitled:

An Act to further amend subsection nine of section eight of the act, approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858), entitled "State Employes Retirement Law," permitting contributors to change from the one one-hundred-sixtieth (1-160) to the one one-hundredth (1-100) class, and providing for obtaining of full benefits by contributors heretofore or hereafter making such change.

Which was committed to the Committee on State Government.

House Bill No. 651, entitled:

An Act to further amend section four thousand three hundred four of the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "Third Class City Law," by providing that the right to participate in the police pension fund, after having been established shall not be forfeited.

Which was committed to the Committee on Local Government.

House Bill No. 714, entitled:

An Act to repeal the act, approved the nineteenth day of June, one thousand nine hundred thirty-nine (P. L. 430), entitled "An act providing a method of annexation of parts of townships of the first class, in counties of the second class, not in excess of twenty per centum of the assessed value of any such township in counties of the second class, to contiguous cities of the second class, boroughs, or other contiguous townships of the first class, and regulating the proceedings pertaining thereto.

Which was committed to the Committee on Local Government.

House Bill No. 759, entitled:

An Act to amend section one of the act, approved the twenty-first day of May, one thousand nine hundred forty-three (P. L. 492), entitled "An act providing for the temporary appointment of policemen in boroughs, incorporated towns and townships of the first class, for a limited period, without conferring civil service status upon the appointees," permitting the conferring of civil status on appointees in certain cases.

Which was committed to the Committee on Local Government.

House Bill No. 771, entitled:

An Act to further amend section one of the act, approved the thirteenth day of April, one thousand eight hundred eighty-seven (P. L. 21), entitled "An act for the establishment of a uniform standard of time throughout the Commonwealth," making further provision for such standard of time.

Which was committed to the Committee on State Government.

House Bill No. 892, entitled:

An Act to add section four hundred eleven point one to the act, approved the twenty-ninth day of November, one thousand nine hundred thirty-three (1933-34, P. L. 15), entitled as amended "Pennsylvania Liquor Control Act," relating to the capacity and deceptive appearance of glasses and other containers used for sale of liquor for consumption on the premises.

Which was committed to the Committee on Law and Order.

House Bill No. 961, entitled:

An Act to amend section one thousand five hundred two of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-one (P. L. 1206), entitled "First Class Township Law," providing for the furnishing and installation of ornamental standards for street lighting with fittings and underground wiring therefor, and the assessment and collection of the cost thereof from property benefited thereby.

Which was committed to the Committee on Local Government.

House Bill No. 1010, entitled:

An Act to aid in alleviating the acute housing shortage by authorizing housing authorities to provide housing for veterans and families for servicemen and to cooperate with the Federal Government for such purpose.

Which was committed to the Committee on Military Affairs and Aeronautics.

House Bill No. 1011, entitled:

An Act to declare valid and legal the development and administration of housing projects for veterans and servicemen of World War II and their families, and to declare valid and legal all contracts, agreements, obligations, undertakings, indebtedness, appropriations and all proceedings, acts and things heretofore undertaken, performed or done with reference thereto.

Which was committed to the Committee on Military Affairs and Aeronautics.

House Bill No. 1017, entitled:

An Act to further amend the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 1216), entitled "Real Estate Brokers License Act of 1929," by further defining real estate brokers and real estate salesmen; and further regulating the licensing and supervision of such persons and their business.

Which was committed to the Committee on Education.

House Bill No. 1020, entitled:

An Act to further amend clause (h) of section nine hundred and three of the act, approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), entitled "Vehicle Code," by fixing the maximum gross weight of truck tractors in combination with semitrailers having two axles.

Which was committed to the Committee on Highways.

House Bill No. 1035, entitled:

An Act to amend section forty of the act, approved the twenty-fifth day of May, one thousand nine hundred forty-five (P. L. 1050), entitled "Local Tax Collection Law," by providing that the surety on the bond or bonds of a deceased collector, for whose estate no executor or administrator has been appointed, shall have the sole right and power to take over the tax duplicates in which said surety is interested and to proceed to make collections thereon in accordance with the provisions of this section.

Which was committed to the Committee on Local Government.

House Bill No. 1180, entitled:

An Act to further amend section one thousand one of the act approved the twenty-fourth day of June, one thousand nine hundred thirty-one, (P. L. 1206), entitled "First Class Township," increasing the compensation of township auditors.

Which was committed to the Committee on Local Government.

House Bill No. 1185, entitled:

An Act to further amend section one of the act, approved the twenty-second day of June, one thousand nine hun-

dred thirty-one (P. L. 844), entitled as amended "An act authorizing the Commonwealth of Pennsylvania, or any department or division thereof, and counties, cities, boroughs, incorporated towns, townships, school districts and poor districts to make contracts of life, health, and accident policies for the benefit of employes thereof, and contracts for pensions for such employes; and providing for the payment of the cost thereof," by extending the provisions of this act to elected and appointed officers.

Which was committed to the Committee on State Government.

House Bill No. 1320, entitled:

An Act to amend the act, approved the twenty-eighth day of May, one thousand nine hundred thirty-seven (P. L. 955), entitled "Housing Authority Law," authorizing authorities to undertake housing research and studies, and to enter into agreements to secure Federal contributions and providing for the creation of regional housing authorities and rural housing.

Which was committed to the Committee on State Government.

COMMUNICATION

The CHAIR cleared his table and laid before the Senate the following communication, which was read by the Clerk:

"1530 Locust Street, Philadelphia 2, Pa.

"My Dear Senator Watkins:

"I received your letter of May first with great interest and pleasure informing me that the State Senate was to honor my husband on May seventh at two P. M. I deeply regret that it is absolutely impossible for me to be present as I have an engagement of such long standing and of such a nature that I can not change it. I am responsible for a large Garden Day upon which I have worked since last Fall and feel that I can not be absent when it finally takes place.

"This is a great regret to me as I had always hoped and expected to be present if the Senate should be so gracious as to have a memorial to Mr. Edmonds. It is the only day in the entire session that I could not easily have been present.

"Kindly convey to the Senators my regret and appreciation of their kindness. Mr. Edmonds loved his connection with the Senate and with the individual members and I will look forward to reading what was said at the memorial meeting.

"I will try to come to Harrisburg in a couple of weeks.

Yours very sincerely,

May 6th MRS. J. B. EDMONDS."

RESOLUTION INTRODUCED AND REFERRED

Mr. STIEFEL. Mr. President and gentlemen of the Senate, I rise to voice on behalf of Senator Watson and myself a remonstrance, which I am sure reflects the views of millions of Pennsylvanians. It is a remonstrance against a delay long enough endured by our citizenry.

Pennsylvania is vitally concerned with the expansion of the port of Philadelphia, the facilities whereof as well as the possibilities of expansion whereof are unexcelled by any other port along the Atlantic seaboard.

Editorials in today's issues of the Evening Bulletin and the Philadelphia Inquirer summarize the awakening of our public opinion to the needs of the port of Philadelphia that will no doubt be conducive to the restoration of its hegemony.

In this connection I offer, in behalf of Senator Watson and myself, a resolution that deals with the proposed Raritan canal across New Jersey. This canal will connect the waters of the Delaware with the Atlantic ocean, will eliminate the need for circumnavigation of vessels bound for the port of Philadelphia along the entire coast of New Jersey and will bring Philadelphia nearer to the ports of Europe by shortening the time for travel therefrom by twenty hours.

I read in place and present to the Chair, on behalf of Senator Watson and myself, the following resolution.

The PRESIDENT. Is this in the nature of an original resolution.

Mr. STIEFEL. This is a remonstrance against delay by the Federal Government.

SENATE CONCURRENT RESOLUTION

GENERAL ASSEMBLY TO MEMORIALIZE THE PRESIDENT AND CONGRESS OF THE UNITED STATES TO ACCELERATE CONSTRUCTION OF CANAL ACROSS NEW JERSEY

Mr. STIEFEL. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Messrs. STIEFEL and WATSON offered the following resolution which was twice read as follows, and referred to the Committee on Constitutional Changes and Federal Relations.

In the Senate, May 7, 1947.

Whereas, the citizenry of Pennsylvania is fully cognizant of the facilities of the Port of Philadelphia, as well as of the possibilities of its expansion in the littoral parts of Bucks and Delaware Counties, and

Whereas, our public opinion is fully attuned to the significance of the Port of Philadelphia as evidenced by the editorials appearing in "The Evening Bulletin" and "The Philadelphia Inquirer," and

Whereas, owing to the persistent efforts of the Atlantic Deeper Waterways Association, an inside waterway free from the perils of the ocean and the dangers of submarines in wartime, was constructed through most of the Atlantic Seaboard States, and

Whereas, Such an inside system of waterways from Maine to the Gulf is destined to serve commerce in peace and will be capable of vital military service in the event of a foreign blockade in time of war, and

Whereas, All but one link of said Atlantic Intracoastal waterway approximately eighteen hundred miles long has been already constructed and permits a free movement of traffic along inland waters in many states of the Atlantic coast, and

Whereas, All that is needed now to complete this gigantic artery of national defense is the construction of the long discussed canal across the State of New Jersey from Sayreville on the Raritan Bay to Bordertown on the Delaware River, and

Whereas, The construction of this 31 mile long canal across New Jersey will remove the last barrier that blocks the national waterway designed to afford a safe channel inside the hazardous Atlantic Coast from Florida to New England and thence to the Great Lakes, and

Whereas, Such a canal across New Jersey will provide safe communication between the ports and Navy Yards at New York and Philadelphia and will make it unnecessary to circumnavigate the Atlantic Coastal waters along the shores of New Jersey, and

Whereas, The construction of such a canal will restore to the Port of Philadelphia its lost lustre and regain for it part of its former hegemony, and

Whereas, Through the construction of this canal across New Jersey new vistas will become opened to Pennsylvania's industries generally and the coal industry especially by bringing closer to our state the ports of Europe and the markets of New England and the Middle West, and

Whereas, The delay in the construction of the canal across New Jersey—the so-called "missing link" of the Inland Atlantic Intracoastal Waterway has been caused by the hesitancy of the Army Engineers Corps, and

Whereas, The construction of the canal across New Jersey is important to every national and commercial interest in the United States, now be it

Resolved, (if the House of Representatives concur) that the General Assembly of Pennsylvania shall and does hereby memorialize His Excellency, the President of the United States and the Congress of the United States to accelerate the construction of the above-mentioned canal across New Jersey from Sayreville on the Raritan Bay to Bordertown on the Delaware River, and be it further

Resolved, That the Clerk of the Senate forward a copy of this resolution following its passage to His Excellency, President, of the United States of America, and to the Senate and House of Representatives in Congress assembled.

REPORTS FROM COMMITTEES

Mr. LETZLER, from the Committee on Education, reported as committed, Senate Bill No. 714, entitled:

An Act to further amend section seven of the act approved the eleventh day of May, one thousand nine hundred five (P. L. 518), entitled "An act making an appropriation for the erection of a home or school for indigent orphans, to be called the Thaddeus Stevens Industrial and Reform School of Pennsylvania, in which school provision shall be made for giving instruction in reading, writing, arithmetic, drawing, duties of citizenship, elementary manual training, the elements of farming, and other requisite branches," by changing the name of the Thaddeus Stevens Industrial and Reform School of Pennsylvania to "Thaddeus Stevens Trade School."

He also, from the Committee on Mines and Mining, reported as amended, House Bill No. 1050, entitled:

An Act to protect consumers in the purchase for fuel purposes of the hard coal known as anthracite; providing for and regulating the sale, offering for sale, resale, delivery and shipment of anthracite according to a standard provided for in this act; requiring producers and dealers and persons engaged in the sale and resale of anthracite from storage yards or otherwise to consumers, to keep certain records; conferring powers on the Anthracite Committee and its agents; and providing penalties.

Mr. FARRELL, from the Committee on Education, reported as committed, Senate Bill No. 358, entitled:

An Act providing for and regulating the authority of school districts to purchase supplies and to perform or contract for construction reconstruction repairs and work of any nature.

Mr. WATSON, from the Committee on Insurance, reported as committed, House Bill No. 910, entitled:

An Act relating to unfair methods and unfair or deceptive acts and practices in the business of insurance; defining and prohibiting such methods, acts and practices; conferring on the Insurance Commissioner the power and duty of enforcing the provisions of this act; prescribing and regulating the practice and procedure before the commissioner, and procedure for review by the courts; conferring upon the court of Common Pleas of Dauphin County exclusive jurisdiction over certain proceedings; prescribing penalties and providing for enforcement thereof; and repealing inconsistent acts.

He also, from the Committee on Insurance, reported as committed, House Bill No. 908, entitled:

An Act to add four new sections to the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 682), entitled "An act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Worken's Insurance Fund; providing penalties; and repealing existing laws," regulating ownership by domestic insurance companies of the capital stock of other insurance companies, conferring powers upon the Insurance Commissioner, prescribing procedure before the commissioner and on appeal and conferring powers and duties upon the Court of Common Pleas of Dauphin County.

He also, from the Committee on Insurance, reported as committed, House Bill No. 890, entitled:

An Act to further amend the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 789), entitled, as amended, "An act relating to insurance; establishing an insurance department; and amending, revising, and consolidating the law relating to the licensing, qualification, regulation, examination, suspension, and dissolution of insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and certain societies and orders, the examination and regulation of fire insurance rating bureaus, and the licensing and regulation of insurance agents and brokers; the service of legal process upon foreign insurance compensation, associations or exchanges; providing penalties; and repealing existing laws," making the provisions thereof applicable to rating organizations; authorizing the commissioner to collect prescribed fees, fines and penalties of such organizations; excluding from the definition of agent and broker, in the case of title insurance companies, attorneys, licensed real estate agents and brokers and repealing certain sections.

He also, from the Committee on Insurance, reported as committed, House Bill No. 895, entitled:

An Act to add section six hundred twenty-six to the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 789), entitled as amended "An act relating to insurance; establishing an insurance department; and amending, revising, and consolidating the law relating to the licensing, qualification, regulation, examination, suspension, and dissolution of insurance companies, Lloyds associations, reciprocal and inter-insurance companies, certain societies and orders, the examination and regulation of fire insurance rating bureaus, and the licensing and regulation of insurance agents and brokers; the service of legal process upon foreign insurance companies, associations or exchanges; providing penalties, and repealing existing laws," authorizing insurance companies, associations and exchanges to pay commissions to licensed brokers.

He also, from the Committee on Insurance, reported as committed, House Bill No. 558, entitled:

An Act to amend section four hundred nineteen of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and sonsolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of

home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchange and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by permitting certain additional insurance companies to come within the provisions thereof.

Mr. TYLER, from the Committee on Agriculture, reported as committed, Senate Bill No. 586, entitled:

An Act to further amend section eight of the act approved the thirteenth day of May, one thousand nine hundred nine (P. L. 520) entitled "An act relating to food; defining food; providing for the protection of the public health, and the prevention of fraud and deception, by prohibiting the manufacture or sale, the offering for sale or exposing for sale, or the having in possession with intent to sell, of adulterated, misbranded, or deleterious foods; prescribing certain duties of the Dairy and Food Commissioner in reference thereto; and providing penalties for the violation thereof," empowering the Department of Agriculture to make rules and regulations for the branding or labeling of food.

He also, from the Committee on Agriculture, reported as committed, Senate Bill No. 644, entitled:

An Act to prohibit the manufacture and sale of oleomargarine, or butterine, and other similar products, when colored in imitation of yellow butter; to provide for license fees to be paid by manufacturers, wholesale and retail dealers, and by proprietors of hotels, restaurants, dining-rooms, and boarding-houses, for the manufacture or sale of oleomargarine, butterine, or other similar products, not colored in imitation of yellow butter; to regulate the manufacture, sale and advertising of oleomargarine, butterine, or other similar products, not colored in imitation of yellow butter, and prevent and punish fraud and deception in such manufacture, sale and advertising as an imitation butter; to prescribe penalties and punishment for violation of this Act, and the means and method of procedure for its enforcement; to regulate certain matters of evidence in such procedure, and to prescribe certain powers and duties of the Department of Agriculture.

Mr. CHAPMAN, from the Committee on Public Health and Welfare, reported as committed, Senate Bill No. 80, entitled:

An Act declaring and adopting the song "Pennsylvania" by a Pennsylvanian, Gertrude Martin Rohrer, as the State song of the Commonwealth.

Mr. CHAPMAN. Mr. President this is the famous song of Pennsylvania and it does not cost the Commonwealth anything.

Mr. BERGER, from the Committee on Public Health and Welfare, reported as amended, Senate Bill No. 438, entitled:

An Act to further amend section fourteen of the act, approved the twenty-first day of May, one thousand nine hundred forty-three (P. L. 414), entitled "An act relating to vital statistics and to make uniform the law with reference thereto," by further changing the conditions under which information or records may be furnished and certified copies of birth certificates issued.

Mr. HARE on behalf of Mr. CARR, from the Committee on Insurance, reported as amended, Senate Bill No. 710, entitled:

An Act to further amend section three hundred twenty of article three of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" changing penalty for neglect by insurance companies to furnish financial and other statements when required by Insurance Commissioner.

Mr. HARE, from the Committee on Public Health and Welfare, reported as committed, Senate Bill No. 202, entitled:

An Act to further amend section two thousand three hundred twenty of the act, approved, the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined." increasing amount of money available for treatment of blind persons in certain cases and empowering the State Council for the Blind to supply certain medical, training and employment services to certain blind persons.

He also, from the Committee on Public Health and Welfare, re-reported as amended, House Bill No. 1046, entitled:

An Act to amend section two of the act approved the twenty-sixth day of May one thousand nine hundred twenty-one (P. L. 1172) entitled "A Supplement to the act approved the seventeenth day of May one thousand nine hundred seventeen (P. L. 208) entitled An act to regulate the practice of pharmacy and sale of poisons and drugs and providing penalties for the violation thereof defining the words 'drugs' and 'poison' and providing for the appointment of a board which shall have in charge the enforcement of said law and the power to make rules and regulations for the enforcement of said law and providing for the purchase of samples of drugs for determining their quality strength and purity" requiring permits to conduct pharmacies providing for the revocation thereof and prescribing penalties" regulating the use of a corporate title in applying for a pharmacy permit and its use on labels.

He also, from the Committee on Elections, reported as committed, Senate Bill No. 568, entitled:

An Act to amend section twenty point one of the act approved the thirtieth day of March, one thousand nine hundred thirty-seven (P. L. 115), entitled "An act to provide for the permanent personal registration of electors in

cities of the first class as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens, parties, bodies of electors, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commission, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, real estate brokers, rental agents, certain public service companies, persons, firms, and corporations operating vehicles for moving furniture and household goods, and boards of school directors; and imposing penalties," providing for a space wherein elector shall affix his signature or mark on registration card.

He also, from the Committee on Elections, reported as committed, Senate Bill No. 567, entitled:

An Act to amend subsection (f) of section nineteen of the act approved the first day of June, one thousand nine hundred thirty-seven (P. L. 1132), entitled "An act to provide for the permanent personal registration of electors in cities of the second class A as a condition of their right to vote at elections and primaries, and their enrollment as member of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration and other appointees, of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; and imposing penalties," providing for a space wherein elector shall affix his signature or mark on registration card.

He also, from the Committee on Elections, reported as committed, Senate Bill No. 566, entitled:

An Act to amend subsection (f) of section nineteen of the act approved the twenty-fifth day of May, one thousand nine hundred thirty-seven (P. L. 849), entitled "An act to provide for the permanent personal registration of electors in cities of the third class as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; imposing penalties; and repealing existing legistlation," providing for a space wherein elector shall affix his signature or mark on registration card.

He also, from the Committee on Elections, reported as committed, Senate Bill No. 565, entitled:

An Act to amend subsection (f) of section nineteen of the act approved the twenty-fifth day of May, one thousand nine hundred thirty-seven (P. L. 814), entitled "An act to provide for the permanent personal registration of electors in cities of the second class as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissoners, registrars, inspectors of registration and other appointees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; and imposing penalties," providing for a space wherein elector shall affix his signature or mark on registration card.

He also, from the Committee on Elections, reported as committed, Senate Bill No. 564, entitled:

An Act to amend subsection (f) of section eighteen of the act approved the twenty-ninth day of April, one thousand nine hundred thirty-seven (P. L. 487), entitled "An act to provide for the permanent personal registration of electors in boroughs, towns, and townships as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; requiring the county commissioners of the various counties to act as a registration commission therefor; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; and imposing penalties," providing for a space wherein elector shall affix his signature or mark on registration card.

He also, from the Committee on Elections, reported as committed, House Bill No. 865, entitled:

An Act to further amend section nine hundred six and to amend section one thousand two hundred one of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" reducing the number of times publication of notice of officers to be elected and time of November elections shall be given in certain counties

Mr. TARR, from the Committee on Agriculture, reported as committed, House Bill No. 362, entitled:

An Act to amend section two of the act approved the eighteenth day of May one thousand nine hundred forty-five (P. L. 802), entitled "An act to fix the standard weights of containers for wheat and corn flours cornmeals hominy and hominy grits and to provide penalties for the violation of this act" extending provisions of the act.

He also, from the Committee on Agriculture, reported as committed, Senate Bill No. 26, entitled:

An Act to further amend section thirty of the act approved the eleventh day of May, one thousand nine hundred twenty-one, (P. L. 522), entitled, as amended "An act relating to dogs, and the protection of live stock, poultry, and game birds raised in captivity from damage by dogs; providing for the licensing of dogs by the Secretary of Agriculture; providing for the enumeration of dogs by assessors; regulating the keeping of dogs, and authorizing their destruction in certain cases; providing for the protection of licensed dogs, and for dogs temporarily imported for trial, show, and breeding purposes; prescribing certain privileges for hunting dogs and dogs owned or used by the Board of Game Commissioners; providing for the assessment of damages done to live stock, poultry, and game birds by dogs, and for live stock killed by, or dying from, rabies, and for the illegal killing of licensed dogs, and the payment of such damages by the Commonwealth; imposing powers and duties on certain State, County, city, borough, town, and township officers and employes, directing the payment of all moneys collected into the State Treasury; and providing penalties," increasing the maximum amounts of payments by the State in certain cases.

He also, from the Committee on Mines and Mining, reported as amended, Senate Bill No. 664, entitled:

An Act to further amend Rule 12 and to amend Rule 13 of Article XII of the act approved the second day of June one thousand eight hundred ninety-one (P. L. 176) entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith" requiring the making of a report of the daily examinations made by the mine foreman or his assistant of the working places while the workmen of such places are or should be at work and the countersigning of such report by the mines foreman.

Mr. LEADER, from the Committee on Agriculture, reported as amended, House Bill No. 631, entitled:

An Act regulating the selling offering or exposing for sale of agricultural seeds and seed mixtures for seeding purposes requiring certain information to be affixed to the container in which such seeds are sold conferring powers and imposing duties upon the Department of Agriculture and the Secretary thereof authorizing stop-sale orders by the Secretary in certain cases providing for inspections reports and surveys by the department imposing powers and duties upon certain courts and prescribing penalties.

Mr. BECKER, from the Committee on Education, reported as committed, House Bill No. 586, entitled:

An Act relating to the public practice of certified public accountants providing for the certification of persons desiring to practice and the listing of persons engaged in practicing as certified public accountants and for the suspension and revocation of such certificates subject to appeal and for their reinstatement prescribing the powers and duties of the State Board of Examiners of Public Accountants and the Department of Public Instruction providing for ownership of working papers defining unlawful acts and acts not unlawful providing penalties and repealing existing laws

Mr. CROWE, from the Committee on Insurance, reported as amended, House Bill No. 887, entitled:

An Act relating to the regulation of rates for insurance which may be written by stock or mutual casualty insurance companies, associations or exchanges, including fidelity, surety and guarantly bonds and all other forms of motor vehicle insurance and title insurance; to rating and advisory organizations, conferring on the Insurance Commissioner the power and duty of supervising and regulating persons, associations, companies and corporations, and of enforcing the provisions of this act; prescribing and regulating the practice and procedure before the commissioner, and procedure for review by the courts; giving the Court of Common Pleas of Dauphin County exclusive jurisdiction over certain proceedings; prescribing penalties and providing for enforcement thereof; and repealing inconsistent acts.

He also, from the Committee on Insurance, reported as amended, House Bill No. 888, entitled:

An Act relating to the regulation of rates for insurance which may be written by stock or mutual fire marine or fire and marine insurance companies associations or exchanges to rating and advisory organizations to reports by rating organizations and insurers to the Pennsylvania State Police conferring on the Insurance Commissioner the power and duty of supervising and regulating persons associations companies and corporations and of enforcing the provisions of this act prescribing and regulating the practice and procedure before the commissioner and procedure for review by the courts giving the court of common pleas of Dauphin County exclusive jurisdiction over certain proceedings prescribing penalties and providing for enforcement thereof and repealing inconsistent acts.

He also, from the Committee on Insurance, reported as amended, House Bill 897, entitled:

An Act to further amend the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 682), entitled "An act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and interinsurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," excluding from the provisions thereof fire rating bureaus revising the provisions relating to discrimination and the penalties therefor and relating to reports by subscribers to reciprocals and interinsurance exchanges.

BILL RE-REFERRED

Mr. HOMSHER, from the Committee on Education, reported as committed Senate Bill No. 717, entitled:

An Act making an appropriation to the Department of Public Instruction for use at the State Teachers' Colleges for payment of the costs of repairs, alterations, replacements and improvements to existing plant facilities and equipment, for the purchase or replacement of equipment, furnishings, and furniture and for the payment of the costs of necessary plans and supervisory and other technical services incident thereto.

which was re-referred to the Committee on Appropriations.

REPORT FROM COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. KEPHART from the Committee on Executive Nominations reported with a favorable recommendation the following nominations, made by His Excellency the Governor, which were laid on the table:

ALDERMAN

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 6, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Charles F. Kuhns, 51 Cinderella Street, Wilkes-Barre, Luzerne County, for appointment as Alderman in and for the Eleventh Ward of the City of Wilkes-Barre, Luzerne County, until the first Monday of January, 1948, vice Michael J. Schappert, deceased.

JAMES H. DUFF.

JUSTICES OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 1, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following:

Francis J. Thornton, 13 Hills Terrace, Mahanoy City, Schuylkill County, as Justice of the Peace in and for the Township of Mahanoy, Schuylkill County, until the first Monday of January, 1948, vice William H. Kelly, deceased.

Roy Coulson, 116 Gettysburg Street, Dillsburg, York County, as Justice of the Peace in and for the Borough of Dillsburg, York County, until the first Monday of January, 1948, vice C. K. Weaver, deceased.

JAMES H. DUFF.

RESOLUTION INTRODUCED AND REFERRED

Mr. LANE. Mr. President, the resolution which I am about to present, has to do with a subject which is of major importance to all the people of this great Commonwealth.

Prior to the abolition of price control on food stuffs, there existed in the nation, a man-made acute shortage of most of the necessities of life, which was in reality a strike against the citizens of this great nation, by the persons that controlled the dstribution of most of the necessities of life.

Most of us thought that with the discontinuance of price control, that these shortages would cease to exist, and that a temporary flurry in food prices would eventually level off, after supply had aleviated these shortages. However, today, we find that the cost of the necessities of life are steadily advancing, which works an extreme hardship upon the people and which, I believe, is the cause for considerable labor unrest.

I believe that it is the responsibility of the legislative bodies of government to assist in any way possible in bringing about a downward trend in prices and I therefore, submit this resolution, and ask that the committee to which it might be assigned act as promptly as possible in their consideration of same.

SENATE CONCURRENT RESOLUTION

REQUESTING THE DEPARTMENT OF COMMERCE TO INVESTIGATE AND REPORT IN RE THE INCREASED COSTS OF LIVING

Messrs. LANE, HOLLAND and LEADER offered the following resolution which was twice read and referred to the Committee on State Government:

In the Senate, May 7, 1947.

Whereas, Increases in the cost of living have created serious economic and social problems, and

Whereas, Price increases in the cost of food have served to unbalance household budgets by making necessary increased expenditures for modern conveniences, and

Whereas, It is not compatible with sound industrial economy that household budgets should be depleted by expenditures for food alone, and

Whereas, In combatting increased costs of living it is necessary to mobilize and form public opinion, therefore be it

Resolved, (if the House concur), that the Department of Commerce be requested to investigate and report concerning the following matters:

1. Whether the general level of retail prices in the Commonwealth of Pennsylvania is in line with wholesale prices.

2. Whether wholesale prices are in line with manufacturers' costs.

3. Whether the price of any of the essential products of industry are the result of monopoly control.

4. Whether there is specific evidence that the manufacturers of specific products or the distributors, are profiteering at the expense of the public.

5. What part the Commonwealth, through the various agencies of its state government, distributors of essential products and the consuming public can play in helping hold the price line at levels which honestly reflect the economic necessities of the wage line.

Mr. HOLLAND. Mr. President, when high cost of living is being discussed, the first cry is for control of wages. Reams and reams of valuable paper have been used by propagandists to sell the American people that increased wages are to blame, while the radio keeps working overtime by commentators hired by the industrialists to spread the same type of propaganda.

If the Taft Report on the economic condition of the country had proven that the above was true, you would be hearing a great deal about it, but the Taft Report is just the opposite, and shows that the profits made are entirely out of proportion to the increases given to the workers. For instance, in meats, the price increase needed to offset wage increase in 1946 was 1.6%, while the actual wholesale price increase used by the large companies, as they stated to meet increased cost of labor, was 90.6%. The Armours' increase in profits in 1946 over 1945 was 228.3%. Swift & Company—33.2%; Cudahy Company —168.3%, and the Wilson Company 105.1%.

In the textile industry, price needed to offset wage increase was 6.7%, but the textile manufacturer had a wholesale price increase of 31.8%, with the result that the profits in textiles for these large companies in 1946 over 1945 were as follows:

The American Woolen Company's profits rose from eight million, three hundred thousand to twenty-two million dollars. The American Viscose Corporation raised from three million to eight million. The Industrial Rayon Company from two million to eight million. The Pacific Mills from two million to eleven million. Celanese Corporation of America from seven million to sixteen million.

In foods, the price needed to offset wage increases was 1.8%, but the actual wholesale price increase was 57.9%, with the result that these large companies made these increased profits in 1946 over 1945.

Continental Baking Company, two million to seven million; United Biscuit Company of America, one million to three million, and the Beatrice Food Company jumped

from one million to four million. National Biscuit Company jumped from ten million to 19 million. General Baking Company from one million to four million. Sunshine Biscuit Company from one million to four million; Ward Baking Company from one million to three million.

With the iron and steel industry, their price increase needed to offset wage increase should have been 1.9%. They actually raised prices 16.7%, with the result that the Youngstown Sheet & Tube jumped from 7½ million to 14 million in profits. While the Republic Steel jumped from 9 to 16 million; Inland Steel from 9 million to 15 million, and the United Steel from 58 to 88 million; Wheeling Steel jumped from 4 to 5 million; Jones & Laughlin Steel Corporation jumped from 8 to 10 million, and the National Steel Company jumped from 11 to 20 million.

Yes, 1946 was the best profit year in American History, and 1947 judging from the first three months' return, now available, will far outstretch 1946.

It is time that something is done with the profiteer in America. If the food industry can increase profits more than 30 times from what was needed to take care of the wage increase, how can we hold labor responsible for demanding higher prices for the commodity they have to sell—their labor? No industry short-sighted policy of gouging the public must be blamed for the industrial unrest we now have in America. We should do something about it.

RESOLUTION INTRODUCED AND AGREED TO

Mr. WADE. Mr. President and members of the Senate, for the information of the members of the Senate I want to state that we have in various committees some forty or fifty bills affecting retirement systems, employes' retirement systems, school teachers' retirement systems and police retirement systems.

The cost of retirement has constantly mounted over the period of time these systems have been in existence, and recently, because of demands and because of legislation, the appropriations have had to be increased very materially.

As an example I say to you, Mr. President and members of the Senate, during the past ten years we have had to increase the appropriations some three times. In the biennium of 1937-1939 the appropriations required were $7,907,000. In this biennium we are asked to appropriate money to the extent of $23,830,000.

If the bills were enacted that are now before us in committee, it would probably cost—of course, nobody could give an accurate estimation—but it would perhaps drive the appropriations beyond the $50,000,000 mark within two or three bienniums.

We are therefore considerably confused to know what legislation to recommend, because some of it seems very innocent, some of it has been asked for by departments, some of it has been asked for by individuals affected, favorably so, and therefore we are very much at a loss to know what to recommend.

For these reasons, Mr. President, I present to the Chair the following resolution and ask for its immediate consideration.

RESOLUTIONS

DIRECTING THE JOINT STATE GOVERNMENT COMMISSION TO SURVEY, INVESTIGATE AND CONSIDER RETIREMENT SYSTEMS AND LAWS, AND REPORT TO THE NEXT SESSION OF THE GENERAL ASSEMBLY

Messrs. WADE and TALLMAN offered the following resolution which was twice read, considered and agreed to:

In the Senate, May 7, 1947.

Whereas, The retirement systems and laws relating to governmental employes at the State and the various political subdivision levels do not necessarily grant the same benefits and liabilities to persons in substantially the same position; and

Whereas, The actuarial bases and the technical structure of the retirement system are so inflexible as to preclude numerous changes desired in view of changing conditions and concepts and in view of the experience gained in the administration of the existing laws; and

Whereas, The existing retirement systems and laws should be carefully studied and revised to incorporate the basic changes desired and to make them more adaptable to future conditions and to achieve, if practicable, a greater uniformity of benefits to the beneficiaries; therefore be it

Resolved, That the Joint State Government Commission is hereby directed to survey, investigate and consider the various retirement systems and laws, to revise and restate such laws, and to report its findings and conclusions to the next regular session of the General Assembly with bills for introduction embodying the results of its studies.

COMMEMORATING THE CENTENNIAL CELEBRATION OF THE AMERICAN MEDICAL ASSOCIATION

Messrs. JASPAN and CHAPMAN offered the following resolution which was twice read, considered and agreed to:

In the Senate, May 7, 1947.

On May 5, the American Medical Association will celebrate its one-hundredth anniversary, having been founded in Philadelphia on May 5, 1847.

It was founded as an association of physicians "to promote the science and art of medicine; to elevate the standard of medical education and practice; to bring about the enactment of uniform legislation for the public welfare and to protect the public health."

In connection with its purpose to protect the public health, it has over the years helped initiate many legal actions and has helped to bring innumerable criminal prosecutions against quacks and quackery. The association has also found itself involved as a defendant in many libel suits because where it has seen medical charlatans and others involved in introducing pseudo medical skullduggery into the field of medicine, it has not hesitated to inform the public accordingly and to take those steps which it regarded as the quickest way to stop such practices.

The American Medical Association has during its many years been a constructive influence because of the calibre of the men who have been its officers and members; therefore be it

Resolved, That the Senate of the Commonwealth of Pennsylvania hereby wishes to join in commemorating the centennial celebration of the American Medical Association and to congratulate its officers and members and to extend to them its best wishes in carrying out its many plans for advancing the study and practice of medicine and for protecting our citizens from ill-considered medical experiments and questionable drugs.

The Senate also expresses the hope that the American Medical Association at its centennial convention to be held June 9th to 13th, will give great consideration to

the problem of improving the general health of the average American citizen, mindful of the low standard of health which was discovered by our military authorities during the last war; and be it further

Resolved, That the Secretary of the Senate transmit a copy of this resolution to the President of the American Medical Association.

BILLS INTRODUCED AND REFERRED

Mr. KEPHART. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. KEPHART read in his place and presented to the Chair Senate Bill No. 720, entitled:

An Act to amend the act, approved the first day of June, one thousand nine hundred forty-five (P. L. 1340), entitled "An act relating to the financial responsibility of operators and owners of motor vehicles; and to make uniform the law with reference thereto; requiring owners and operators in certain cases to furnish proof of financial responsibility; providing for the suspension of operator's licenses and motor vehicle registration certificates in certain cases; regulating insurance policies which may be accepted as proof of financial responsibility; imposing duties upon the Secretary of Revenue, the State Treasurer and prothonotaries; and prescribing penalties," by changing the effective date thereof.

Which was committed to the Committee on Insurance.

Mr. CARR. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. CARR read in place and presented to the Chair Senate Bill No. 721, entitled:

An Act to further amend the title and the act approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 789), entitled as amended "An act relating to insurance; establishing an insurance department; and amending, revising, and consolidating the law relating to the licensing, qualification, regulation, examination, suspension, and dissolution of insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and certain societies and orders; the examination and regulation of fire insurance rating bureaus, and the licensing and regulation of insurance agents and brokers; the service of legal process upon foreign insurance companies, association or exchanges; providng penalties, and repealing existing laws," increasing the authority of the Insurance Commissioner to examine rating bureaus and to address inquiries to any individual, association or bureau.

Which was committed to the Committee on Insurance.

EXECUTIVE NOMINATIONS

UNANIMOUS CONSENT UNDER RULE 38

A motion was made by Mr. KEPHART and Mr. GELTZ,

To grant unanimous consent to immediate consideration of the nominations just reported from the Committee on Executive Nominations, and the Senate do now resolve itself into Executive Session, for the purpose of acting upon all the nominations reported at today's session.

Which was agreed to.

The Clerk read the nominations as follows:

ALDERMAN

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 6, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Charles F. Kuhns, 51 Cinderella Street, Wilkes-Barre, Luzerne County, for appointment as Alderman in and for the Eleventh Ward of the City of Wilkes-Barre, Luzerne County, until the first Monday of January, 1948, vice Michael J. Schappert, deceased.

JAMES H. DUFF.

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 1, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following:

Francis J. Thornton, 13 Hills Terrace, Mahanoy City, Schuylkill County, as Justice of the Peace in and for the Township of Mahanoy, Schuylkill County, until the first Monday of January, 1948, vice William H. Kelly, deceased.

Roy Coulson, 116 Gettysburg Street, Dillsburg, York County as Justice of the Peace in and for the Borough of Dillsburg, York County, until the first Monday of January, 1948, vice C. K. Weaver, deceased.

JAMES H. DUFF.

CONSIDERATION OF EXECUTIVE NOMINATIONS

Whereupon,

A motion was made by Mr. KEPHART and Mr. GELTZ,

That the Senate do advise and consent to the nominations reported.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahauser,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsher,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,
Donlan,	Leader,	Tallman,	Woodring,
Farrell,	Letzler,		

NAYS—0

Two third of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

EXECUTIVE SESSION RISES

Mr. KEPHART. Mr. President, I move that the Executive Session do now rise.

Mr. GELTZ. Mr. President, I second the motion.

The motion was agreed to.

CALENDAR

BILL ON FINAL PASSAGE

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 337, as follows:

An Act to further amend the act approved the seventh day of June one thousand nine hundred seventeen (P. L. 447) entitled as amended "An act relating to the administration and distribution of the estates of decedents and of minors and of trust estates including the appointment bonds rights powers duties liabilities accounts discharge and removal of executors administrators guardians and trustees herein designated as fiduciaries the administration and distribution of the estates of presumed decedents widow's and children's exemptions debts of decedents rents of real estate as assets for payment thereof the lien thereof sales and mortgages of real estate for the payment thereof judgments and executions therefor and the discharge of real estate from the lien thereof contracts of decedents for the sale or purchase of real estate legacies including legacies charged on land the discharge of residuary estates and of real estate from the lien of legacies and other charges the appraisement of real estate devised at a valuation the ascertainment of the curtilage of dwelling houses or other buildings devised the abatement and survival of actions and the substitution of executors and administrators therein the survival of causes of action and suits thereupon by or against fiduciaries investments by fiduciaries the organization of corporations to carry on the business of decedents the audit and review of accounts of fiduciaries refunding bonds transcripts to the court of common pleas of balances due by fiduciaries the rights powers and liabilities of nonresident and foreign fiduciaries the appointment bonds rights powers duties and liabilities of trustees durante absentia the recording and registration of decrees reports and other proceedings and the fees therefor appeals in certain cases and also generally dealing with the jurisdiction powers and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents" by permitting the investment of trust funds by fiduciaries in municipality authority bonds meeting certain requirements

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 After subsection eighteen of paragraph one of clause (a) of section forty-one of the act approved the seventh day of June one thousand nine hundred seventeen (P. L. 447) entitled as amended "An act relating to the administration and distribution of the estates of decedents and of minors and of trust estates including the appointment bonds rights powers duties liabilities accounts discharge and removal of executors administrators guardians and trustees herein designated as fiduciaries the administration and distribution of the estates of presumed decedents widow's and children's exemptions debts of decedents rents of real estate as assets for payment thereof the lien thereof sales and mortgages of real estate for the payment thereof judgments and executions therefor and the discharge of real estate from the lien thereof contracts of decedents for the sale or purchase of real estate legacies including legacies charged on land the discharge of residuary estate and of real estate from the lien of legacies and other charges the appraisement of real estate devised at a valuation the ascertainment of the curtilage of dwelling houses or other buildings devised the abatement and survival of actions and the substitution of executors and administrators therein the survival of causes of action and suits thereupon by or against fiduciaries investments by fiduciaries the organization of corporations to carry on the business of decedents the audit and review of accounts of fiduciaries refunding bonds transcripts to the court of common pleas of balances due by fiduciaries the rights powers and liabilities of nonresident and foreign fiduciaries the appointment bonds rights powers duties and liabilities of trustees durante absentia the recording and registration of decrees reports and other proceedings and the fees therefor appeals in certain cases and also generally dealing with the jurisdiction powers and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents" the following new subsection is hereby added

Subsection (18.1) Obligations of Municipality Authorities Bonds of any municipality authority issued pursuant to the provisions of the laws of this Commonwealth relating to the creation or operation of such municipality authorities if such bonds are not in default and if for the period of five fiscal years next preceding the date of investment the income of such authority available for fixed charges shall have averaged not less than one and one-fifth (1 1/5) times its average annual fixed charges of such bonds over the life of such bonds as used in this subsection the term "income available for fixed charges" shall mean income after deducting operating and maintenance expenses and unless the bonds are payable in serial annual maturities or are supported by annual sinking fund payments depreciation but excluding extraordinary non-recurring items of income or expenses and the term "fixed charges" shall include principal both maturity and sinking fund and interest on bonded debt in computing such income available for fixed charges for the purposes of this section the income so available of any corporation acquired by any municipality authority may be included such income to be calculated as though such corporation had been operated by a municipality authority and an equivalent amount of bonded debt were outstanding

The eligibility for investment purposes of bonds of each project of a municipality authority shall be separately considered hereunder

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margle,	Wade,
Carr,	Heyburn,	Rahauser,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsher,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,
Donlan,	Leader,	Tallman,	Woodring,
Farrell,	Letzler,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS ON THIRD READING CALENDAR

BILLS RECOMMITTED

Mr. TALLMAN. Mr. President, I move that House Bill No. 50, on third reading, entitled:

An Act to further amend the act, approved the twenty-fifth day of May, one thousand nine hundred thirty-seven (P. L. 849), entitled "An act to provide for the permanent personal registration of electors in cities of the third class as a condition of their right to vote at electoins and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citi-

zens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration, and other appointees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; imposing penalties; and repealing existing legislation," by changing the provisions of said act relating to removal notices, transfer of registration, checkup of registers and street lists

be recommitted to the Committee on Elections.

Mr. HEYBURN. Mr. President, I second the motion.

The motion was agreed to.

Mr. TALLMAN. Mr. President, I move that House Bill No. 60, on third reading, entitled:

An Act to further amend section thirty-nine of the act, approved the twenty-fifth day of May, one thousand nine hundred thirty-seven (P. L. 849), entitled "An act to provide for the permenant personal registration of electors in cities of the third class as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration, and other appointees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; imposing penalties; and repealing existing legislation," by further regulating and changing the provisions of the act relating to cancellation of registration upon the failure to vote within two years by giving removal notice same effect as request for reinstatement

be recommitted to the Committee on Elections.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

Mr. TALLMAN. Mr. President, I move that House Bill No. 275, on third reading, entitled:

An Act to amend section twenty-seven and subsection (a) of section twenty-eight of the act approved the first day of June one thousand nine hundred thirty-seven (P. L. 1132) entitled "An act to provide for the permanent personal registration of electors in cities of the second class A as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors and imposing penalties" increasing the period of time in which removal notices and registration transfers must be made

be recommitted to the Committee on Elections.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 383, as follows:

An Act to amend the title and the act approved the eighth day of April one thousand nine hundred thirty-seven (P. L. 262) entitled "An act relating to consumer credit in amounts of one thousand dollars ($1000) or less requiring licenses from the Secretary of Banking restricting licenses to domestic business corporations fixing minimum capital requirements conferring certain powers on the Secretary of Banking limiting interest and other charges providing certain exemptions and imposing penalties" by further prescribing the powers of said licensees and the Secretary of Banking and further regulating the granting of said licenses and the loans charges interest and refunds to be made or collected by such liecnsees

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title the definition of "Charges" in section two section three the first paragraph of section twelve and sections thirteen fourteen and eighteen of the act approved the eighth day of April one thousand nine hundred thirty-seven (P. L. 262) entitled "An act relating to consumer credit in amounts of one thousand dollars ($1000) or less requiring licenses from the Secretary of Banking restricting licenses to domestic business corporations fixing minimum capital requirements conferring certain powers on the Secretary of Banking limiting interest and other charges providing certain exemptions and imposing penalties" are hereby amended to read as follows

An Act relating to consumer credit [in amounts of one thousand dollars ($1000) or less] requiring licenses from the Secretary of Banking restricting licenses to domestic business corporations fixing minimum capital requirements conferring certain powers on the Secretary of Banking limiting interest and other charges providing certain exemptions and imposing penalties

Section 2 Definitions The following terms shall be construed in the act to have the following meanings except in those instances where the context clearly indicates otherwise

* * * * *

"Charges" means [the] and includes all interest or discount and [investigation fees] the service charge which a licensee is authorized to collect by the provisions of this act

Section 3 License Required A On and after the effective date of this act no person partnership association foreign business corporation organized under or by virtue of any laws other than those of this Commonwealth nonprofit corporation common law trust joint-stock company or any other group of individuals however organized shall engage or continue to engage in this Commonwealth either as principal employe agent or broker in the business of negotiating or making loans or advances of money or credit in the amount or value of [one] two thousand dollars [($1000)] ($2000) or less and charge collect contract for or receive interest discount bonus fees fines commissions charges or other considerations which aggregate in excess of six per cent (6%) per year on the amount actually loaned or advanced or on the unpaid principal balances when the contract is payable by stated installments

B On and after the effective date of this act no domestic business corporation organized under or existing

by virtue of the Business Corporation Law of this Commonwealth and no director officer employe agent or member of such corporation shall engage or continue to engage in this Commonwealth either as principal employe agent or broker in the business of negotiating or making loans or advances of money or credit in the amount or value of [one] two thousand dollars [$1000] ($2000) or less and charge collect contract for or receive interest discount bonus fees fines commissions charges or other considerations which aggregate in excess of six per cent (6%) per year on the amount actually loaned or advanced or on the unpaid principal balances when the contract is payable by stated installments without first obtaining a license from the Secretary of Banking of the Commonwealth of Pennsylvania in accordance with the provisions of this act

Section 12 Authority of the Secretary of Banking The Secretary of Banking shall have the power to reject any application for license if he is satisfied that the financial responsibility experience character and general fitness of the person or persons shown on the application for license as officers and directors of the applicant corporation are not such as to command the confidence of the community and to warrant the conclusion that the business will be operated honestly fairly and within the intent and purpose of this act and in accordance with the general laws of this Commonwealth [or if he is not satisfied that allowing such applicant to engage in business will promote the convenience and advantage of the community in which the business of the applicant is to be conducted] Provided however That no license may be issued if any director officer employe or agent of the applicant corporation has been convicted under this act for engaging in business contemplated by this act without having obtained a license under this act or if any director officer employe or agent of the applicant corporation was a director officer employe or agent of a corporation which had been convicted of a second offense violation of this act and had its license revoked

Section 13 Powers Conferred on Licensees In addition to the general powers conferred upon a corporation by the Business Corporation Law of this Commonwealth a corporation licensed under this act shall have power and authority

A To lend money credit goods or things in action [in amounts not exceeding one thousand dollars ($1000)] and charge [interest and fees] contract for receive or collect charges herein provided

B To lend money on the security of real or personal property or without security

C To lend money on promissory or judgment notes with or without co-makers endorsers guarantors or sureties

D To purchase contracts evidencing an agreement to pay a sum certain in money or credit at a fixed or determinable time

E To charge contract for receive or collect interest or discount at a rate not to exceed six per cent (6%) of the [principal] amount of a contract which is payable in one year by a single payment or is payable in [equal installments amortized over a period of] one year by installment payments On contracts for periods which are less or greater than one year the interest or discount shall be computed proportionately on even calendar months Provided however That for a period less than one month the computation may be based on a full calendar month

F To charge contract for receive or collect [an investigation fee] on any contract a service charge of one dollar ($1.00) for each fifty dollars ($50) or fraction thereof provided that the total service charge shall not exceed fifteen dollars ($15) on any contract [on a contract of five hundred dollars ($500) or less and one dollar ($1.00) on each one hundred dollars ($100) or fraction thereof of the amount of a contract in excess of five hundred dollars ($500) on any contract not exceeding one thousand dollars ($1000)]

G To charge contract for or collect for interest [and investigation fee] or discount and service charge a minimum charge of three dollars ($3.00) on any contract of twenty-five dollars ($25) or less which is payable in one year by a single payment or is payable in [equal installments amortized over a period of] one year by installment payments and a minimum charge of six dollars ($6.00) on any contract in excess of twenty-five dollars ($25) which is payable in one year by a single payment or is payable in [equal installments amortized over a period of] one year by installment payments On contracts for periods which are less or greater than one year a proportionate minimum charge may be collected which shall be computed on even calendar months Provided however That for a period less than one month the computation of the minimum charge may be based on a full calendar month

H To collect or deduct interest or discount and [investigation fees] service charges in advance or to add interest or discount and [investigation fees] service charges to the principal amount of the contract and divide the total into equal or substantially equal installment payments or to collect interest or discount and [investigation fees] service charges wholly or partially at any time during the term of the contract or to collect interest or discount and [investigation fees] service charges at the end of the term of the contract

J To require payment of contracts in equal weekly semi-monthly monthly or any other periodic installments

K To collect an additional charge for extension deferment or default in the payment of any contract or for extension deferment or default in the payment of any installment on a contract at the rate of one and one-half per cent (1½%) per month on the amount extended deferred or in arreas Provided however A minimum charge of twenty-five cents ($.25) may be collected for any extension deferment or default

L To renew or refinance contracts [and/or extend or defer any or all installment payments on a contract] On a contract which is renewed or refinanced prior to the expiration of the term of the contract a [proportionate] refund shall be made of unearned interest or discount which has been prepaid and shall be computed as on a prepaid contract [On payments which have been extended or deferred additional interest or discount may be collected which shall be computed at the rate applicable to the original contract]

M To collect from the consumer in addition to the interest or discount and [investigation fees] service charges permitted under this act the actual fees charged by a public official or agency of the Commonwealth for recording and satisfying a judgment mortgage encumbrance or lien on any real or personal property which constitutes security on a contract

N To collect from the consumer in addition to the interest or discount and [investigation fees] service charges permitted under this act the premium actually paid for [insuring real or personal property pledged as security on a loan] insurance required or obtained as security for or by reason of a loan made or contract purchased provided insurance is obtained from an insurance company authorized by the laws of Pennsylvania to conduct business in this Commonwealth

P To collect attorney's fees and court costs incurred in the collection of any contract in default and to collect actual and reasonable expenses of repossessing storing and selling collateral pledged as security on any contract in default

Section 14 Licensee Requirements and Limitations A A Licensee shall not permit any person to become obligated to such licensee as a consumer on one or more contracts for an aggregate amount in excess of two thousand dollars ($2000) exclusive of charges authorized by this act A husband and wife for the purposes of

this limitation shall be construed as one consumer This limitation shall not impair the authority of a licensee to lend money credit goods or things in action or to purchase contracts in amounts in excess of two thousand dollars ($2000) and charge contract for receive or collect interest or discount at the legal rate established by the General Usury Statute of the Commonwealth

B A licensee shall not charge contract for collect or receive interest discounts fees fines commissions charges or other considerations in excess of the interest or discount [investigation fees] service charges extension charges deferment charges default charges recording and satisfaction fees [or] premiums for insurance attorney's fees court costs repossession expenses storage charges and selling expenses authorized by the provisions of this act

C A licensee shall not split or divide any contract so as to obtain charges in excess of those authorized by this act

D A licensee shall permit a consumer to pay partilally or wholly any contract or any installment on a contract prior to the due date On any contract which is wholly prepaid by cash renewal or other wise at any time prior to maturity the licensee shall refund to the consumer unearned interest or discount [in excess of] caluculated at the original contract rate on the total amount of full installments to become due for the term of all subsequent full installment periods provided a licensee shall not be required to refund any such unearned interest or discount when the amount due computed as herein provided is less than twenty-five cents ($.25) Such refund [may] shall be computed and paid or credited at the time of [final payment] prepayment on the contract

E A licensee shall not charge contract for receive or collect the [investigation fee] service charge authorized by this act [on any] when only the unpaid balance of an existing contract [which] is renewed or refinanced prior to the expiration of [eight (8)] four (4) months from the date of [the original] such existing contract Provided however That when [a] an existing contract is renwed or refinanced for an amount in excess of the [original] unpaid balance of such existing contract prior to the expiration of [eight (8)] four (4) months from the date of [the original] such existing contract the [investigation fee] service charge may be charged on the [excess] amount whereby the amount of the renewed or refinanced contract exceeds the amount of the unpaid balance of such existing contract after crediting such balance with any refund of interest or discount which may be due on such existing contract

F All installment contracts shall provide for repayment in substantially equal periods and in substantially equal amounts [or as nearly equal as circumstances permit] provided that when appropriate for the purpose of facilitating payment in accordance with a consumer's intermittent income an installment contract may provide for repayment on a schedule which reduces or omits payments over any period or periods in which the consumer's income is reduced or suspended

G A licensee shall not charge or collect a [fee] service charge for investigating an application or any other [fee] charges if a contract is not concummated

H A licensee shall not discount or deduct interest in advance on any contract for any period in excess of [two] three years

Section 18 Penalties Any person partnership association foreign business corporation nonprofit corporation common law trust jointstock company or any other group of individuals however organized or any domestic business corporation which has not obtained a license from the Secretary of Banking of the Commonwealth of Pennsylvania in accordance with the provisions of this act or any partner director officer employe agent or member thereof who shall engage in the business of negotiating or making loans or advances of money or credit in the amount or value of [one] two thousand dollars [($1000)] ($2000) or less and charge collect contract for or receive interest discount bonus fees fines commissions charges or other considerations which aggregate in excess of six per cent (6%) per year on the amount actually loaned or advanced or on the unpaid principal balances when the contract is payable by stated installments shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than five hundred dollars ($500) or more than five thousand dollars ($5000) and/or suffer imprisonment not less than six (6) months nor more than three (3) years in the discretion of the court

A corporation licensed under the provisions of this act or any director officer employe or agent who shall violate any provision of this act or shall direct or consent to such violations shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not more than [one] two thousand dollars [($1000)] ($2000) for the first offense and for each subsequent offense a like fine and/or suffer imprisonment not to exceed one year in the discretion of the court

The payment of [one] two thousand dollars [($1000)] ($2000) or less in money credit goods or things in action as consideration for any sale or assignment of or order for the payment of wages salary commissions or other compensation for services whether earned or to be earned shall for the purposes of regulation under this act be deemed a loan secured by such assignment and the amount by which such assigned compensation exceeds the amount of such consideration actually paid shall for the purpose of regulation under this act be deemed interest or charges upon such loan from the date of such payment to the date such compensation is payable Such transactions shall be governed by and subject to the provisions of this act

The payment of [one] two thousand dollars [($1000)] ($2000) or less in money credit goods or things in action as consideration for any sale of real or personal property which is made on condition or agreement expressed or implied that such property be sold back at a greater price shall for the purpose of this act be deemed to be a loan secured by such property and the amount by which the repurchase price exceeds such original purchase price actually paid shall be deemed interest or charges upon such loan from the date such original payment is made until the date such repurchase price is paid Such transaction shall be governed by and subject to the provisions of this act

When real or personal property is pledged as security on a loan of [one] two thousand dollars [($1000)] ($2000) or less and the lender requires the borrower to pay for insurance thereon such charge for insurance shall be construed as interest under this act when the lender has failed to have such insurance written by an insurance company legally authorized to conduct business in Pennsylvania When the amount charged for such insurance is in excess of the standard cost of similar insurance in other insurance companies legally authorized to conduct business in Pennsylvania the excess shall be construed as interest under this act

Section 2 This act shall take effect immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahauser,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsher,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,
Donlan,	Leader,	Tallman,	Woodring,
Farrell,	Letzler,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 415, entitled:

An Act to amend sections 501 and 502 of the Act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 1053) entitled "An act relating to the regulation of public utilities defining as public utilities certain corporations companies associations and persons providing for the regulation of public utilities including to a limited extent municipalities engaging in public utility business by prescribing defining and limiting their duties powers and liabilities and regulatng the exercise surrender or abandonment of their powers privileges and franchises defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons associations companies and corporations including to a limited extent municipal corporations subject to this act and administering the provisions of this act authorizing the commission to fix temporary rates placing the burden of proof on public utilities to sustain their rates and certain other matters authorizing a permissive or mandatory sliding scale method of regulating rates providing for the supervision of financial and contractual relations between public utilities and affiliated interests and supervision and regulation of accounts and securities or obligations issued assumed or kept by persons associations companies corporations or municipal corporations subject to this act conferring upon the commission power to vary reform or revise certain contracts conferring upon the commission the exclusive power to regulate or order the construction alteration relocation protection or abolition of crossings of facilities of public utilities and of such facilities by or over public highways to appropriate property for the construction or improvement of such crossings and to award or apportion resultant costs and damages authorizing owners of such property to sue the Commonwealth for such damages providing for ejectment proceedings in connection with the appropriation of property for crossings conferring upon the commission power to control and regulate budgets of public utilities imposing upon persons associations companies and corporations (except municipal corporations) subject to regulation the cost of administering this act prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings prescribing penalties fines and imprisonment for violations of the provisions of this act and regulations and orders of the commission and the procedure for enforcing such fines and penalties and repealing legislation supplied and superseded by or inconsistent with this act" by excluding water supply companies from the requirements of original cost accounting

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. KEPHART. Mr. President, I ask unanimous consent to offer an amendment at this time.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendment as follows:

Amend Section 1, page 7, by inserting at the end of line 8 the following: "and provided further that nothing in this section shall impair the authority of the commission to ascertain and fix temporary rates as provided in section 310 of this act or ascertain and fix the fair value of the whole or any part of the property of said public utility as provided in section 311 of this act."

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

It was agreed to.

Ordered, That the bill as amended, lie over for printing on final passage.

BILLS OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 498, on third reading entitled:

An Act lapsing all unexpended or unencumbered balances of appropriations from all funds made by the General Assembly at its session of one thousand nine hundred and thirty-nine and prior sessions and at its regular sessions of one thousand nine hundred and forty-one and one thousand nine hundred and forty-three and the Special Sessions of one thousand nine hundred and forty and one thousand nine hundred and forty-two

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 503, on third reading entitled:

An Act to amend, or further amend, sections eight hundred six, eight hundred eight, and eight hundred thirty of the act approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," by making it unlawful for certain persons to disturb wild birds or wild animals within safety zones during the open hunting or trapping season; clarifying the law with reference to shooting within safety zones; prohibiting the conveyance of certain firearms without being wrapped or in a case; and clarifying the law with reference to hunting accident reports.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AMENDED

Agreeably to order.

The Senate proceeded to the third reading and consideration of Senate Bill No. 570, entitled:

An Act to further amend sections one four five and six of the act approved the seventh day of May one thousand nine hundred twenty-three (P. L. 151) entitled "An act defining and regulating the business of dry cleaning and dyeing providing for the maintenance construction and inspection of dry cleaning and dyeing buildings and establishments providing for enforcing the act and penalties for violation thereof" by repealing exemptions from certain provisions of said act and providing for regulation of Class I and Class II dry cleaning and dyeing plants

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. BERGER. Mr. President, I ask unanimous consent to offer amendments at this time.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend title, page 1, last line of title, by inserting after the roman numeral "II" the following: "and synthetic"; Amend sec. 1, (sec. 1), page 3, line 3, by inserting after the roman numeral "II" the following: "and synthetic"; Amend sec. 1, (sec. 1), page 3, line 6, by striking out the word "product" and inserting in lieu thereof the following: "synthetic solution"; Amend sec. 1, (sec. 1), page 3, line 7, by inserting a parenthesis before the word "closed" and after the word "tester"; Amend sec. 1, (sec. 1), page 3, line 10, by inserting after the roman numeral "I" the following: "Class II and synthetic"; Amend sec. 1, (sec. 1), page 3, lines 10 and 11, by striking out the words "Section six applies" in line 10 and all of line 11; Amend sec. 1, (sec. 6), page 5, line 19, by inserting a parenthesis before the word "closed" and after the word "tester"; Amend sec. 1, (sec. 6), page 7, line 1, by inserting after the word "Class" the following: "I"; Amend sec. 1, (sec. 6), page 7, line 1, by inserting after the roman numeral "II" the following: "and synthetic"; Amend sec. 1, (sec. 6), page 7, line 1, by inserting after the word "type" the following: "of"; Amend sec. 1, (sec. 6), page 7, line 6, by striking out the words "residential purposes" and inserting in lieu thereof the following: "any other occupancy. A fee of five dollars ($5) shall be charged for the examination of plans"; Amend sec. 1, (sec. 6), page 7, line 8, by striking out the word "nad" and inserting in lieu thereof the following: "and"; Amend sec. 1, (sec. 6), page 7, line 9, by inserting brackets before and after the word "dry"; Amend sec. 1, (sec. 6), page 7, line 9, by inserting brackets before and after the word "plants" and inserting immediately thereafter the following: "establishments".

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

BILLS OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that Senate Bill No. 570, on third reading, as amended, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 639, on third reading entitled:

A Further Supplement to the act approved the twenty-ninth day of April one thousand eight hundred seventy-four (P. L. 73) entitled "An act to provide for the incorporation and regulation of certain corporations" granting to every corporation heretofore or hereafter incorporated for the purpose of engaging in the telephone or telegraph business the power to appropriate private property in certain cases and subject to approval by the Public Utility Commission for the construction maintenance and operation of its lines and facilities and providing for the assessment of damages arising from such appropriation and the method of appropriation

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 652, as follows:

An Act terminating the existence of the Pennsylvania Nautical School

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The affairs of the Pennsylvania Nautical School for the education and training of pupils in the science and practice of navigation shall be wound up and its existence terminated as soon as practicable by the Department of Forests and Waters under such rules and regulations as it shall promulgate with the approval of the Governor

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz	Mahany,	Taylor,
Berger,	Haluska	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn	Rahauser,	Wagner,
Chapman,	Holland	Rosenfeld,	Walker,
Crider,	Homsher	Ruth,	Watson,
Crowe,	Jaspan	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Klein,	Stevenson,	Wood, J. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,
Donlan,	Leader,	Tallman,	Woodring,
Farrell,	Letzler,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence,

BILL POSTPONED

Mr. TALLMAN. Mr. President, I move that House Bill No. 788, on third reading, entitled:

An Act to add clause XXVI to section seven hundred two of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" authorizing the establishment of districts for police protection and providing for an equal assessment on all property benefited by such protection

be placed on the Postponed Calendar.

Mr. LLOYD H. WOOD. Mr. President, I second the motion.

The motion was agreed to.

BILLS RECOMMITTED

Mr. TALLMAN, Mr. President, I move that House Bill No. 803, on third reading, entitled:

An Act to further amend the act approved the twenty-ninth day of April one thousand nine hundred thirty-seven (P. L. 487) entitled "An act to provide for the permanent personal registration of electors in boroughs towns and townships as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors requiring the county commissioners of the various counties to act as a registration commission therefor and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school districts and imposing penalties" changing the provisions of said act relating to removal notices transfer of registration checkup of registers and street lists

be recommitted to the Committee on Elections.

Mr. MALLERY. Mr. President, I second the motion,

The motion was agreed to.

Mr. TALLMAN. Mr. President, I move that House Bill No. 882, on third reading, entitled:

An Act to further amend section thirty-eight of the act approved the twenty-ninth day of April one thousand nine hundred thirty-seven (P. L. 487) entitled "An act to provide for the permanent personal registration of electors in boroughs towns and townships as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors requiring the county commissioners of the various counties to act as a registration commission therefor and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of rigistration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors and imposing penalties" further regulating and changing the provisions of the act relating to cancellation of registration upon failure to vote within two years by giving removal notice same effect as request for reinstatement

be recommitted to the Committee on Elections.

Mr. MALLERY. Mr. President, I second the motion,

The motion was agreed to.

BILL ON SECOND READING CALENDAR

BILL ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 33, entitled:

An Act making an appropriation to the Department of Forests and Waters for the permanent improvement and development of the Delaware Division of the Pennsylvania Canal

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 190, on second reading entitled:

An Act to repeal certain statutes relating to oleomargarine butterine or similar substances manufactured wholly or partly from fats oils or oleaginous substances

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL RECOMMITTED

Mr. TALLMAN. Mr. President, I move that House Bill No. 215, on second reading, entitled:

An Act to further amend paragraph six of section one of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" including within the definition of State employe employes of the Pennsylvania Turnpike Commission

be recommitted to the Committee on State Government.

Mr. WADE. Mr. President, I second the motion.

The motion was agreed to.

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 253, on second reading entitled:

An Act concerning liens of factors on merchandise and on any proceeds arising from the sale of such merchandise and defining "factor" as one that lends or advances money on the security of merchandise whether or not employed to sell merchandise

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL RECOMMITTED

Mr. TALLMAN. Mr. President, I move that House Bill No. 273, on second reading, entitled:

An Act to amend clauses one and two of section one thousand seven hundred nine, of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-one (P. L. 1206), entitled "An act concerning townships of the first class; amending, revising, consolidating, and changing the law relating thereto," by further providing for certain tax levies.

be recommitted to the Committee on Local Government.

Mr. WADE. Mr. President, I second the motion.

The motion was agreed to.

BILLS OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 285, on second reading entitled:

An Act to further amend section seven of the act approved the twenty-seventh day of April one thousand nine hundred twenty-seven (P. L. 450) entitled as amended "An act relating to fires and fire prevention imposing duties and conferring powers upon the Pennsylvania State Police authorizing the appointment of the chiefs of fire departments and certain public officers and others as assistants to the Pennsylvania State Police and defining their powers and duties providing for the investigation of the cause origin and circumstance of fires and the inspection of all and the removal or change of certain buildings by owners and occupants thereof including political subdivisions imposing duties on school authorities and on certain corporations associations and fire rating agencies providing for the attendance of witnesses before the Pennsylvania State Police and the enforcement of its orders and prescribing penalties" by further imposing duties on certain school authorities

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 306, on second reading entitled:

An Act to consolidate amend and revise the penal laws of the Commonwealth

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 413, entitled:

An Act making an appropriation to the Department of Welfare to reimburse state-aided hospitals for part of the cost of training student nurses in approved schools of nursing

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 438, entitled:

An Act to further amend section three of and add section four to the act approved the twenty-fourth day of May one thousand eight hundred ninety-three (P. L. 129) entitled "An act to empower boroughs and cities to establish a police pension fund to take property in trust therefor and regulating and providing for the regulation of the same" deleting provisions relating to termination of right to participate in the fund and regulation thereof and providing that compensation or pension is not to be subject to attachment execution assignment or transfer and payable only to beneficiary designated in person.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 439, entitled:

An Act to add section five point one of the act approved the nineteenth day of June one thousand nine hundred thirty-one (P. L. 589) entitled as amended "An act to promote the public health and safety by providing for the examination and licensure of those who desire to engage in the occupation of barbering regulating barber shops and barber schools and apprentices and students therein regulating compensation for service rendered conferring certain powers and duties on the Department of Public Instruction and providing penalties" further regulating apprentices and students and their registration in such occupation in certain cases

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 494, entitled:

An Act to further amend the act approved the nineteenth day of June one thousand nine hundred thirty-one (P. L. 589) entitled as amended "An act to promote the public health and safety by providing for the examination and licensure of those who desire to engage in the occupation of barbering regulating barber shops and barber schools and apprentices and students therein regulating compensation for service rendered conferring certain powers and duties on the Department of Public Instruction and providing penalties" by further regulating the practice of barbering the annual renewal of certificates and the eligibility requirements for examinations

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 519, on second reading, entitled:

An Act to amend the title and to further amend section one of the act approved the twelfth day of May one thousand nine hundred forty-three (P. L. 259) entitled "An act providing for the payment by the State Treasurer of one-half of the amount of the tax on premiums paid by

foreign casualty insurance companies to the treasurers of the several cities boroughs towns and townships and for the payment thereof into police pension funds and in certain cases into the Municipal Employes' Retirement System and in certain other cases into the State Employes' Retirement Fund for certain purposes" as last amended by the act approved the sixth day of April one thousand nine hundred forty-five (P. L. 160) by adding to the title and by adding section one and one-tenth a provision relating to the purchase by the municipality of Pension Annunity Contracts for policemen

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 537, on second reading, entitled:

An Act requiring owners of hotels, restaurants and places of amusement and entertainment to give notice to patrons thereof that concessions for certain services have been granted to other persons and that gratuities received by the employes of such concessions are the property of the owner thereof.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 545, entitled:

An Act to further amend the act approved the fourth day of April one thousand nine hundred twenty-five (P. L. 127) entitled "An act relating to Adoption" further providing for the jurisdiction of adoption proceedings the contents of petitions necessary consents hearings and decrees and validating certain adoptions

The first section was read and agreed to.

The second section was read.

On the question,

Will the Senate agree to the section?

Mr. MAHANY offered the following amendment:

Amend Sec. 2 (Sec. 2), page 4, line 6, by inserting a bracket before and after the word "lunatic" and inserting immediately thereafter: "person of unsound mind."

It was agreed to.

The section was agreed to as amended.

The third section was read

On the question,

Will the Senate agree to the section?

Mr. MAHANY offered the following amendment:

Amend Sec. 3 (Sec. 4), page 7, line 19, by inserting after the word "prothonotary" the following: "or clerk of the orphans' court as the procedure established may require."

It was agreed to.

The section was agreed to as amended.

The fourth section and title were read and agreed to.

And said bill having been read at length the second time, as amended,

On the question

Will the Senate agree to the bill on second reading, as amended?

BILLS OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 545, on second reading, as amended, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 551, on second reading, entitled:

An Act guaranteeing any person accused of the commission of crime the protection of the law providing the procedure therefor and prescribing penalties

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 562, on second reading, entitled:

An Act to amend section two and the first paragraph of section thirty of the act approved the sixth day of April nineteen hundred thirty-seven (P. L. 200) entitled "An act licensing and regulating the business of pawnbrokers providing for the issuance of licenses by the Secretary of Banking authorizing the Secretary of Banking to make examinations and issue regulations limiting the interest and charges on loans and prescribing penalties for the violation of this act" excluding storage warehousemen from the provisions thereof

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 578, on second reading, entitled:

An Act amending revising and consolidating the laws relating to delinquent county city except of the first and second class borough town township school district except of the first class and institution district taxes providing when how and upon what property and to what extent liens shall be allowed for such taxes the return and entering of claims therefor the collection and adjudication of such claims sales of real property including seated and unseated lands subject to the lien of such tax claims the disposition of the proceeds thereof including State taxes and municipal claims recovered and the redemption of property providing for the discharge and divestiture by certain tax sales of all estates in property and of mortgages and liens on such property and the proceedings therefor creating a Tax Claim Bureau in each county of the first class to act as agent for taxing districts defining its powers and duties including sales of property the management of property taken in sequestration and the management sale and disposition of property heretofore sold to the county commissioners taxing districts and trustees at tax sales providing a method for the service of process and notices imposing duties on tax districts and their officers and on tax collectors and certain expenses on counties and for their reimbursement by taxing districts and repealing existing laws

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 615, on second reading, entitled:

An Act making provisions for community property law providing that the act shall apply to husbands and wives and their property subsequent to the effective date of the act defining separate property and the community property of the husband and wife providing for the management control and disposition thereof including the homestead defining the ownership of funds on deposit in any bank or banking institution providing for the rights and remedies of creditors providing that either spouse may give or convey his or her community property to the other providing for disposition of community property on dissolution of marriage providing for the substitution of one spouse under certain conditions for the other through legal proceedings in the management control and disposition of community property providing for the administration and distribution of the interests of a deceased spouse in community property

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 637, on second reading, entitled:

An Act authorizing the creation of mosquito control districts in or among the political subdivisions of the Commonwealth defining their powers and duties providing for the membership thereof providing for cooperation with the Department of Agriculture and other State agencies and requiring certain reports

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 638, on second reading, entitled:

An Act authorizing the Pennsylvania Historical and Museum Commission to release certain historic documents to the Attorney General of the United States for exhibition on the "Freedom Train"

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 652, on second reading, entitled:

An Act to amend sub-section (g) of section nine hundred forty-two and clause (f) of section nine hundred forty-three of Article 12 of the act approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," by regulating the use of posters comparable to those used by the Game Commission, and providing penalties.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 659, on second reading, entitled:

An Act to amend section one hundred one of the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 1019) entitled "An act relating to statutory laws prescribing an enacting clause for statutes fixing the effective date and time of statutes hereafter enacted providing for notice of application for local and special legislation for the correction of errors in statutes and for the printing and publication of statutes prescribing rules for the interpretation of statutes defining certain words and phrases when used in statutes and prescribing rules for the construction and operation of amendments re-enactments and repeals of statutes" by defining "municipality authority" or "municipal authority"

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 665, on second reading, entitled:

A Supplement to the act approved the seventh day of August one thousand nine hundred forty-one (P. L. 887) entitled "An act authorizing the Department of Property and Supplies with the approval of the Governor and the Department of Welfare to acquire certain land adjacent to and for the use of the Scranton State Hospital providing for the improvement and use thereof authorizing the City of Scranton to pay the costs of such improvements in whole or in part and making an appropriation" making an appropriation to the Department of Property and Supplies for the payment of the costs of acquiring certain property and the improvement and beautification thereof

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 1053, on second reading, entitled:

A Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Pennsylvania by adding thereto a new section authorizing the creation of an additional debt by the Commonwealth for the payment of compensation to certain veterans.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 1137, on second reading, entitled:

An Act to further amend the act approved the twenty-sixth day of May one thousand nine hundred thirty-three (P. L. 1076) entitled "An act to provide for the organization incorporation operation and supervision of cooperative savings and credit associations to be termed credit unions designating such credit unions as corporations and defining their powers and duties conferring certain powers and duties on the Department of Banking and providing penalties" further defining the membership of Credit Unions and permitting loans to other credit unions

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1313, entitled:

An Act to amend section one of the act, approved the twenty-ninth day of May, one thousand nine hundred forty-five (Appropriation Acts, page 20, Act No. 26-A), entitled "An act making an appropriation to the Elwyn Training School at Elwyn, in the County of Delaware, Commonwealth of Pennsylvania, and prescribing certain conditions upon which the appropriation will be available to the school," increasing the per capita annual maintenance rate of wards of the State and the amount of the total appropriation.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

BILLS ON FIRST READING

Mr. TALLMAN. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. HEYBURN. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 26, entitled:

An Act to further amend section thirty of the act approved the eleventh day of May, one thousand nine hundred twenty-one, (P. L. 522), entitled, as amended "An act relating to dogs, and the protection of live stock, poultry, and game birds raised in captivity from damage by dogs; providing for the licensing of dogs by the Secretary of Agriculture; providing for the enumeration of dogs by assessors; regulating the keeping of dogs, and authorizing their destruction in certain cases; providing for the protection of licensed dogs, and for dogs temporarily imported for trial, show, and breeding purposes; prescribing certain privileges for hunting dogs and dogs owned or used by the Board of Game Commissioners; providing for the assessment of damages done to live stock, poultry, and game birds by dogs, and for live stock killed by or dying from, rabies, and for the illegal killing of licensed dogs, and the payment of such damages by the Commonwealth; imposing powers and duties on certain State, county, city borough, town, and township officers and employes, directing the payment of all moneys collected into the State Treasury; and providing penalties," increasing the maximum amounts of payments by the State in certain cases.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 80, entitled:

An Act declaring and adopting the song "Pennsylvania" by a Pennsylvanian, Gertrude Martin Rohrer, as the State song of the Commonwealth.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 202, entitled:

An Act to further amend section two thousand three hundred twenty of the act, approved, the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," increasing amount of money available for treatment of blind persons in certain cases and empowering the State Council for the Blind to supply certain medical training and employment services to certain blind persons.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 358, entitled:

An Act providing for and regulating the authority of school districts to purchase supplies and to perform or contract for construction reconstruction repairs and work of any nature.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 362, entitled:

An Act to amend section two of the act approved the eighteenth day of May, one thousand nine hundred forty-five (P. L. 802), entitled "An act to fix the standard weights of containers for wheat and corn flours, cornmeals, hominy and hominy grits; and to provide penalties for the violation of this act," extending provisions of the act.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 438, entitled:

An Act to further amend section fourteen of the act aprroved the twenty-first day of May one thousand nine hundred forty-three (P. L. 414) entitled "An act relating to vital statistics and to make uniform the law with reference thereto" by further changing the conditions under which information or records may be furnished and certified copies of birth certificates issued.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 558, entitled:

An Act to amend section four hundred nineteen of the act approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 682), entitled "An act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," by permitting certain additional insurance companies to come within the provisions thereof.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 564, entitled:

An Act to amend subsection (f) of section eighteen of the act, approved the twenty-ninth day of April, one thousand nine hundred thirty-seven (P. L. 487), entitled "An act to provide for the permanent personal registration of electors in broroughs, towns, and townships as condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; requiring the county commissioners of the various counties to act as a registration commission therefor; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; and imposing penalties," providing for a space wherein elector shall affix his signature or mark on registration card.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 565, entitled:

An Act to amend subsection (f) of section nineteen of the act, approved the twenty-fifth day of May, one thousand nine hundred thirty-seven (P. L. 814), entitled "An act to provide for the permanent personal registration of electors in cities of the second class as a condition of their right to vote at elections and primaries, and their enrollment os members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; and imposing penalties," providing for a space wherein elector shall affix his signature or mark on registration card.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 566, entitled:

An Act to amend subsection (f) of section nineteen of the act, approved the twenty-fifth day of May, one thousand nine hundred thirty-seven (P. L. 849), entitled "An act to provide for the permanent personal registration of electors in cities of the third class as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration and other appontees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, registrars, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; imposing penalties; and repealing existing legislation," providing for a space wherein elector shall affix his signature or mark on registration card.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 567, entitled:

An Act to amend subsection (f) of section nineteen of the act, approved the first day of June, one thousand nine hundred thirty-seven (P. L. 1132), entitled "An act to provide for the permanent personal registration of electors in cities of the second class A as a condition of their right to vote at elections and primaries, and their enrollment as member of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, county election bzoards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; and imposing penalties," providing for a space wherein elector shall affix his signature or mark on registration card.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 568, entitled:

An Act to amend section twenty point one of the act, approved the thirtieth day of March, one thousand nine hundred thirty seven (P. L. 115), entitled "An act to provide for the permanent personal registration of electors in cities of the first class as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens, parties, bodies of electors, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commission, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, real estate brokers, rental agents, certain public service companies, persons, firms, and corporations operating vehicles for moving furniture and household goods, and boards of school directors; and imposing penalties," providing for a space wherein elector shall affix his signature or mark on registration card.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 586, entitled:

An Act to further amend section eight of the act approved the thirteenth day of May, one thousand nine hundred nine (P. L. 520) entitled "An act relating to food; defining food; providing for the protection of the public health, and the prevention of fraud and deception, by prohibiting the manufacture or sale, the offering for sale or exposing for sale, or having in possession with intent to sell, adulterated, misbranded, or deleterious foods; prescribing certain duties of the Dairy and Food Commissioner in reference thereto; and providing penalties for the violation thereof," empowering the Department of Agriculture to make rules and regulations for the branding or labeling of food.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 631, entitled:

An Act regulating the selling, offering or exposing for sale, of agricultural seeds and seed mixtures for seeding purposes; requiring certain information to be affixed to the container in which such seeds are sold; conferring powers and imposing duties upon the Department of Agriculture and the Secretary thereof; authorizing stop-sale orders by the Secretary in certain cases; providing for inspections, reports and surveys by the department, imposing powers and duties upon certain courts and prescribing penalties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 644, entitled:

An Act to prohibit the manufacture and sale of oleomargarine, or butterine, and other similar products, when colored in imitation of yellow butter; to provide for license fees to be paid by manufacturers, wholesale and retail dealers, and by proprietors of hotels, restaurants, dining-rooms, and boarding-houses, for the manufacture or sale of oleomargarine, butterine, or other similar products, not colored in imitation of yellow butter; to regulate the manufacture, sale and advertising of oleomargarine, butterine, or other similiar products, not colored in imitation of yellow butter, and prevent and punish fraud and deception in such manufacture, sale and advertising as an imitation butter; to prescribe penalties and punishment for violation of this Act, and the means and method of procedure for its enforcement; to regulate certain matters of evidence in such procedure, and to prescribe certain powers and duties of the Department of Agriculture.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 664, entitled:

An Act to further amend Rule 12 and to amend Rule 13 of Article XII of the act approved the second day of June one thousand eight hundred ninety-one (P. L. 176) entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith" requiring the making of a report of the daily examinations made by the mine foreman or his assistant of the working places while the workmen of such places are or should be at work and the countersigning of such report by the mine foreman.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 710, entitled:

An Act to further amend section three hundred twenty of article three of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" changing penalty for neglect by insurance companies to furnish financial and other statements when required by Insurance Commissioner.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 714, entitled:

An Act to further amend section seven of the act approved the eleventh day of May, one thousand nine hundred five (P. L. 518), entitled "An act making an appropriation for the erection of a home or school for indigent orphans, to be called the Thaddeus Stevens Industrial and Reform School of Pennsylvania, in which school provision shall be made for giving instruction in reading, writing, arithmetic, drawing duties of citizenship, elementary manual training, the elements of farming, and other requisite branches," by changing the name of the Thaddeus Stevens Industrial and Reform School of Pennsylvania to "Thaddeus Stevens Trade School."

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 865, entitled:

An Act to further amend section nine hundred six and to amend section one thousand two hundred one of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" reducing the number of times publication of notice of officers to be elected and time of November elections shall be given in certain counties

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 887, entitled:

An Act relating to the regulation of rates for insurance which may be written by stock or mutual casualty insurance companies, associations or exchanges, including fidelity, surety and guaranty bonds and all other forms of motor vehicle insurance and title insurance; to rating and advisory organizations; conferring on the Insurance Commissioner the power and duty of supervising and regulating persons, associations; companies and corporations, and of enforcing the provisions of this act; prescribing and regulating the practice and procedure before the commissioner, and procedure for review by the courts; giving the Court of Common Pleas of Dauphin County exclusive jurisdiction over certain proceedings; prescribing penalties and providing for enforcement thereof; and repealing inconsistent acts.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 888, entitled:

An Act relating to the regulation of rates for insurance which may be written by stock or mutual fire marine or fire and marine insurance companies associations or exchanges to rating and advisory organizations to reports by rating organizations and insurers to the Pennsylvania State Police conferring on the Insurance Commissioner the power and duty of supervising and regulating persons associations companies and corporations and of enforcing the provisions of this act prescribing and regulating the practice and procedure before the commissioner and procedure for review by the courts giving the court of common pleas of Dauphin County exclusive jurisdiction over certain proceedings prescribing penalties and providing for enforcement thereof and repealing inconsistent acts.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 890, entitled:

An Act to further amend the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 789), entitled, as amended, "An act relating to insurance; establishing an insurance department; and amending, revising, and consolidating the law relating to the licensing, qualification, regulation, examination, Lloyds associations, reciprocal and interinsurance exchanges, and certain societies and orders, the examination and regulation of fire insurance rating bureaus, and the licensing and regulation of insurance agents and brokers the service of legal process upon foreign insurance companies, associations or exchanges; providing penalties, and repealing existing laws," making the provisions thereof applicable to rating organizations authorizing the commissioner to collect prescribed fees, fines and penalties of such organizations; excluding from the definition of agent and broker, in the case of title insurance companies, attorneys, licensed real estate agents and brokers and repealing certain sections.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 895, entitled:

An Act to add section six hundred twenty-six to the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 789), entitled as amended "An act relating to insurance; establishing an insurance department; and amending, revising, and consolidating the law relating to the licensing, qualification, regulation, examination, suspension, and dissolution of insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and certain societies and orders, the examination and regulation of fire insurance rating bureaus, and the licensing and regulation of insurance agents and brokers the service of legal process upon foreign insurance companies, associations or exchanges; providing penalties, and repealing existing laws," authorizing insurance companies, associations and exchanges to pay commissions to licensed brokers.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 897, entitled:

An Act to further amend the act approved the seventeenth day of May one thousand nine hundred twenty-one (P L 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" excluding from the provisions thereof fire rating bureaus revising the provisions relating to discrimination and the penalties therefor and relating to reports by subscribers to reciprocals and inter-insurance exchanges.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 908, entitled:

An Act to add four new sections to the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" regulating ownership by domestic insurance companies of the capital stock of other insurance companies conferring powers upon the Insurance Commissioner prescribing procedure before the commissioner and on appeal and conferring powers and duties upon the Court of Common Pleas of Dauphin County.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 910, entitled:

An Act relating to unfair methods and unfair or deceptive acts and practices in the business of insurance; defining and prohibiting such methods, acts and prac-

tices; conferring on the Insurance Commissioner the power and duty of enforcing the provisions of this act; prescribing and regulating the practice and procedure before the commissioner, and procedure for review by the courts; conferring upon the Court of Common Pleas of Dauphin County exclusive jurisdiction over certain proceedings; prescribing penalties and providing for enforcement thereof; and repealing inconsistent acts.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1050, entitled:

An Act to protect consumers in the purchase for fuel purposes of the hard coal known as anthracite providing for and regulating the sale offering for sale resale delivery and shipment of anthracite according to a standard provided for in this act requiring producers and dealers and persons engaged in the sale and resale of anthracite from storage yards or otherwise to consumers to keep certain records conferring powers on the Anthracite Committee and its agents and providing penalties

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

SENATE CONCURRENT RESOLUTION

MEMORIAL TO MAJOR GENERAL EDWARD C. SHANNON, AND URGING THE DIRECTOR OF THE VETERANS ADMINISTRATION OF THE UNITED STATES TO NAME THE VETERANS' FACILITY AND HOSPITAL IN LEBANON COUNTY AS "THE GENERAL EDWARD C. SHANNON HOSPITAL" IN HIS HONOR

Mr. BECKER. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BECKER, offered the following resolution which was twice read, considered and agreed to:

In the Senate, May 7, 1947.

May 20th, 1946 marked the passing of Major General Edward C. Shannon at his residence in Columbia, Lancaster County, Pennsylvania, at the age of seventy-five years. Stricken on Christmas Eve previously with a heart ailment, General Shannon lost strength steadily until he succumbed.

General Shannon was Lieutenant Governor and the presiding officer of this Body from 1931 to 1935 during Governor Pinchot's second term. His incumbency saw four Legislative Sessions in addition to two regular terms which lasted five months each or a total of one hundred and fifty-nine legislative days.

General Shannon sought the Republican Gubernatorial Nomination in 1934, running second to the Honorable William A. Schnader, Attorney General in Governor Pinchot's Cabinet in a primary field of sixteen candidates.

Born in Phoenixville, Montgomery County, Pennsylvania, June 24th, 1870, a son of the late Frederic Hallman and Janet Murray Shannon, he was educated in the public schools of that community. As a young man, however, he left his home community and launched upon his long and illustrious career, first as a blast furnace superintendent and chemist at Marietta in Lancaster County, Pennsylvania.

April 10th, 1889, he enlisted in the 4th Infantry, Pennsylvania National Guard as a private. Seven years later he rose to the rank of captain. During the Spanish-American War he led Company C, 4th Infantry, to Puerto Rico; where it was engaged in active service. He was mustered out November 16, 1898.

Meanwhile General Shannon had become manager of the Triumph Manufacturing Company.

In addition General Shannon was treasurer and general manager of the Lucas Manufacturing Company and shortly after his return from the first World War he was elected Prothonotary of Lancaster County. He was a staunch Republican.

Returning to Columbia he was married on April 22nd, 1899, to Miss Maude C. Lucas. There was a daughter born of the marriage, Miss Janet C. Shannon, now the wife of Wilbur C. Varian, residing with their two sons at Coatesville, Pennsylvania. Mrs. Shannon predeceased the General by approximately three years.

He served along the Mexican Border in 1916-17 as a full colonel in command of the 4th Infantry at the beginning of World War I.

When the 7th Pennsylvania Division was organized into the 28th Infantry Division, he was given command of the 111th Infantry Regiment. With his Regiment he landed in France May 5th, 1918 and almost immediately went into combat action where he earned the nickname of "Two Yard Shannon" in keeping that distance ahead of his front line troops. He was cited for bravery and won the Distinguished Service Medal for "exceptionally meritorious and distinguished service" in the Champagne-Marne offensive. With his regiment he served in five separate campaigns in France and he brought his troops back home in April 1919.

On reorganization of the Guard in Pennsylvania, he was commissioned a brigadier general in command of the 56th Infantry Brigade. Later in 1933 he was promoted to major general and assigned to command the 28th Infantry Division and the Pennsylvania National Guard. At that time he was serving the Commonwealth of Pennsylvania as lieutenant governor but after some arrangements he was permitted to hold both offices of lieutenant governor and major general, drawing only one salary. Later special legislation was passed permitting him an extra five years as Commander of the 28th Division and the National Guard. He ended his military career at Indiantown Military Reservation on June 24th, 1939, after fifty years of service.

During World War II General Shannon served on a draft board in Lancaster County.

For twenty-five years General Shannon was President of the Board of Trustees of the Pennsylvania Soldiers' Orphans School of Scotland, Pennsylvania. He was a trustees of the Valley Forge Military Academy and served as Chairman of the Valley Forge Historical Commission and also as Chairman of the State Military Reservation Commission.

General Shannon was president of the Columbia Water Company and the First National Bank of Columbia. He was a member of the board of directors of the Columbia Hospital. He was a director of the Columbia Chamber of

Commerce and a past president of the Columbia Rotary. He was a director of the Columbia Red Cross Chapter, a member of Zembo Shrine, Sojourners, Columbia Lodge No. 286 F. and A. M., Royal Arch Masons, Columbia Chapter 224, Knights Templar Commandry No. 34, a member of the Hamilton Club at Lancaster, Pennsylvania, the Elks, the United Spanish War Veterans, the American Legion and Veterans of Foreign Wars.

Tall, gray and handsome, General Shannon was a colorful character. On a balmy Saturday afternoon in April, in 1941, during the heat of my first campaign for State Senator from the District in which we were both voters, I planned to make a dozen or more calls in Columbia and I chose to call at General Shannon's residence first. I found him at home alone with his wife, having just finished his dinner. He was in a contemplative and reminiscent state of mind and Mrs. Shannon joined us in the drawing room. I made no other call in Columbia on that Saturday afternoon. Late afternoon found me bidding adieu after a three hours' visit as interesting and soul-touching as I have ever experienced. The friendship of his County of Lancaster with my County of Lebanon came in for long discussion. The loyalty of my County to him in his campaign for the Republican nomination for Governor, when other Counties failed him, came in for further discussion. He discussed the result of his candidacy with no rancor but made no pretense of concealing the fact that his disappointment over his defeat was unassuaged. A typical American family, Mrs. Shannon would interrupt him frequently in his reminiscences to correct him, as devoted wives are wont to do. I look back to the visit as one that was crowded to the top with human interest and it raises in me high emotion that it has fallen to my lot to eulogize him today.

In Lebanon County there has been erected and constructed a splendid Facility for the rehabilitation of veterans of the Second World War. I can think of nothing more fitting than that this Facility should be named after this distinguished soldier who lived and died in the district in which the Facility is located. My colleagues have been very kind to me in permitting me to offer this Resolution and I now propose that it be,

Resolved, (if the House of Representatives concur), That the Director of the Veterans Administration of the United States be requested to name and designate the new veterans' Facility and Hospital in Lebanon County as "The General Edward C. Shannon Hospital" in his honor and everlasting memory.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

BILL INTRODUCED AND REFERRED

Mr. WALKER. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER read in place and presented to the Chair Senate Bill No. 722, entitled:

An Act making an appropriation to the Department of Mines for extinguishing fires in bituminous and anthracite coal mines.

Which was committed to the Committee on Appropriations.

ADJOURNMENT

Mr. TALLMAN. Mr. President, I move that the Senate do now adjourn until Thursday, May 8, 1947, at 11:00 o'clock, a. m. Eastern Standard Time.

Mr. WILSON. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 3:25 o'clock, p. m., Eastern Standard Time until Thursday, May 8, 1947, at 11:00 o'clock, a. m., Eastern Standard Time.

HOUSE OF REPRESENTATIVES

WEDNESDAY, May 7, 1947

The House met at 12:00 o'clock noon Eastern Standard Time.

The SPEAKER (Franklin H. Lichtenwalter) in the Chair.

PRAYER

The Chaplain, Rev. Lester C. Updegrove offered the following prayer:

Father of all mercies, Giver of all blessings, the One who is the inspiration of all worthy thought and action, we thank Thee for this day. Help us to bring our possessions of mind, soul, and body as offerings to Thee, that we may be acceptable sons of the living God; thus we shall leave on our pathway something that is worthy of merit and emulation. In every way may we so live that each tomorrow shall be better than today. May we strive to do unto others as we would have them do unto us. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of Tuesday, May 6, 1947.

The Clerk proceeded to read the Journal of Tuesday, May 6, 1947, when on motion of Mrs. McCOSKER unanimoulsy agreed to, the further reading was dispensed with and the Journal approved.

BILLS INTRODUCED AND REFERRED

By Mr. TAHL. HOUSE BILL No. 1327.

An Act making an appropriation to the Department of Public Instruction for the expenses involved in licensing and regulating certain private schools and classes.

Referred to the Committee on Appropriations.

By Mr. BOIES. HOUSE BILL No. 1328.

An Act to amend section seventeen of the act, approved the twenty-second day of June, one thousand nine hundred thirty-five (P. L. 414), entitled "An act to provide revenue for State purposes; imposing taxes upon certain classes of personal property; providing for the assessment, collection, and lien of the same, and the distribution of the proceeds thereof; imposing duties on executors, administrators, registers of wills, recorders of deeds, prothonotaries, and court clerks, and on persons, copartnerships, associations, banks, national banks, trust companies, and other corporations receiving deposits of money, and on certain corporations and limited partnerships; conferring powers and imposing duties on certain State officers and departments; imposing penalties; and making an appropriation," by imposing an additional tax on scrip, bonds, certificates and evidences of indebtedness assumed

or on which interest is paid by corporations, and providing for the distribution thereof.

Referred to the Committee on Ways and Means.

By Mr. BARRETT. HOUSE BILL No. 1329.

An Act to further amend section one of the act, approved the fifteenth day of July, one thousand eight hundred ninety-seven (P. L. 292), entitled "An act to provide revenue by taxation," by imposing an additional tax upon shares of banks or savings institutions, and providing for the distribution thereof.

Referred to the Committee on Ways and Means.

By Messrs. PRICE, GRAYBILL and NEFF. HOUSE BILL No. 1330.

An Act making an appropriation to the Juniata Foundation for the blind, Lewistown, Pennsylvania, for maintenance.

Referred to the Committee on Appropriations.

By Mr. VERONA. HOUSE BILL No. 1331.

An Act to further amend section two hundred one of the act approved the twenty-second day of May, one thousand nine hundred thirty-three (P. L. 853) entitled "An act relating to taxation; designating the subjects. property and persons subject to and exempt from taxation for all local purposes; providing for and regulating the assessment and valuation of persons, property and subjects of taxation for county purposes, and for the use of those municipal and quasi-municipal corporations which levy their taxes on county assessments and valuations; amending, revising and consolidating the law relating thereto; and repealing existing laws"; making the real estate of public service companies subject to taxation, and providing for certain exceptions.

Referred to the Committee on Public Utilties.

RESOLUTIONS INTRODUCED AND REFERRED

By Messrs. CHUDOFF and ROOT. (Concurrent) RESOLUTION No. 48.

In the House of Representatives, May 6, 1947.

Whereas, The Philadelphia Inquirer in this morning's issue calls the attention of the public to the fact that new automobiles are currently being sold as used cars at $500 to $1,000 above their list prices and that the practcie has virtually become an established racket; and

Whereas, The investigation of the said paper disclosed the fact that the new car dealers blamed the used car dealers and the public in turn, the used car dealers blamed the new car dealers, the public and the manufacturers, in that the manufacturers had failed to cancel any of the dealer agency contracts for being a party to such a scheme; and

Whereas, It was heretofore presumed that the shortage of automobiles which created this situation would be eliminated when automobile manufacturers would get into full production but as the demand for new cars cannot be satisfied for some considerable time legislative action must be taken; therefore be it

Resolved, (if the Senate concurs) That a commission of eight members be created, five members to be named by the Speaker of the House and three members to be named by the President Pro Tempore whose duty it shall be to immediately make an investigation of the sale of new and used automobiles in Pennsylvania; and be it further

Resolved, That the said commission shall report its finding to the General Assembly by May 22; and be it further

Resolved, That the sum of $5,000 be appropriated to the said commission for the purpose of conducting this investigation.

Referred to the Committee on Rules.

By Mr. ANDREWS. (Concurrent) RESOLUTION No. 49.

In the House of Representatives, May 6, 1947.

Whereas, Increases in the cost of living have created serious economic and social problems, and

Whereas, Price increases in the cost of food have served to unbalance household budgets by making necessary increased expenditures for modern conveniences, and

Whereas, It is not compatible with sound industrial economy that household budgets should be depleted by expenditures for food alone, and

Whereas. in combatting increased costs of living it is necessary to mobilize and form public opinion, therefore be it

Resolved, (if the Senate concur), that the Department of Commerce be requested to investigate and report concerning the following matters:

1. Whether the general level of retail prices in the Commonwealth of Pennsylvania is in line with wholesale prices.
2. Whether wholesale prices are in line with manufacturers' costs.
3. Whether the price of any of the essential products of industry are the result of monoply control.
4. Whether there is specific eviednce that the manufacturers of specific products or the distributors, are profiteering at the expense of the public.
5. What part the Commonwealth, through the various agencies of its state government, distributors of essential products and the consuming public can pay in helping hold the price line at levels which honestly reflect the economic necessities of the wage line.

Referred to the Committee on Rules.

BILL SIGNED BY SPEAKER

Bill numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the title was publicly read as follows:

HOUSE BILL No. 554.

An Act providing that in cities of the first class in all cases where taxes are due and unpaid upon a single tract of land and it is desired to divide such tract into separate parcels the Board of Revision of Taxes may apportion such taxes ratably between or among the parcels so divided and providing that upon payment of the taxes and proper costs on any such parcel it shall be released from the lien.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

REPORTS FROM COMMITTEES

Mr. COCHRAN from the Committee on Agriculture and Dairy Industries, reported as committed, House Bill No. 477, entitled:

An Act to further amend section fifteen and to add section fifteen point one to the act, approved the eleventh day of May, one thousand nine hundred twenty-one (P. L. 22), entitled, as amended, "An act relating to dogs, and the protection of livestock, poultry and game birds raised in captivity from damage by dogs; providing for the licensing of dogs by the Secretary of Agriculture; providing for the enumeration of dogs by assessors regulating the keeping of dogs, and authorizing their destruction in certain cases; providing for the protection of licensed dogs, and for dogs temporarily imported for trial, show, and breeding purposes; prescribing certain privileges for hunting dogs and dogs owned or used by the Board of Game Commissioners; providing for the assessment of damages done to live stock, poultry, and game birds by dogs, and for live stock killed by, or dying from, rabies, and for the illegal killing of licensed dogs, and the pay-

ment of such damages by the Commonwealth; imposing powers and duties on certain State, county, city, borough, town and township officers and employes, directing the payment of all moneys collected into the State Treasury; and providing penalties," authorizing county treasurers to retain certain moneys collected under said act and the payment thereof to certain societies for prevention or cruelty to animals, upon petition to and under supervision of the courts of common pleas, and providing for the disposition of unexpended funds.

Mr. COCHRAN from the Committee on Agriculture and Dairy Industries, reported as committed, House Bill No. 478, entitled:

An Act to add section fifteen point one to the act, approved the eleventh day of July, one thousand nine hundred seventeen (P. L .818), entitled "An act relating to dogs, and the protection of livestock and poultry from damage by dogs; providing for the licensing of dogs; regulating the keeping of dogs, and authorizing their destruction in certain cases; providing for the protection of licensed dogs, and for dogs temporarily imported for trial, show, and breeding purposes; prescribing certain privileges for hunting dogs, and dogs owned or used by the Board of Game Commissioners; providing for the assessment of damages done by dogs, and payment thereof by the proper county to the owners of livestock and poultry, and of damages to licensed dogs; imposing powers and duties on certain State, county, city, borough, town, and township officers and employes, and on city councils of cities of the first and second class; and providing penalties," authorizing the payment of certain moneys collected under the provisions thereof to societies for the prevention of cruelty to animals upon petition to and under the supervision of the court.

Mr. O'CONNOR from the Committee on Municipal Corporations, reported as amended, House Bill No. 551, entitled:

An Act to further amend the act, approved the eighteenth day of July, one thousand nine hundred thirty-five (P. L. 1286), entitled as amended "An act empowering cities, boroughs, incorporated towns, and townships to charge and collect annual rentals for the use of certain sewers, sewage systems and treatment works, including charges for operation, inspection, maintenance, repair, depreciation, and the amortization of indebtedness and interest thereon," clarifying and extending the provisions thereof with respect to the purpose for which and the circumstances under which sewer rentals may be imposed; and adding to such purposes.

Mr. McKINNEY from the Committee on Appropriations, reported as committed, House Bill No. 948, entitled:

An Act making an appropriation to the Local Government Commission to continue its work.

Mr. GALLAGHER from the Committee on Education, reported as committed, House Bill No. 1033, entitled:

An Act to amend clause (a) of section five hundred twenty-four of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof, providing revenue to establish and maintain the same, and the method of collecting such revenue, and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," by further providing for the levy of school taxes in school districts of the first class.

Mr. DeLONG from the Committee on Motor Vehicles, reported as amended, House Bill No. 1159, entitled:

An Act to further amend sections one hundred two and seven hundred sixteen of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration fo certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penaltes; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by changing the definition of "dealer" and adding the definition of "fleet owner"; and further providing for fees for certificates of title.

Mr. CHERVENAK from the Committee on Professional Licensure, reported as amended, House Bill No. 1311, entitled:

An Act regulating the practice of the profession of forestry in all of its branches, including timber estimating and defining such branches; providing for the registration of certain powers practicing or offering to practice said profession; creating and conferring certain powers and imposing duties upon the State Registration Board for Professional Foresters, the Department of Public Instruction and the court of common pleas of Dauphin County; and providing penalties.

Mr. TOMPKINS from the Committee on Judiciary, reported as amended, Senate Bill No. 239, entitled:

An Act to amend the last paragraph of section nine of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-three (P. L. 1433), entitled "An act defining the powers of the courts of quarter sessions, the Municipal Court of Philadelphia, and the County or Juvenile Court of Allegheny County, with respect to the care, guidance, control, trial, placement and commitment of delinquent, dependent and neglected children under sixteen years of age and of persons over sixteen years of age contributing to or encouraging the delinquency, neglect and dependency of children; and amending, revising and consolidating the law relating thereto," further defining liability for support of children in private homes, foster homes, children's homes and institutions; and providing for the enforcement thereof.

Mr. YEAKEL from the Committee on Game and Forestry, reported as committed, Senate Bill No. 289, entitled:

An Act to further amend Sections four hundred ten and four hundred eleven of the act approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto", by providing an alternate method for marking boundary lines of regulated shooting grounds; and authorizing fixing of shooting periods thereon under certain conditions.

Mr. GIBSON from the Committee on Game and Forestry, reported as committed, Senate Bill No. 391, entitled:

An Act to further amend section seven hundred one of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," permitting licenses for temporary possession of game or game flesh to be issued by supervisors or district game protectors and extending such licenses to game birds.

Mr. GUTHRIE from the Committee on Game and Forestry, reported as amended, House Bill No. 454, entitled:

An Act to amend the heading of Article II, and to amend, or further amend, Sections three hundred two, three hundred three, three hundred five, three hundred six, three hundred seven, three hundred eight, three hundred nine, three hundred ten, three hundred eleven, three hundred twelve, three hundred thirteen, three hundred fourteen, three hundred fifteen three hundred eighteen, three hundred nineteen, three hundred twenty-one of the act approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "An act concerning game and wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," by establishing a new schedule of resident and nonresident licenses and fees; fixing a termination date for the issuance of free resident licenses to military personnel; authorizing seizure of licenses of persons mentally or physically incapable of handling firearms safely; and changing penalties.

Mr. YESTER from the Committee on Professional Licensure, reported as committed, Senate Bill No. 474, entitled:

An Act to add clause (1) to section one thousand three hundred four of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant-Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," authorizing the Department of Public Instruction to fix the fees to be charged by professional examining boards.

Mr. CORDIER from the Committee on Welfare, reported as committed Senate Bill No. 477, entitled:

An Act to amend sections three, four and nine of the act, approved the twenty-fifth day of May, one thousand nine hundred thirty-seven (P. L. 808) entitled "An act providing for the use of the Pennsylvania Industrial School at Huntingdon as an institution for the reception, care, maintenance, detention, employment, and training of defective delinquents; authorizing the preparation and equipment (including necessary construction) of the institution for such purposes, either by the Department of Property and Supplies or the General State Authority, and authorizing the necessary leases or conveyances for this purpose; changing the name of the Board of Trustees of Pennsylvania Industrial School; providing for the commitment and transfer of such persons to such institution and discharge therefrom; conferring powers and imposing duties on the aforesaid board of trustees, the Department of Welfare and courts; and imposing certain charges on counties," further providing for the mental examination of juvenile delinquents and their release or retention.

Mr. WM. P. H. JOHNSTON from the Committee on Game and Forestry, reported as committed, Senate Bill No. 542, entitled:

An Act to amend Section six hundred seven of the act approved the tird day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by making it unlawful to disturb or tamper with traps set by agents of the Commission

Mr. STIMMEL from the Committee on Professional Licensure, reported as committed, Senate Bill No. 612, entitled:

An Act to further amend sections twenty-seven and forty-five and to add a new section to the act, approved the seventh day of June, one thousand nine hundred one (P. L. 493), entitled as amended "An act providing for the examination, licensure and registration of persons, firms or corporations engaged or engaging in the business or work of plumbing or house drainage, and prescribing certain rules, regulations and requirements for the construction of plumbing, house drainage and cesspools, in cities of the second class, second class A and third class and imposing fines, penalties and forfeiture for violation thereof," prescribing further rules, regulations and requirements for the construction of plumbing, house drainage and cesspools.

Mr. STONIER from the Committee on Municipal Corporations, re-reported as amended, House Bill No. 800, entitled:

An Act empowering political subdivisions (except cities of the first class counties of the first class and school districts of the first class) to levy assess and collect or to provide for the levying assessment and collection of certain additional taxes for general revenue purposes authorizing the establishment of bureaus and the appointment and compensation of officers and employes to assess and collect such taxes and permitting penalties to be imposed and enforced.

Mr. BOWER from the Committee on Appropriations, re-reported as committed, House Bill No. 1039, entitled:

An Act authorizing and directing the Delaware River Joint Commission, to formulate a specific action program for the promotion of the navigable section of the Delaware River and Bay extending from Trenton, New Jersey and Morrisville, Pennsylvania to the Atlantic Ocean as a highway of commerce, and to make a study for the purpose of formulating a specific plan and report relative to the need for and advisability of constructing additional tunnels or bridges across that section of the Delaware River extending from Trenton, New Jersey and Morrisville, Pennsylvania to the Delaware Bay; and making an appropriation.

The SPEAKER. The Chair requests the gentleman from Venango, Mr. McKinney, to preside during the first reading calendar.

MR. McKINNEY IN THE CHAIR.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 274, entitled:

An Act to amend sections four thousand three hundred two four thousand three hundred three and four thousand three hundred five of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" inserting additional provisions relating to retirement basis for apportionment of pension and payments to pension fund by city

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 500, entitled:

An Act to add sections ninety-eight and ninety-nine to the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" authorizing and regulating the formation of a state association by prothonotaries and clerks of the court of quarter sessions and providing that certain expenses are to be paid by the counties

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 522, entitled:

An Act to amend section eight hundred one of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 289) entitled "An act relating to nonprofit corporations defining and providing for the organization merger consolidation and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and members prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the first class within the provisions of this act prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas prothonotaries of such courts recorders of deeds and certain State departments commissions and officers authorizing ceertain local public officers and State departments to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" by allowing the merger and consolidation of domestic and foreign nonprofit corporations

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 757, entitled:

An Act to further amend sections five and sixteen of the act approved the thirty-first day of March one thousand eight hundred seventy-six (P. L. 13) entitled "An act to carry into effect section five of article fourteen of the Constitution relative to the salaries of county officers and the payment of fees received by them into the State or county treasury in counties containing over one hundred and fifty thousand inhabitants" providing for the time of payment of salaries to county officers

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1118, entitled:

An Act to further amend section three hundred forty-eight of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" extending the provisions relative to the making of certain contracts and further regulating same

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1296, entitled:

An Act to promote the welfare and general well-being of the veterans of this Commonwealth creating a State Veterans' Authority as a body corporate and politic with power to purchase sell construct and administer real estate homes or farms in aid of veterans authorizing and regulating the issuance of bonds by said Authority and providing for the payment of such bonds and the rights of the holders theerof and providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act further prescribing the powers and duties of said Authority and making an appropriation

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 194, entitled:

An Act to validate and quiet the title to real estate in this Commonwealth held by a foreign corporation not authorized to transact business in Pennsylvania, and heretofore conveyed to a citizen or citizens of the United States or a corporation authorized to hold such real estate.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 246, entitled:

An Act relating to trusts heretofore or hereafter created primarily for the benefit of employes under any stock bonus, pension, disability or death benefit, profit-sharing or other employe-benefit plan, and the application with respect thereto of any statute or rule of law against perpetuities, accumulations, or the suspension of the power of alienation.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 250, entitled:

An Act permitting certain personnel, of State-owned mental hospitals to certify as to the condition of mental patients in lieu of attendance in person before any court in certain cases.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 311, entitled:

An Act to amend section four and subsection (a) of Section ten of the Act, approved the fifth day of August, one thousand nine hundred forty-one (P. L. 816) entitled "An act regulating and limiting the rights of slayers in real and personal property and in the benefits from insurance policies arising out of or as a result of the death of the person slain; protecting and saving the rights of purchasers and insurers dealing with slayers without notice of the slaying, and repealing certain legislation" by clarifying the wording thereof applicable when the slayer is a devisee, legatee, or appointee under the will of the person slain.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 318, entitled:

An Act validating and confirming titles to real estate conveyed by cities of the third class unless proceedings to attack such sales are instituted within one year after the effective date of ths act

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 334, entitled:

An Act to amend the act approved the second day of May one thousand nine hundred forty-five (P. L. 382) entitled "An act providing for the incorporation as bodies corporate and politic of 'Authorities' for municipalities countes and townships prescribing the rights powers and duties of such Authorities heretofore or hereafter incorporated authorizing such Authorities to acquire construct improve maintain and operate projects and to borrow money and issue bonds therefor providing for the payment of such bonds and prescrbing the rights of the holders thereof conferring the right of eminent domain on such Authorities authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof and conferring exclusive jurisdiction on certain courts over rates" by further providing for th incorporation of such Authorities and further prescribing the rights powers and duties of such Authorities

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

BILL RECOMMITTED

Mr. PROPERT. Mr. Speaker, I move that this bill be recommitted to the Committee on Public Utilities for further study and possible amendment.

The motion was agreed to.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 370, entitled:

An Act validating charters of and amendments of the articles of incorporation of certain non-profit corporations incorporated under the Nonprofit Corporation Law.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 492, entitled:

An Act to amend Section 2 of the act approved the third day of May one thousand nine hundred and thirty-three (P. L. 227) entitled "An act authorizing stock corporations with certain exceptions to make provision for and to issue shares of capital stock of any classes or to change shares of authorized or outstanding capital stock of any class into one or more classes with or without nominal or par value and with such designations terms relative rights powers privileges preferences limitations restrictions and qualifications as may be specified regulating such corporations and the liabilities of their directors making other provisions relating to the capital and capital stock of such corporations and repealing all acts or parts of acts inconsistent herewith" by empowering subject to certain conditions the boards of directors of corporations to issue out of the authorized but unissued shares of capital stock the kinds and classes of shares so authorized regulating the creation and issuance of preferred or special stock in series and designating the variations in the relative rights and preferences as between different series and empowering subject to certain conditions the boards of directors of corporations as respects the authorized but unissued shares of preferred or special stock of the corporation to divide the same into series and subject to certain conditions and limitations to fix and determine the relative rights and preferences of any series so established

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 515, entitled:

An Act to amend section three of the act approved the eleventh day of May one thousand nine hundred one (P. L. 166) entitled "An act providing for the commutation of sentences for good behavior of convicts in prisions penitentiaries workhouses and county jails of this State and regulations governing the same" changing the day on which monthly reports shall be forwarded to the Governor

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 543, entitled:

An Act ratifying, confirming and validating certain sales of unused and unnecessary lands sold by any Board of School Directors.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 557, entitled:

An Act providing for and regulating the merger and consolidation of corporations organized for the transportation and storage of oil by means of pipe lines and tanks defining the rights and powers of the surviving or new

corporation providing for the service of process on foreign corporations and defining the rights of dissenting stockholders.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

PERMISSION TO ADDRESS HOUSE

Mr. CHUDOFF asked and obtained unanimous consent to address the House.

Mr. Speaker, those of you who read the Philadelphia Inquirer will notice that that newspaper is presently conducting an investigation of the new-used car racket in Philadelphia.

Last week we passed through this House and we passed finally on Monday a series of bills sponsored by the Speaker and the gentleman from Elk, Mr. Sorg, which will go a long way towards protecting the buyers of used cars and new cars in Pennsylvania as far as the interest on unpaid balances is concerned. These bills were the result of two years' study, and in my opinion are one of the finest sets of companion bills ever passed by this House of Representatives. I hope that they will go through the Senate without delay and I am sure that the Governor will sign them.

Nevertheless, we have a far more important problem which is rather an emergency. A racket has grown up throughout the State of Pennsylvania whereby a new car becomes a used car in about thirty seconds. The new car dealers instead of following the list of purchasers who are waiting for cars are simply turning these automobiles over to used car dealers or putting them on lots in Philadelphia and selling them to the public for anywhere from three hundred to one thousand dollars over the list price. We are trying to protect the bonafide buyers of automobiles and I believe we should try to protect the past buyers of automobiles, therefore I think it is imperative that an investigation take place at once by this House and the Senate.

Yesterday in conjunction with Mr. Root, the gentleman from Philadelphia, I introduced a concurrent resolution asking that the Speaker of the House appoint five Members and the President pro tempore of the Senate appoint three Members for the purpose of having an immediate investigation made to report back to this legislature on May 22nd for the purpose of having legislation passed through this session to get rid of this racket in Philadelphia and the rest of the State.

BILL ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 83, entitled:

An Act to further amend subsection (a) of section six hundred fourteen of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley amnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration ot certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counites cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by providing for the compulsory permanent revocation of operator's license on second conviction of operating a motor vehicle while under the influence of intoxicating liquor or narcotic or habit producing drug

The first section was read.

On the question,

Will the House agree to the section?

Mr. STUART offered the following amendments.

Amend Sec. 1, (Sec. 614), page 5, line 2, by striking out the word "second" and inserting in lieu thereof "third".

Amend sec. 1 (Sec. 614), page 5, line 4, by striking out the word "permanently".

Amend sec. 1 (Sec. 614), page 5, line 5, by inserting after the word "person" the following: "and such operating privilege shall not be restored within a period of three years after such conviction or plea entered. After the expiration of said three year period, an operator's license may be issued to such person upon proof submitted satisfactory to the secretary that the applicant has been cured and no longer becomes under the influence of intoxicating liquor or any narcotic or habit-producing drug".

They were agreed to.

The section was agreed to as amended.

The title was read.

On the question,

Will the House agree to the title?

Mr. STUART offered the following amendments:

Amend title, page 2, 3rd from last line of title, by striking out the word "permanent" and inserting in lieu thereof "three year".

Amend title, page 2, 3rd from last line of title, by striking out the word "second" and inserting in lieu thereof "third".

They were agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

THE SPEAKER (Franklin H. Lichtenwalter) IN THE CHAIR

The SPEAKER. The Chair thanks the gentleman from Venango, Mr. McKinney, for presiding.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. DAVID P. REESE asked and obtained permission for the Committee on Workmen's Compensation to meet during the session of the House.

HOUSE BILL No. 83

Mr. GOFF. Mr. Speaker, I would like to refer back to the last bill (House Bill 83), the amendments that

were read under (a) subsection. Does it call for a revocation on the third conviction in that amendment proposed?

The SPEAKER. The Chair would inform the gentleman that the amendment amends section one, section 614, page 5, line 2, by striking out the word "second" and inserting in lieu thereof the word "third".

Mr. GOFF. Then, Mr. Speaker, I gather there is no provision in this individual bill as amended for a conviction for a second offense, is that correct, Mr. Speaker?

The SPEAKER. If there is no objection the Chair would suggest to the gentleman from Beaver that he interrogate the sponsor of the bill, the gentleman from Allegheny County, Mr. Stuart.

Will the gentleman from Allegheny, Mr. Stuart, permit himself to be interrogated?

Mr. STUART. I will, Mr. Speaker.

Mr. GOFF. Mr. Speaker, am I to gather that under this amendment that has been submitted the gentleman deletes any punishment for a second conviction of an operator of a motor vehicle and has it apply on a third conviction, when this penalty will come into force?

Mr. STUART. Mr. Speaker, under the amendment of the bill the usual penalty for second offense would be inflicted, but for the third offense it would be a permanent revocation.

Mr. GOFF. Mr. Speaker, in other words, the second offense under this amendment would carry only the usual penalty that exists now?

Mr. STUART. That is correct, Mr. Speaker.

Mr. GOFF. Mr. Speaker, I can't go along and agree with this proposed amendment and I would ask the Members of the House to consider this amendment seriously before voting upon it.

We have had a move here to not penalize a driver who is convicted of an infraction of the Motor Vehicle Code upon the second offense, and only makes it punishable on the third offense. In other words, a man that commits the offense the second time of killing someone, maiming someone, is allowed to do so without any penalty. I ask this House to take that amendment under consideration.

Mr. STUART. Mr. Speaker—

The SPEAKER. For what purpose does the gentleman rise? The Chair would inform the gentleman that this bill is not before the House, nor are the amendments. This bill has been disposed of.

Mr. GOFF. Mr. Speaker, on the third reading of this bill I will have the amendment read.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1062, entitled:

An Act to amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant-Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by further reorganizing the Department of Welfare and its boards and officers creating the Department of Mental Health prescribing its functions powers and duties and fixing salaries

The first, second, third and fourth sections were separately read and agreed to.

The fifth section was read.

On the question,

Will the House agree to the section?

Mr. BRUNNER offered the following amendments:

Amend sec. 5 (Sec. 207), page 17, lines 17, 18 and 19, by striking out all of said lines.

Amend sec. 5 (Sec. 207), page 18, lines 1 and 2, by striking out both of said lines.

On the question,

Will the House agree to the amendments?

Mr. ANDREWS. Mr. Speaker, I would like to have the sponsor of the amendments explain the theory of the changes that he is making, as the amendments are presented; to what extent they modify the theory of the bill as it appears on the calendar on second reading.

The SPEAKER. Will the gentleman from Montgomery permit himself to be interrogated?

Mr. BRUNNER. I shall, Mr. Speaker.

I would like the gentleman from Cambria, Mr. Andrews, to repeat that request.

Mr. ANDREWS. To explain the nature and theory of the amendments that the gentleman is proposing, why they are being proposed, what the effect of them is, and to what extent it changes the theory of the bill as we have it at the present time upon the second reading calendar.

Mr. BRUNNER. Mr. Speaker, I would say there are three significant amendments, the others being in the category of form amendments.

The first amendment amends the requirement of the bill that the Secretary of Mental Health must have been a practicing physician for ten years and be in effect eligible, or in effect a psychiatrist. I think we can justify the elimination of this requirement on the grounds that there are only about twenty-five hundred psychiatrists in the United States, most of whom are busily engaged, and it may in effect be quite difficult for the Governor of the Commonwealth of Pennsylvania to obtain a qualified competent psychiatrist to act as Secretary of Mental Health at this time.

The second amendment deals with a provision in the original bill which required at least three of the members of the Board of Trustees to be women. I as sponsor saw no need for such a requirement. I thought if there were ten good women available in the locality the Governor would probably appoint the ten women, and vice versa. So far as making it mandatory upon him or anyone else to appoint at least three women to the Board of Trustees of the State Mental Institution, I thought it was an unfair restraint upon his power.

Now, Mr. Speaker, the third principal amendment deals with certain well recognized religious groups which in other states have operated hospitals or institutions for the mentally ill who have by their conduct of those hospitals in other states shown ability to cure the mentally ill. They have requested that they be exempt from the provisions of this act, being subject however to the requirements to which all institutions are subject, that they be generally acceptable to the standards of the present Department of Welfare or the new department of Mental Health.

I would say, Mr. Speaker, that in the main this is an explanation of the amendments which have been introduced. I would say also that they have been submitted to the Committee on State Government while the bills were in the House awaiting Committee approval, but that approval was given to the sponsor yesterday afternoon at the conclusion of yesterday's Session, and as a sponsor I am heartily for these amendments.

Mr. ANDREWS. Mr. Speaker, are these amendments drawn in the interest of all religious denominations or drawn in the interest of a particular constituency?

Mr. BRUNNER. Mr. Speaker, I think the House is entitled to a fair answer to that question. I was requested several weeks ago by representatives of the Christian Science Church to prepare amendments to this measure, whereby they, in the operation of their mental hospitals, would be exempt from the operation of this bill should it become a law. At that time I explained to them that the Commonwealth of Pennsylvania, so far as I knew, had at all times been fair and impartial and had at no time transgressed on their church functions. However, as a result of their fear that some future regulation might be made whereby they would be restricted in the operation of their own mental hospitals, should they see fit to have some in Pennsylvania, an amendment was prepared. After reading this amendment I informed the representative of that church that in my opinion the amendment was altogether too broad. The members of the House must realize that there is a constitutional prohibition against our inserting a specific amendment in favor of any particular church, and therefore of necessity we must make a broad, all inclusive provision. Under those circumstances a new amendment was prepared and submitted to the sponsor yesterday or the day before, I forget which, and I thought that it did act in a more restrictive manner than the one which had been submitted originally. I was of the opinion that it was acceptable and should be admitted to the bill.

Mr. ANDREWS. Mr. Speaker, under the amendment drawn would any cult, for instance, who would establish themselves as a religious denomination, like Father Divine—could any group organized as a religious group and for religious purposes, establish its own hospitals under the amendment as drawn?

Mr. BRUNNER. Mr. Speaker, I am of the opinion that if any of those groups which the gentleman mentioned are in the category of well recognized religious denominations, they likewise would be exempt by virtue of this amendment.

Mr. ANDREWS. Mr. Speaker, to what extent from accepted professional standards? What are the exceptions from accepted professional standards in the case of a religious denomination?

Mr. BRUNNER. Will the gentleman yield until I get a copy of that particular amendment?

May I say to the gentleman from Cambria that I am informed there was a recent opinion, a court opinion, whereby I believe the State of New Jersey, if I am not mistaken, was deemed to have some two hundred and fifty-eight recognized churches or religious denominations. May I ask the gentleman from Allegheny County, Mr. Brown, to corroborate me, if I differ from the version of the facts of the case and of the court's opinion, because I understand he has read that particular opinion, and it was based upon what he told me informally yesterday that I give the gentleman this reply. This amendment, and I think it should be heard again by the Members of this House, says:

> "Nothing in this article shall be construed to deny or revoke a license of an applicant or licensee because of the fact that the owner or occupant of the house, place, sanitarium or institution where mental patients reside, or the person having charge of such mental patient, is an adherent of and relies upon treatment by prayer or spiritual means, in accordance with the creed or tenets of any well recognized church or religious denomination. Provided the house, place, sanitarium or institution is lawfully, hygenic and properly maintained so as to afford safe custody."

Mr. ANDREWS. Mr. Speaker, one further inquiry—the amendment we are discussing is in addition to the bill as it appeared originally on the second reading calendar? This is a new statement, it it not?

Mr. BRUNNER. That is true, Mr. Speaker.

Mr. ANDREWS. Mr. Speaker, when we come to consider that particular amendment I would ask for a roll call.

The SPEAKER. The Chair would inform the gentleman from Cambria that the amendments we are now considering are to Section 5. There are also amendments to Section 9. The amendments to which the gentleman is referring are to Section 10. If the gentleman so desires we will have a roll call at that time.

Mr. BROWN. Mr. Speaker, may I ask to be recognized after you read Section 10?

The SPEAKER. Does the gentleman desire to have the amendments read again?

Mr. BROWN. No, I am conversant with the amendments, Mr. Speaker.

On the question recurring,

Will the House agree to the amendments?

They were agreed to.

The sixth, seventh and eighth sections were separately read and agreed to.

The ninth section was read.

On the question,

Will the House agree to the section?

Mr. BRUNNER offered the following amendments:

Amend sec. 9 (Sec. 401), page 29, lines 2 and 3, by striking out the words "at least three of the members of the following boards of trustees shall be women and",

Amend sec. 9 (Sec. 401), page 29, line 4, by striking out the words "each of the said boards" and inserting in lieu thereof "the following boards of trustees",

Amend sec. 9 (Sec. 401), page 30, line 16, by striking out the words "Board of Trustees" and inserting in lieu thereof "The terms of the first appointees of the boards of trustees",

Amend sec. 9 (Sec. 401), page 30, lines 19 and 20, by striking out the words "shall include at least three women and the terms of the first appointees",

They were agreed to.

The section was agreed to as amended.

The tenth section was read.

On the question,

Will the House agree to the section?

Mr. BRUNNER offered the following amendment:

Amend Sec. 2108A, page 39, by inserting after line 19 the following:

(e) Nothing in this article shall be construed to deny or revoke a license of an applicant or licensee because of the fact that the owner or occupant of the house place sanitarium or institution where mental patients reside or the person having charge of such mental patients is an adherent of and relies upon treatment by prayer or spiritual means in accordance with the creed or tenets of any well recognized church or religious denomination Provided the house place sanitarium or institution is lawfully hygenic and properly maintained so as to afford safe custody

On the question,

Will the House agree to the amendment?

Mr. BROWN. Mr. Speaker, in part answer to the gentleman from Cambria, Mr. Andrews, and to correct the record, in answer to the gentleman from Montgomery, Mr. Brunner, permit me to say to this House that this amendment gave the Committee a question of most serious consideration. We were cognizant of the fact that once the door is open the door must remain open, for there is no yard stick by which this Commonwealth can determine what is a well recognized religious sect or what is not.

The question referred to by the gentleman from Montgomery, Mr. Brunner, arose on the question or discussion of how far we could insert a clause of limitations, so that any religious sect could operate its own mental health sanitaria.

We referred, of course, in our discussion to the now famous decision in the New Jersey Parochial Schools transportation case, wherein the Learned Justice of the Supreme Court, Justice Rutledge, in his dissenting opinion said that once the door is open it is open to all organizations, and that there are in the United States, not in the State of New Jersey, according to Justice Rutledge, 258 religious organizations, and if the door is open to one it would be open to all.

In the light of that the gentleman from Montgomery, Mr. Brunner, and myself, at the direction of the Committee on State Government spent some time last evening with the very courteous representative of the Department of Justice, with the idea of trying to make words of limitation, so that the people of Pennsylvania would be protected. We regret to inform this House that as we understand the law, both from individual standpoints and from the standpoint of those more learned in the law than we are, such limitation cannot exist. We have inserted, or the gentleman from Montgomery has inserted a clause in here, that can be secured. It says "any well recognized organization." We submit to this House that it may be that clause is absolutely meaningless as a matter of law. As I said before, there is no yardstick by which this Commonwealth or any other Commonwealth or the Congress of the United States can distinguish distinctly between one religious group and another.

Therefore, in answer to the gentleman from Cambria, Mr. Andrews, it is my opinion and I believe the gentleman from Montgomery concurs in it, that if the door is opened it must be open to all. Neither the gentleman from Cambria nor the gentleman from Montgomery nor myself nor any one else has the legal authority to determine for others their religious beliefs. And though they may not coincide they are protected under the Constitution of the United States, and in my opinion would have a right to come within this exception.

Mr. BRUNNER. Mr. Speaker, I wish to concur with the statements made by the gentleman from Allegheny Mr. Brown. When this particular amendment was finally submitted to me as the sponsor of this bill, I agreed to it for the purpose of submitting it to the committee on State Government which had released this particular bill from Committee with the provision that it should not move thru a second reading until amendments had been prepared and considered by the committee, the bill was finally acceptable to the Committee, and it would then move forward. Accordingly the amendment was submitted to the State Government Committee yesterday afternoon, as I informed the members of that Committee, and that Committee agreed to adopt and include this amendment. Under the circumstances I intend to vote "aye".

Mr. ANDREWS. Mr. Speaker, as the gentleman pointed out, there are at least two hundred fifty religious denominations or sects or groups operating in the country. Out of that two hundred and fifty I would not venture to guess how many are composed of people, all of whom should themselves be confined to mental hospitals. I am most emphatically opposed to the bit of legislation that would grant to people who I believe should be in mental hospitals, the right to start one. That is why I am opposed to this amendment.

Mr. BANE. Mr. Speaker, I desire to interrogate the gentleman from Allegheny, Mr. Brown.

The SPEAKER. Will the gentleman from Allegheny permit himself to be interrogated?

Mr. BROWN. I shall, Mr. Speaker.

Mr. BANE. Mr. Speaker, I should like to ask the gentleman from Allegheny in his discussion last evening with the Attorney General's office, whether or not an opinion was expressed in that office as to whether or not it was essential to the validity of the purpose of this bill that this proposed amendment be included?

Mr. BROWN. Mr. Speaker, may I say to the gentleman that the Attorney General's office does not pass on questions of policy. It is kind enough to pass on questions of law. Therefore in my answer I want the gentleman to understand that I am giving him a question of law and not a question of policy, so that the answer will not weigh upon the Members' minds as to how on a question of policy they should vote, for I would be misinterpreting the function of the Department of Justice. It is the opinion of one of the distinguished members of that staff with whom I consulted, and it is my opinion that no constitutional provision will be denied if all religious groups are included.

Mr. BANE. Mr. Speaker, I thank the gentleman from Allegheny.

On the question recurring,

Will the House agree to the amendment?

The yeas and nays were required by Mr. Andrews and Mr. Bane and were as follows:

YEAS—143

Aaronson,	Goodling,	Madigan,	Scott,
Beech,	Greenwood,	Mazza,	Serrill,
Bender,	Greer,	McCosker,	Shoemaker,
Bentzel,	Griffiths,	McDonald,	Smith, C. C.,
Bonawitz,	Guthrie,	McKinney,	Snider,
Boorse,	Gyger,	McMillen,	Sollenberger,
Bower,	Hall,	Mihm,	Sorg,
Brice,	Haller,	Miller,	Stimmel,
Brown,	Haudenshield,	Mintess,	Stockham,
Brunner,	Helm,	Mohr,	Stonier,
Cadwalader,	Henry,	Moore, C. E.,	Stuart,
Cassidy,	Hewitt,	Moore, H. A.,	Thomassy,
Cole,	Hocker,	Morrison,	Thompson,
Cook	Hoffman,	Myers,	Tittle,
Cordier,	Hoopes,	Najaka,	Toomey,
Crowley,	Horan,	Naumann,	Turner,
Dague,	Imbt,	Nelson,	Upshur,
Dalrymple,	Jennings,	O'Connor,	Vaughan,
Davison,	Johnson,	Orban,	Verona,
De Long,	Johnston,	Patten,	Wachhaus,
Dennison,	Jones,	Pickens,	Waldron,
Depuy,	Jump,	Polaski,	Wallin,
Dix,	Kean,	Powers,	Walton,
Efenberg,	Kemp,	Price,	Waterhouse,
Elder,	Kent,	Propert,	Watson,
Ewing,	Kirley,	Ragot,	Weidner,
Feola,	Kline,	Readinger,	Weiss,
Fish,	Kohl,	Reese, D. P.,	Wescott,
Fiss,	Kratz,	Reilly, J. M.,	Wheeler,
Fleming,	Krise,	Reilly, W. J.,	Wood,
Foor,	Kurtz,	Richter,	Worley,
Frost,	Laughner,	Riley,	Yeakel,
Gallagher,	Leisey,	Robbins,	Yester,
Getchey,	Livingston,	Robertson,	Young,
Gibson,	Livingstone,	Royer,	Lichtenwalter,
Goff,	Madden,	Sarraf,	Speaker.

NAYS—27

Andrews,	Chudoff,	Mills,	Scanlon,
Bane,	Cochran,	Mooney,	Smith, C. M.,
Barrett,	Evans,	Needham,	Sproul,
Boies,	Kelley,	O'Neill,	Stank,
Bucchin,	Layer,	Petrosky,	Swope,
Capano,	Lovett,	Rose,	Yetzer,
Chervenak,	Mikula,	Sax,	

NOT VOTING—35

Baumunk,	Flack,	Neff,	Simons,
Bloom,	Gorman,	O'Dare,	Tahl,
Breisch,	Graybill,	O'Donnell,	Tompkins,
Clevenger,	Lee,	Pichney,	Trout,
Cooper,	Loftus,	Reagan,	Wagner,
Costa,	Lyons,	Reese, R. E.,	Watkins,
Demech,	McCormack,	Root,	West,
Dye,	McCullough,	Rowen,	Wolf,
Erb,	Murray,	Schuster,	

So the question was determined in the affirmative and the amendment was agreed to.

The tenth to sixteenth sections inclusive and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

STUDENTS OF MOORE TOWNSHIP SCHOOL WELCOMED

The SPEAKER. The Chair is very pleased this afternoon to have as guests in the House eighth grade students of Moore Township Schools, Northampton County under the supervision of Mr. John Topfer and Mr. Albert Leiby. They are the guests of the gentleman from Northampton County, Mr. Jones.

STUDENTS OF CENTER TOWNSHIP WELCOMED

The SPEAKER. The Chair is also pleased to welcome to the House this afternoon the School of Center Township, Perry County, who are present under the direction of Mr. Frank L. Fry, Mrs. Alice Gantt, Mrs. Mildred Sanderson, Mrs. Eda Campbell and Mr. Herman H. Heston. They are the guests of the gentleman from Perry, Mr. Toomey.

SENIOR CLASS OF LANCASTER MENNONITE SCHOOL WELCOMED

The SPEAKER. The Chair is also pleased to welcome to the House this afternoon the Senior Class of the Lancaster Mennonite School of Lancaster, under the direction of Mr. John S. Wenger and Clayton L. Keener. They are the guest of the gentlemen from Lancaster, Messrs. Royer, Murray and Wood.

APPOINTMENT OF MINORITY COMMITTEE

Mr. ANDREWS. Mr. Speaker, I would like to state for the purpose of the record that I am asking the gentleman from Allegheny, Mr. Brown, the gentleman from Berks, Mr. Readinger, and the gentleman from Fayette, Mr. Bane, to act as a committee to pass upon Senate amendments to House Bills. I feel in view of the devious ways of the other Chamber that it is necessary that I be fortified by expert advice in passing upon amenments.

BILLS ON SECOND READING

BILLS PASSED OVER

There being no objection,

Senate Bill No. 49, Printer's No. 46
Senate Bill No. 87, Printer's No. 243
Senate Bill No. 114, Printer's No. 21
Senate Bill No. 152, Printer,s No. 245
Senate Bill No. 231, Printer's No. 221
Senate Bill No. 232, Printer's No. 56 and
Senate Bill No. 241, Printer's No. 76

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 282, entitled:

An Act to amend article IX of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 457) entitled "An act relating to the business of building and loan associations providing for the organization and voluntary dissolution of such associations defining the rights powers duties liabilities and immunities of such associations and of their officers directors shareholders solicitors and other employes prohibiting the transaction of business in this Commonwealth by foreign building and loan associations conferring powers and imposing duties upon the courts recorders of deeds and certain State departments commissions and officers establishing limitations of actions imposing penalties and repealing certain acts and parts of acts" by authorizing building and loan associations to grant chattel mortgages in certain cases.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

BILL PASSED OVER

There being no objection,

Senate Bill No. 335, Printer's No. 55

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 381, entitled:

An Act to further amend subsection (f) of section four hundred forty-eight of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" increasing the number of members of The Advisory Board requiring one of such members to be a licensed dentist and one to be a licensed pharmacist

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

BILLS PASSED OVER

There being no objection,

Senate Bill No. 419, Printer's No. 157

Senate Bill No. 433, Printer's No. 137

Senate Bill No. 478, Printer's No. 244 and

Senate Bill No. 487, Printer's No. 168

were passed over at the request of the SPEAKER.

BILL ON FINAL PASSAGE

BILL PASSED OVER

There being no objection,

House Bill No. 535, Printer's No. 543

was passed over at the request of Mr. SORG.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 37, as follows:

An Act defining and providing for the licensing and regulation of private schools conferring powers and imposing duties on the Department of Public Instruction and imposing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Wherever used or referred to in this act unless a different meaning clearly appears from the context

(a) "Private school" or "'school" shall mean a school maintained or classes conducted for the purpose of offering educational instruction for a conderation profit or tuition the purpose of which is to generally educate an individual or prepare an individual for higher education and shall nclude all schools of educaton except private trade schools private business schools and private correspondence schools

(b) "Solicitor" shall mean any person whether employed by a private school or operating in his own behalf or whether acting in behalf of any school located within or outside of this Commonwealth who shall personally solicit any individual within the Commonwealth to enroll in a school

(c) "Department" shall mean the Department of Public Instruction

Section 2 The provisions of this act shall not apply to colleges or universities schools maintained or classes conducted by employers for hteir own employes where no fee or tuition is charged schools or classes owned and operated by or under the authority of bona fide religious or eleemosynary institutions or by the Commonwealth of Peinnsylvania or any political subdivision thereof or schools accredited by accrediting associations approved by the State Council of Education

Section 3 The provisions of this act shall be administered by the Department of Public Instruction which in connection therewith shall have the power to make and to enforce rules and regulations and to make and promulgate standards of instruction not inconsistent with the provisions of this act The department may appoint an advisory committee of three or more members selected from persons active in the private school field whose duties shall be to advise and to make recommendations to the department regarding rules codes and other regulations for the licensing of schools and to make and to promulgate standards of qualifications for schools and agents so licensed

Section 4 No private school shall continue operation or be established within the Commonwealth unless such school shall within five (5) months of the effective date of this act apply for and obtain from the department a license in the manner and form prescribed by the department

Section 5 Before any license is issued a verified application shall be made in writing to the department on a form prepared and furnished by the department Such application shall require a statement showing (1) the title or name of the school or classes together with ownership and controlling officers thereof (2) the specific fields of instruction which will be offered (3) the place or places where such instruction will be given (4) a specific listing of the equipment available for instruction in each field (5) the maximum enrollment to be accommodated on equipment available in each specified field (6) the qualifications of instructors and supervisors in each specified field (7) financial resources available to equip and to maintain the school or classes (8) such additional information as the department may deem necessary to enable it to determine the adequacy of the program of instruction and matters pertaining thereto

Section 6 If the department finds that the application and the school or classes for which a license is sought complies with the provisions of this act and the rules and regulations of the department promulgated under the provisions of this act the department shall issue an original license to the applicant

Section 7 Any license issued shall be restricted to the fields or courses specifically indicated in the application for a lcense The holder of a license shall present a supplementary application as may be directed by the department for approval of additional fields or courses in which it is desired to offer instructions during the effective period of the license

Section 8 Each original license issued shall be effective for a period of one (1) year from the date of issuance and shall be renewed annually thereafter by an application for renewal on a form prepared and furnished by the department

Section 9 Each original application shall be accom-

panied by a license fee of fifty dollars ($50) and each application for the renewal of a license shall be accompanied by a license fee of twenty-five dollars ($25) No fee shall be charged for a supplementary application for the approval of additional fields of courses of instruction fees for solicitors shall be five dollars (5) per year all license fees shall be paid into the General Fund in the State Treasury through the Department of Revenue No license fees shall be refunded in the event any license is refused or revoked or for any other reason

Section 10 The department shall maintain a list of schools licensed under the provisions of this act which shall be available for the information of the public

Section 11 No private school or class shall be granted a license or shall be permitted to continue to operate under a granted license unless

(1) It shall permit the department and its representatives to inspect the school or classes and shall make available to the department at any time when requested to do so full information pertaining to any or all items of information contained in the application form which currently is provided by the department to applicants for license

(2) It shall prominently display the current approved license where it may be inspected by students visitors and designated officials of the department

(3) The advertising and representatives made by anyone representing the school or classes as a solicitor or contractual agent to prospective students shall be free from misrepresentation or fraud and shall conform with the rules and regulations of the department governing such advertising or representation

(4) The premises equipment and conditions of the school or classes shall be adequate safe and sanitary in accordance with standards of the Commonwealth of Pennsylvania applicable to such premise and equipment

Section 12 Any license issued under the provisions of this act may be revoked or suspended by the department for cause Before any license is suspended or revoked the department shall serve a notice thereof on the licensee together with a statement of the reason for its action and the licensee upon request therefor shall be entitled to a hearing before the department and shall be afforded a full opportunity to appear before the department or an authorized agent of the department to state his case and to produce such evidence as he shall deem necessary

Section 13 Any person who shall violate or fail to comply with any of the provisions of this act shall be guilty of a misdemeanor and upon convicton thereof shall be sentenced to pay a fine of not less than fifty ($50) nor more than five hundred dollars ($500) and to undergo imprisonment for a period of not less than six (6) months nor more than one (1) year If the violation shall be by a corporation partnership or association the officers and directors of such corporation or the members of such partnership or association its agents and employes with guilty knowledge of the fact shall also be guilty of a misdemeanor and upon conviction thereof shall be punished as hereinbefore provided

And said bill having been read at length the third time, considered and agreed to

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—204

Aaronson,	Gallagher,	McCosker,	Sax,
Andrews,	Getchey,	McCullough,	Scanlon,
Bane,	Gibson,	McDonald,	Schuster,
Barrett,	Goff,	McKinney,	Scott,
Baumunk,	Goodling,	McMillen,	Serrill,
Beech,	Gorman,	Mihm,	Shoemaker,
Bender,	Graybill,	Mikula,	Simons,
Bentzel,	Greenwood,	Miller,	Smith, C. C.,
Bloom,	Green,	Mills,	Smith, C. M.,
Boies,	Griffiths,	Minteer,	Snider,
Bonawitz,	Guthrie,	Mohr,	Sollenberger,
Boorse,	Gyger,	Mooney,	Sorg,
Bower,	Hall,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenshield,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Bucchin,	Hewitt,	Najarian,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,
Clevenger,	Jennings,	O'Dare,	Tompkins,
Cochran,	Johnson,	O'Donnell,	Toomey,
Cole,	Johnston,	O'Neill,	Turner,
Cook,	Jones,	Orban,	Upshur,
Cooper,	Jump,	Patten,	Vaughan,
Cordier,	Kean,	Petrosky,	Verona,
Costa,	Kelley,	Pichney,	Wachhaus,
Crowley,	Kemp,	Pickens,	Wagner,
Dague,	Kent,	Polaski,	Waldron,
Dalrymple,	Kirley,	Powers,	Wallin,
Davison,	Kline,	Price,	Walton,
De Long,	Kohl,	Propert,	Waterhouse,
Demech,	Kratz,	Ragot,	Watkins,
Dennison,	Krise,	Readinger,	Watson,
Depuy,	Kurtz,	Reagan,	Weidner,
Dix,	Laughner,	Reese, D. P.,	Weiss,
Dye,	Layer,	Reese, R. E.,	Wescott,
Efenberg,	Lee,	Reilly, J. M.,	West,
Elder,	Leisey,	Reilly, W. J.,	Wheeler,
Erb,	Livingston,	Richter,	Wolf,
Evans,	Livingstone,	Riley,	Wood,
Ewing,	Loftus,	Robbins,	Worley,
Feola,	Lovett,	Robertson,	Yeakel,
Fish,	Lyons,	Root,	Yester,
Fiss,	Madden,	Rose,	Yetzer,
Flack,	Madigan,	Rowen,	Young,
Fleming,	Mazza,	Royer,	Lichtenwalter,
Foor,	McCormack,	Sarraf,	Speaker
Frost,			

NAYS—0

NOT VOTING—1

Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 326, as follows:

An Act relating to marriage and amending revising consolidating and changing the law relating thereto

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Licenses Necessary to Marry No person shall be joined in marriage within this Commonwealth until a marriage license shall have been first obtained from the clerk of the orphans' court of any county A license so issued shall authorize the marriage ceremony to be performed in the county where the license is issued or in any other county in this Commonwealth

Section 2 Application for License to Marry No license to marry shall be issued by any clerk of the orphans' court except upon written and verified application made by both of the parties intending to marry Such applications shall contain a statement of (a) the full christian name and surname and date of birth of the applicants (b) the color age occupation birth place and residence of the applicants (c) the full christian name and surname residence color occupation and birth place of their parents including the maiden name of the mothers (d) whether the marriage is the first second or other marriage (e) that neither of the applicants is afflicted with a trans-

missible disease (f) that each of the parties has submitted to an examination within thirty (30) days of the application for the license as to the existence or nonexistence of syphilis and has presented a proper statement entitling him or her to a license to marry signed by a duly licensed physician and (g) such other facts as the Department of Health may deem necessary to determine whether any legal impediment to the proposed marriage exists

Section 3 Waiting Period After Application for License No license to marry shall be issued until three (3) full days shall have intervened between the day of making application therefor and the granting of the license except in cases of emergency or extraordinary circumstances when a judge of the orphans' court may authorize the license to be issued at any time before the expiration of said three (3) days

Section 4 Restrictions on the Issue of Marriage License No license to marry shall be issued by any clerk of the orphans' court

(a) Until there shall be in the possession of the clerk of the orphans' court a statement or statements signed by a duly licensed physician of the Commonwealth of Pennsylvania that each applicant within thirty (30) days of the application for the marriage license has submitted to an examination to determine the existence or nonexistence of syphilis which examination has inculded a standard serological test or tests for syphilis and that in the opinion of the examining physician the applicant is not infected with syphilis or if so infected is not a stage of that disease which is likely to become communicable The physician's statement shall be accompanied by a statement from the person in charge of the laboratory making the test or from some other person authorized to make such statement setting forth the name of the test the date it was made the name and address of the physician to whom a report was sent and the exact name and address of the person whose blood was tested but not setting forth the result of the test

(b) Unless at least one (1) of the applicants is identified to the satisfaction of the clerk of the orphans' court applied to for such license or unles at least one (1) of the applicants has attached thereto a certificate from the alderman magistrate notary public or justice of the peace before whom it was taken stating that the applicant was identified to the satisfaction of such officers

(c) If either of the applicants is under the age of twenty-one (21) years unless the consent of a parent or guardian shall be personally given before the clerk or be certified under the hand of a parent or guardian attested by two (2) adult witnesses and in the latter case the signature of the parent or guardian shall be acknowledged before an officer authorized by law to take acknowledgments When such a minor has no guardian and the judge of the orphans' court is absent or not accessible for any reason the clerk of the orphans' court or a duly appointed assistant clerk of said court may appoint a guardian pro hac vice for such minor

(d) If either applicant therefor be under the age of sixteen (16) years Provided That a judge of the orphans' court shall have discretion to authorize a license to be issued by the clerk of the orphans' court in special cases where one (1) or both of the applicants is under the age of sixteen (16) years

(e) If either of the applicants for license is an imbecile epileptic of unsound mind or under guardianship as a person of unsound mind or a feeble minded person

(f) If either applicant is or has been within five (5) years preceding the time of the application an inmate of any institution for the insane or home for indigent persons unles it satisfactorily appears that the cause for such condition has been removed and that the male applicant is able to support a family

(g) If at the time of making application either of the applicants is under the influence of intoxicating liquor or narcotic drug

(h) To a person (divorced by his or her former spouse on the grounds of adultery) for the marriage of such person to the person with whom the crime of adultery was committed during the lifetime of the former husband or wife

(i) To applicants who are of kin of the degree of first cousins

(j) To applicants within the prohibited degrees of consanguinity and affinity which are as follows

Degrees of Consanguinity

A man may not marry his mother
Do.....do.....daughter
Do.....do.....father's sister
Do.....do.....mother's sister
Do.....do.....sister
Do.....do.the daughter of his son or daughter

A woman may not marry her father
Do.....do.....mother's brother
Do.....do.....father's brother
Do.....do.....brother
Do.....do.....son
Do.....do.....the son of her son or daughter

A man may not marry his father's wife
Do.....do.....son's wife
Do.....do.....wife's daughter
Do.....do..the daughter of his wife's son or daughter

A woman may not marry her mother's husband
Do.....do.....daughter's husband
Do.....do.....husband's son
Do.....do..the son of her husband's son or daughter

Section 5 Tests for Syphilis Physician's Statement Appeals Filing (a) For the purpose of this act a standard serological test for syphilis shall be a test approved by the State Department of Health and shall be made at a laboratory approved to make such tests by the State Deparment of Health Such laboratory tests as are required to be made by this act shall one request of the physician submitting the sample and on his certificate that the applicant is unable to pay be made without charge by the State Department of Health

(b) An applicant for a marriage license having been denied a physician's statement as required by this act shal have the right of appeal to the Department of Health of the Commonwealth of Pennsylvania for a review of the case and the said department shall after appropriate investigation issue or refuse to issue a statement in lieu of the physician's statement required by section one of this act

(c) The statements of the physician who examined the applicant and the laboratory which made the serological test shall be uniform throughout the State and shall be upon forms provided therefor by the State Department of Health These forms shall be filed by the clerk of the orphans' court separately from the applications for marriage licenses and shall be regarded as absolutely confidential by any and every person whose duty it may be to obtain make transmit or receive such information or report

Section 6 Examination of Applicants Each of the applicants for a marriage license shall appear in person before the clerk of the orphans' court of the county in which the license is to be issued or before an alderman magistrate Notary Public or justice of the peace of that county or of any other county

At the time of such appearance the applicant or both of them if they appear together shall be examined under oath or affirmation as to

(a) The legality of the contemplated marriage

(b) Any prior marriage or marriages and its or their dissolution if by divorce a certified copy of the decree shall be produced and field

(c) All the information required to be furnished on the application for license as prepared by the Department of Health and

(d) The restriction set forth in section four of this act

The applicationor applications shall thereupon be com-

pleted in accordance with such examination and duly sworn or affirmed and subscribed to by the applicant or aplicants

Upon the completion of any application or applications taken before an alderman magistrate Notary Public or justice of the peace such aplication or applications shall be promptly transmitted to the clerg of the orphans' court of the county in which the license is to be issued There shall be attached to each application so forwarded a ing that the applicant was identified to the satisfaction certificate of the officer before whom it was taken certify- of such officer

The clerk of the orphans' court wherein the application for license is filed when properly completed applications on behalf of each of the parties to the proposed marriage have been taken before him or duly forwarded to him by an alderman magistrate Notary Public or justice of the peace shall if there is no legal objection to the marriage grant a license Such license shall not be granted until three (3) days shall have intervened from the date of the filing in said office of the most recent of the two (2) applications therefore is received by or filed with the clerk of the orphans' court

The clerk of the orphan's court shall provide application blanks upon request to aldermen magistrates Notaries Public and justices of the peace and also blanks for certifying the identification of applicants

Section 7 Orphans' Court To Pass Upon Refusal of Clerk to Issue License In those cases where the right to a license is not made to appear the clerk of the orphans' court shall refuse to issue the same At once upon such refusal he shall certify the proceedings to the orphans' court of the county without formality or expense to the applicants for license who shall be notified by the clerk of such actifon

Such application for a license to marry shall thereupon at the earliest possible time be heard by a judge of said court without a jury in court or in chambers during the term or in vacation as the case may be The finding of the court that a license ought to issue or ought not to issue shall be final and the clerk of the orphans' court shall act in accordance therewith

The true intent of this section is to secure for applicants a hearing before the orphans' court without affirmative action by said applicants and to give notice to them of such hearing its time and place without delay or expense

Section 8 Recording Application and Consent Certificate The applications for license and all consent certificates shall be immediately recorded by the clerg of the orphans' court in a book provided for that purpose at the cost of the county which shall be called the marriage license docket and which shall be a public record open to inspection or examination by the public at all times during business hours Any person may make a copy or abstract of the entries contained in the said marriage license docket for the purpose of publication in any regularly published daily or weekly newspaper and it shall be lawful to publish said copy or abstract in any regularly published daily or weekly newspaper printed within the Commonwealth

Section 9 Form of Marriage Licenses Marriage Certificates (a) The marriage license as issued by the clerk of the orphans' court shall not be valid for a longer period than sixty (60) days from the date of issue and shall be in form substantially as follows to wit

Commonwealth of Pennsylvania Marriage License Docket No

County of ss

To any person authorized by law to solemnize marriage

You are hereby authorized to join together in marriage according to the laws of the Commonwealth of Pennsylvania A..... B..... of full age and never heretofore married and C..... D..... likewise of full age and never heretofore married

Given under my hand and seal of the orphans' court of said county of ..... at ..... this ..... day of .....one thousand ..... A..... B.....

Clerk

If either of said parties is not of full age of twenty-one (21) years then in lieu of the words "of full age" his or her age shall be stated and if either of said parties shall have been married previously to the issuing of such license then in lieu of the words "never previously married" the number of times he or she shall have been previously married and the mode by which said prior marriage was or were dissolved shall be stated if by divorce the cause for which such divorce shall have been granted

(b) The license shall have appended to it two (2) certicates numbered to correspond with said license (one (1) marked original and one (1) marked duplicate) which shall be in form substantially as follows

I the understigned hereby certify that on the ..... day of ..... one thousand ..... at ..... Pennsylvania ..... and ..... were by me united in marriage in accordance with license issued by clerk of the orphans' court of ..... county Pennsylvania numbered .....

(Signed) .....

(Title of person solemnizing marriage)

Section 10 Forms Where Marriage Ceremony Performed by Parties to Marriage In all cases in which the parties intend solemnizing their marriage themselves no such marriage shall take place until the clerk of the orphans' court shall certify their right so to do in a declaration in substantially the following form

Marriage License Docket .....

To A ..... B .....

C ..... D .....

Legal evidence having been furnished to me in accordance with law this certifies that I am satisfied there is no legal impediment to you joining yourselves together in marriage

Given under my hand and seal this .....day of ..... A D 19.....

A ..... B .....Clerk

In lieu of the certificate before set forth there shall be appended to such declaration two (2) certificates numbered to correspond to the declaration of the clerk of the orphans' court in the following form

We hereby certify that on the ..... day of ..... one thousand nine hundred and ..... we united ourselves in marriage at ..... in the county of ..... having first obtained from the clerk of the orphans' court of said county a declaration numbered ..... that he was satisfied that there was no existing legal impediment to our so doing

A ..... B .....

C ..... D .....

We the undersigned were present at the solemnization of the marriage of A ..... B ..... and C ..... D ..... as set forth in the foregoing certificate

D ..... E .....

E ..... F .....

Section 11 Persons Qualified to Solemnize Marriages The chief justice and each justice of the Supreme Court the president judge and and each judge of the Superior Court each judge of the court of common pleas judge of the orphans' court judge of a county court judge of a municipal court magistrate alderman justice of the peace mayor of any city and burgess of any borough of this Commonwealth and every minister priest or rabbi of any regularly established church or congregation is hereby authorized to solemnize marriages between such persons as produce a proper marriage license Every religious society religious institution or religious organization in this Commonwealth may join together in marrage such persons as are members of the sad society institution or organization or when one (1) of such persons is a member of such society institution or organization according to the rules and customs of the society institution to which they or either of them belong

Section 12 Returns of Marriage The certificate marked "original" shall by the person solemnizing the marriage be duly signed and be given to the parties contracting the marriage and the certificate marked "duplicate" shall by the person or by a member of the religious society institution or organization solemnizing the marriage be duly signed and returned to the clerk of the orphans' court who issued the license within thirty (30) days after the solemnizing of said marriage If the marriage was solemnized by the parties themselves the certificate marked "original" shall be signed by the parties to the marriage and be attested by two (2) witnesses and be retained by the parties contracting the marriage and the certificate marked "duplicate" shall be signed by the parties to the marriage and be attested by the same two (2) witnesses and be returned to the clerk of the orphans' court issuing the same within thirty (30) days

The clerk of the orphans' court upon the reception of the "duplicate" certificate shall enter the same upon the marriage license docket with the marriage license application

Section 13 Common Law Marriages Abolished Marriages Without License Void No common law marriage may hereafter be legally entered into in this Commonwealth and all such marriages hereafter entered into shall be null and void

Section 14 Marriages Within Degrees of Consanguinity and Affinity All marriages within the prohibited degrees of consanguinity or affinity as set forth in this act including marriages between first cousins are hereby declared voidable to all intents and purposes but when any of said marriages shall not have been dissolved during the life time of the parties the unlawfulness of the same shall not be inquired into after the death of either of the parties thereto

Section 15 Marriages During Existence of Former Marriage If a person during the life-time of a husband or wife with whom a marriage is in force enters into a subsequent marriage pursuant to the requirements of this act and the parties thereto live together thereafter as husband and wife and such subsequent marriage was entered into by one (1) or both of the parties in good faith in the full belief that the former husband or wife was dead or that the former marriage had been annulled or terminated by a divorce or without knowledge of such former marriage they shall after the impediment to their marriage has been removed by death of the other party to the former marriage or by annulment or divorce if they continue to live together as husband and wife in good faith on the part of one (1) of them be held to have been legally married from and after the removal of such impediment

Section 16 Preparation of Forms Applications or licenses to marry consent certificate statements of physicans and laboratories relative to examination for syphilis and marriage licenses shall be supplied to the clerk of the orphans' court by the county commissioners at the expense of the county and shall be uniform throughout the Commonwealth and specimen forms thereof as prepared by the Department of Health shall from time to time be furnished to the several clerks of the orphans' courts of this Commonwealth

Section 17 Fees The fee to be charged by the clerk of the Orphans' court in various counties for issuing a marriage license or declaration and for returns thereof to the Department of Health shall be two dollars and fifty cents ($2.50) two dollars ($2) of which shall be for the use of the clerk of the orphans' court of the County wherein such license is issued and fifty (50) cents for the use of the Commonwealth Where either of the applicants for a license is under the age of twenty-one (21) years and the consent of a parent or guardian is necessary as herein provided the clerk of the orphans' court shall receive for his own use an additional fee of fifty (50) cents for recording the certificate of consent

All moneys collected by the said clerk for the use of the Commonwealth shall at the end of each month be transmitted to the State Treasurer to be placed in the general fund for the use of the Commonwealth

A magistrate alderman Notary Public or justice of the peace for services rendered by him under the provisions of this act shall be entitled to a fee of fifty (50) cents

Section 18 Certified Copies of Records Evidence A certified copy of the record of a marriage license under the hand of the clerk of the orphans' court and the seal of said court or under the hand of the Secretary of Health and the seal of the Department of Health shall be received in al lcourts of this Commonwealth as prima facie eviednce of said marriage between the parties therein named

Section 19 Penalties (a) Any clerk of the orphans' court who shall wilfully issue a marriage license in any manner except as provided for in this act or who shall refuse or neglect to enter upon the marriage docket any marriage license application or any marriage license issued from his office immediately after it is issued or to enter any consent certificate or authorization of a judge of the orphans' court or shall fail to keep the marriage docket open for inspection or examination by the public or shall prohibit or prevent any person from making a copy or abstract of the entries in the marriage license docket for the purpose of publishing the same in any regularly published daily or weekly newspaper shall upon conviction in a summary proceeding be sentenced to pay a fine not exceeding fifty dollars ($50) and cost for each offense

(b) Any applicant for a marriage license physician or representative of a laboratory who shall misrepresent any of the facts described by paragraph (a) of section four of this act or any licensing officer failing to receive the statements prescribed by said paragarph or who shall have reason to believe that any of the facts thereon have been misrepresented and shall nevertheless issue a marriage license or any person who shall disregard the confidential character of the information or reports required by said paragarph or any other person who shall otherwise fail to comply with the provisions of said paragarph shall upon conviction thereof in a summary proceeding in the county wherein such offense was committed be sentenced to pay a fine of not less than twenty dollars ($20) nor more than one hundred dollars ($100) and the costs of prosecution and upon failure to pay such fine and costs shall be imprisoned not less than ten (10) nor more than thirty (30) days

(c) Any person solemnizing a marriage who shall neglect or refuse to return the "duplicate" certificate of marriage to the clerk of the orphans' court within thirty (30) days after the marriage was solemnized shall upon conviction thereof in a summary proceeding be sentenced to pay a fine of fifty dollars ($50) and costs

(d) If any person shall solemnize any marriage ceremoney or shall be a party or an attesting witness to the same without the parties to the marriage having first obtained the proper license as provided for in this act he she or they so officiating contracting or attesting shall upon conviction in a summary proceeding be sentenced to pay a fine not exceeding fifty dollars ($50)

(e) Any person who shall knowingly perform a marriage ceremony between parties when either of said parties is intoxicated shall be guilty of a misdemeanor and upon conviction thereof shall pay a fine of fifty dollars ($50) or be imprisoned not exceeding sixty (60) days or both

(f) Any alderman magistrate Notary Public or justice of the peace who shall knowingly insert or permit to be inserted any false statement in any application for marriage license or who shall make any false certification that the applicant named in such applicant was satisfactorily indentified to him shall upon conviction in a summary proceedings be sentenced to pay a fine not exceeding fifty dollars ($50) and costs

(g) All fines and penalties collected pursuant to this act shall be for the use of the county in which the marriage license was issued

Section 20 Statistics Each clerk of the orphans' court shall furnish the Department of Health not later than the tenth day of each month with a transcript or record of each marriage license issued and of each return of the

celebration of a marriage received or filed in his office during the preceding calendar month

The transcripts or records required to be furnished shall be made by the clerk of the orphans' court on forms prepared from time to time by the Department of Health and shall contain such information as the Department may require The forms so prepared shall be furnished to the clerk of the orphans' court by the county commissioners at the expense of the county

The records so furnished to the Department of Health shall be public records open to inspection during business hours The Department of Health shall from time to time compile and publish statistics from such records for public information

Section 21 Short Title This act shall be known and may be cited as the "Marriage Law"

Section 22 Repeals The following acts and parts of acts are hereby repealed as specifically indicated

Sections five six and nine of the act approved the thirteenth day of March one thousand eight hundred fifteen (P. L. 150) entitled "An act concerning divorces" so far as supplied by this act

Section two of the act approved the tenth day of April one thousand eight hundred and forty-nine (P. L. 549) entitled "An act to prevent the killing of deer at certain season in Union county and relative marriage certificates" absolutely

Section four of the act approved the eighth day of May one thousand eight hundred fifty-four (P. L. 663) entitled "An act to protect certain domestic and private rights and prevent abuses in the sale and use of intoxicating drinks" absolutely

The act approved the twenty-third day of June one thousand eight hundred eighty-five (P. L. 146) entitled "An act relating to marriage licenses providing for officers herein indicated to isue licenses for parties to marry" absolutely

The act aproved the twenty-third day of May one thousand eight hundred eighty-seven (P. L. 170) entitled "An act to amend section three of an act entitled 'An act relating to marriage licenses providing for officers herein indicated to issue licenses for parties to marry' approved the twenty-third day of June one thousand eight hundred eighty-five" absolutely

The act approved the first day of May one thousand eight hundred ninety-three (P. L. 27) entitled "An act to amend an act entitled 'An act relating to marriage licenses providing for officers herein indicated to issue licenses for parties to marry" approved the twenty-third day of June Anno Domini one thousand eight hundred eighty-five relating to the county wherein to secure the license" absolutely

The act approved the twenty-second day of May one thousand eight hundred ninety-five (P. L. 99) entitled "An act requiring clerks of orphans' courts to keep marriage license dockets open for inspection by the public and allow copies or abstracts of the same to be made for publication and providing a penalty for noncompliance" absolutely

The act approved the eighteenth day of June one thousand eight hundred ninety-five (P. L. 202) entitled "An act to amend the first section of an act entitled 'An act to amend an act entitled "An act relating to marriage licenses providing for officers herein indicated to issue licenses for parties to marry"' approved the first day of May Anno Domini one thousand eight hundred ninety-three relating to the county wherein to secure the license" absolutely

The act approved the twenty-fourth day of June one thousand nine hundred one (P. L. 597) entitled "An act making it unlawful for first cousins to be joined in marriage and declaring all marriages contracted after the first day of January Anno Domini one thousand nine hundred two in violation of this act void" absolutely

The act approved the twenty-seventh day of March one thousand nine hundred three (P. L. 80) entitled "An act to further amend an act entitled 'An act relating to marriage licenses providing for officers herein indicated to issue licenses for parties to marry' approved the twenty-third day of June one thousand eight hundred eighty-five" absolutely

The act approved the twenty-fourth day of March one thousand nine hundred five (P. L. 58) entitled "An act to further amend an act entitled 'An act relating to marriage licenses providing for officers herein indicated to issue licenses for parties to marry' approved the twenty-third day of June one thousand eight hundred eighty-five empowering notaries public to inquire of parties intending to marry touching the legality of their contemplated marriage and administer oaths to them" absolutely

The act approved the sixth day of May one thousand nine hundred nine (P. L. 446) entitled "An act to amend the first section of an act entitled 'An act relating to marriage licenses providing for officers herein indicated to issue licenses for parties to marry' approved the twenty-third day of June Anno Domini eighteen hundred eighty-five by increasing license fee" absolutely

The act approved the twenty-fourth day of July one thousand nine hundred thirteen (P. L. 1013) entitled "An act regulating the issuance of licenses to marry prohibiting the issuance of such licenses to certain persons regulating the time during which licenses shall be valid and the time when returns shall be made of marriages solemnized to the clerk of the orphans' court and prescribing the duties of the clerk of the orphans' court" absolutely

The act approved the twenty-eighth day of May one thousand nine hundred fifteen (P. L 636) entitled "An act to amend section three of the act approved the twenty-third day of June one thousand eight hundred eighty-five entitled 'An act relating to marriage licenses providing for officers herein indicated to issue licenses for parties to marry' as amended" absolutely

The act approved the eleventh day of May one thousand nine hundred twenty-one (P. L. 494) entitled "A supplement to the act approved the twenty-third day of June one thousand eight hundred eighty-five (P. L. 146) entitled 'An act relating to marriage licenses providing for officers herein indicated to issue licenses for parties to marry' imposing an additional license fee for the use of the Commonwealth" absolutely

The act approved the second day of May one thousand nine hundred twenty-five (P. L. 494) entitled "An act fixing the fee to be charged for the issuing of marriage licenses" absolutely

The act approved the twenty-fourth day of March one thousand nine hundred twenty-seven (P. Lfl 64) entitled "An act establishing the minimum marriageable age at sixteen years and providing for certain exceptions thereto" absolutely

The act approved the seventh day of May one thousand nine hundred thirty-five (P. L. 152) entitled "An act to amend section one of the act approved the twenty-fourth day of July one thousand nine hundred thirteen (P. L. 1013) entitled 'An act regulating the issuance of licenses to marry prohibiting the issuance of such licenses to certain persons regulating the time during which licenses shall be valid and the time when returns shall be made of marriages solemnized to the clerk of the orphans' court and prescribing the duties of the clerk of the orphans' court' by requiring three (3) days to elapse between the application for and the issuance of the license absolutely

The act approved the seventeenth day of May one thousand nine hundred thirty-nine (P. L. 148) entitled "An act regulating the issuance of marriage licenses prohibiting the issuance thereof to persons infected with syphilis in certain states requiring each applicant to produce certain evidence of freedom from such disease imposing duties upon the Department of Health and the clerk of the orphans' court of the various counties and imposing penalties" absolutely

All acts and parts of acts inconsistent with this act are hereby repealed

Section 23 Effective Date The provisions of this act shall become effective the first day of January one thousand nine hundred forty-eight

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. READINGER. Mr. Speaker, this bill has a short history with which I would like to acquaint the Members of the House.

This legislation is a codification and a revision of the marriage laws of this Commonwealth, and was first introduced in the 1939 session. It stayed in committee that year, and in 1941 it was again introduced and was supported by the Federation of Women's Clubs in Pennsylvania. The legislation passed that year, was sent to the Governor's desk and was vetoed for the reason that at that time the bill not only abolished common-law marriages but it also contained a provision that any marriage under the age of 18 would be null and void. Since that time the objectionable feature of the bill has been removed. The law has been allowed to remain as it is at the present time, that marriages without the proper consent, and so forth, are simply voidable at the instance of some party and not void. The main change made in this legislation is to abolish common-law marriages.

As I imagine most of you know, a common-law marriage is consummated when a man and a woman otherwise single and eligible to be married live together as husband and wife and take each other as husband and wife by outward apperance, by having people who know them understand them to be husband and wife, and other evidence of such nature.

I suppose when Pennsylvania was a new state or prairie of some nature, transportation was bad, it was hard to get to the county seats, and there was a necessity for recognizing common-law marriages. Today those reasons no longer exist, and there are many other reasons why the courts should not be compelled to recognize common-law marriages. Not so many years ago we passed legislation providing that there should be a three-day waiting period between the time that the marriage license was issued and the time the parties were married. We also have on the statute books legislation relating to examination for syphilis. All of those things can be sidestepped if we are going to recognize common-law marriages, and we think the time has come when they should be abolished. The courts for years have been complaining that much fraud has been perpetrated in the workmen's compensation cases in which common-law marriage was asserted.

I would point out also that this bill does not affect any existing common law marriages. The bill does not become effective until January first of next year, and it only outlaws an attempted common law marriage after that date.

There are other minor amendments made in the law by this bill, none of which are of too great importance. You will recall that earlier in the session we passed House Bill 208 in this body, introduced by Representative Kenneth Wagner, which allowed the use of marriage licenses in any county in the Commonwealth. That change has also been made in this bill. This bill now conforms with the legislation we passed earlier in the session.

The Federated Women's clubs have deserted this matter. They don't seem to pay any attention to it any more. If it was a good idea in 1941 to try to bring into one group the laws relating to marriage, I think it is still just as good an idea. The ladies are now engaged and are now very busy on the matter of reapportionment of the House and the Senate, and I think that they are going to take on a long job, so they do not have much time to spend on this legislation any longer.

At the end of the bill you will notice that many acts have been repealed or are being repealed. They date back to 1815. One of the reasons for passing a bill such as this is that it gives the layman an opportunity to pick up the law and find out what the law concerning marriages in Pennsylvania might be. Today he must go to a lawyer if he wants to find out what all the laws are or what particular laws might cover the problem he has, and that should not be necessary.

I hope that you gentlemen will give this bill your blessing and vote for it.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—159

Aaronson,	Gallagher,	Livingstone,	Robertson,
Andrews,	Getchey,	Loftus,	Rowen,
Bane,	Gibson,	Lyons,	Royer,
Barrett,	Goodling,	Madden,	Sax,
Baumunk,	Gorman,	Madigan,	Scott,
Beech,	Graybill,	Mazza,	Serrill,
Bender,	Greer,	McCosker,	Shoemaker,
Bentzel,	Griffiths,	McCullough,	Smith, C. C.,
Bloom,	Guthrie,	McDonald,	Smith, C. M.,
Boles,	Gyger,	McKinney,	Snider,
Bonawitz,	Hall,	McMillen,	Sollenberger,
Boorse,	Haller,	Miller,	Sorg,
Bower,	Helm,	Mills,	Sproul,
Breisch,	Henry,	Mintess,	Stimmel,
Brice,	Hewitt,	Mohr,	Stockham,
Brown,	Hocker,	Mooney,	Stuart,
Brunner,	Hoffman,	Moore, C. E.,	Swope,
Cadwalader,	Hoopes,	Moore, H. A.,	Thomassy,
Capano,	Horan,	Morrison,	Tittle,
Cassidy,	Imbt,	Murray,	Tompkins,
Cole,	Jennings,	Myers,	Toomey,
Cook,	Johnson,	Najaka,	Turner,
Cordier,	Johnston,	Naumann,	Upshur,
Costa,	Jones,	Needham,	Wachhaus,
Crowley,	Jump,	Neff,	Walton,
Dague,	Kean,	Nelson,	Waterhouse,
Dalrymple,	Kelley,	O'Neill,	Watson,
De Long,	Kemp,	Orban,	Weidner,
Dennison,	Kent,	Patten,	Weiss,
Depuy,	Kirley,	Powers,	Wescott,
Dix,	Kline,	Price,	West,
Dye,	Kohl,	Propert,	Wheeler,
Efenberg,	Kratz,	Ragot,	Wolf,
Elder,	Krise,	Readinger,	Wood,
Ewing,	Kurtz,	Reese D P.,	Yeakel,
Feola,	Laughner,	Reilly, J. M.,	Yester,
Fish,	Layer,	Reilly, W. J.,	Yetzer,
Fiss,	Lee,	Richter,	Young,
Flack,	Leisey,	Riley,	Lichtenwalter,
Frost,	Livingston,	Robbins,	Speaker

NAYS—13

Bucchin,	Evans,	Petrosky,	Vaughan,
Davison,	Lovett,	Polaski,	Waldron,
Erb,	O'Connor,	Stank,	Wallin,
			Worley,

NOT VOTING—33

Chervenak,	Greenwood,	Pickens,	Simons,
Chudoff,	Haudenshield,	Reagan,	Stonier,
Clevenger,	McCormack,	Reese, R. E.,	Tahl,
Cochran,	Mihm,	Root,	Thompson,
Cooper,	Mikula,	Rose,	Trout,
Demech,	O'Dare,	Sarraf,	Verona,
Fleming,	O'Donnell,	Scanlon,	Wagner,
Foor,	Pichney,	Schuster,	Watkins,
Goff,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

LEAVE OF ABSENCE

By consent of the House leave of absence was granted as follows:

Mr. Fleming for Mr. COOPER for tomorrow because of death in the family.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. McMULLEN asked and obtained permission for the Committee on Aeronautics to meet during the session of the House.

BILLS PASSED OVER

There being no objection,

House Bill No. 958, Printer's No. 432.

House Bill No. 1040, Printer's No. 397 and

House Bill No. 1043, Printer's No. 433

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1175, as follows:

An Act authorizing husbands and wives holding property as tenants by the entireties to pledge or give such property as security for the bond or obligation of a third person or for each other and providing that judgments entered upon default in any such bond or undertaking shall bind such property

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Whenever any husband and wife shall undertake to become surety for a third person who is permitted or required by law to make execute or give a bond or undertaking with security for the faithful performance of any duty or for the doing or not doing of anything in said bond or undertaking specified any property held by such husband and wife as tenants by the entireties may be given as the security required for such bond or undertaking and shall be bound by any judgment entered on said bond or undertaking by reason of a default thereon

Section 2 Whenever any husband or wife shall undertake to become surety for the other spouse who is permitted or required by law to make execute or give a bond or undertaking with security for the faithful performance of any duty or for the doing or not doing of anything in said bond or undertaking specified any property held by such husband and wife as tenants by the entireties may be given as the security required for such bond or undertaking the spouse required or permitted by law to give such bond or undertaking shall be the principal thereof and the other spouse shall be the surety thereof Any property so given as security for such bond or undertaking shall be bound by any judgment entered on such bond or undertaking by reason of a default thereon.

Section 3 All acts or parts of acts inconsistent with the provisions of this act are hereby repealed

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. TOMPKINS. Mr. Speaker, I would like to interrogate the gentleman from Washington, Mr. Capano.

The SPEAKER. Will the gentleman from Washington permit himself to be interrogated?

Mr. CAPANO. I shall, Mr. Speaker.

Mr. TOMPKINS. Mr. Speaker, I would like to know the purpose of this bill.

Mr. CAPANO. Mr. Speaker, the purpose of the bill is to allow a husband and wife who hold property by entireties to go bond for themselves or for others, which they cannot do under the present law.

Mr. TOMPKINS. Mr. Speaker, is the purpose of the bill principally limited to that of going bail for others?

Mr. CAPANO. For themselves or others, Mr. Speaker.

Mr. TOMPKINS. I thank the gentleman from Washington.

Mr. Speaker, it has always been a rule of law that a man could do with his property as he saw fit, either go surety or guarantor for another or as an accommodation maker. In the 1945 session of this legislature we also authorized a married woman to deal with her separate property as she saw fit. This is a bill dealing with neither one of those estates but dealing with a joint estate that exists between a man and wife. Such estates are estates established through the joint efforts of the man and wife.

The principal purpose of this bill is to permit parents to go bail for their children when they get themselves involved in the clutches of the law. For every one that might be benefited by it, I believe there are twelve or fifteen who would like to see the law stand as it is. You know and I know that the average individual when he is approached by friends, to become endorser for them, go bond or bail for them, do not like to refuse and cannot refuse.

It has been my personal experience through a number of years that people will come to my office before they will go bail for a person and find out whether or not the property is in their joint names, and if they find out that the property is in their joint names they do not care to go bail. They would call me afterwards and thank me for the advice which I had given them to the effect that the property was in their joint name, and they therefore refused to go bail.

I think we will open the door to a lot of practices that I do not believe a man and a wife would care to be subjected to, regarding the joint estate, which they have earned by their joint efforts and which they desire to have preserved for their joint efforts. For that reason I don't believe we should open that door.

Mr. ANDREWS. Mr. Speaker, this bill serves to emphasize the difference between the lively intelligence on this side of the House and the blind follow-your-leader disposition on the other side of the House. We are over here subject to persuasion. We are able to appreciate the value of argument; we can be convinced.

I am inclined to agree with the gentleman who has just spoken. This is not only an unnecessary bill but probably a bad bill, and I want to thank him for having called the attention of this House to the measure. I hope that as this Session goes along it will be possible to find at least some response over on the other side of this House to an appeal to reason.

Mr. CAPANO. Mr. Speaker, I introduced this bill at

the request of a number of lawyers in Washington County. It has been my experience that many times parents will have children get into difficulty and they have no means of going bond for them when they have their property in both their names, and they must submit themselves to bondsmen who charge enormous prices. What good is a person's property if he cannot use it for his own benefit or for his own family?

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—51

Bentzel,	Feola,	Naumann,	Reilly, W. J.,
Bower,	Greer,	Needham,	Rowen,
Brunner,	Guthrie,	Nelson,	Smith, C. C.,
Bucchin,	Jones,	O'Connor,	Smith, C. M.,
Capano,	Kean,	O'Dare,	Snider,
Cassidy,	Loftus,	Orban,	Swope,
Chudoff,	Mazza,	Patten,	Wallin,
Cole,	McCosker,	Petrosky,	Weiss
Costa,	McDonald,	Pichney,	Wheeler,
Crowley,	McKinney,	Pickens,	Worley,
Dalrymple,	Mihm,	Polaski,	Yester,
Dye,	Mohr,	Powers,	Yetzer,
Erb,	Myers,	Price,	

NAYS—112

Andrews,	Goodling,	Livingston,	Sollenberger,
Barrett,	Gorman,	Livingstone,	Sorg,
Baumunk,	Graybill,	Lovett,	Sproul,
Beech,	Greenwood,	Lyons,	Stank,
Bender,	Griffiths,	Madden,	Stimmel,
Bonawitz,	Gyger,	Madigan,	Stockham,
Boorse,	Hall,	McMillen,	Stonier,
Brice,	Haller,	Miller,	Stuart,
Brown,	Haudenshield,	Mintess,	Thomassy,
Cadwalader,	Henry,	Moore, C. E.,	Tittle,
Chervenak,	Hocker,	Murray,	Tompkins,
Clevenger,	Hoffman,	Najaka,	Turner,
Cook,	Hoopes,	Neff,	Upshur,
Cordier,	Horan,	O'Neill,	Vaughan,
Dague,	Jennings,	Ragot,	Verona,
Davison,	Johnson,	Reese, D. P.,	Wachhaus,
De Long,	Johnston,	Reilly, J. M.,	Wagner,
Efenberg,	Kelley,	Richter,	Waldron,
Elder,	Kent,	Riley,	Waterhouse,
Fish,	Kirley,	Robbins,	Watkins,
Flack,	Kline,	Robertson,	Watson,
Fleming,	Kohl,	Rose,	Weidner,
Foor,	Kratz,	Royer,	Wescott,
Frost,	Krise,	Sarraf,	Wolf,
Gallagher,	Kurtz,	Sax,	Wood,
Getchey,	Laughner,	Scott,	Yeakel,
Gibson,	Layer,	Serrill,	Young,
Goff,	Leisey,	Shoemaker,	Lichtenwalter, Speaker

NOT VOTING—42

Aaronson,	Evans,	Mikula,	Root,
Bane,	Ewing,	Mills,	Scanlon,
Bloom,	Fiss,	Mooney,	Schuster,
Boies,	Helm,	Moore, H. A.,	Simons,
Breisch,	Hewitt,	Morrison,	Tahl,
Cochran,	Imbt,	O'Donnell,	Thompson,
Cooper	Jump,	Propert,	Toomey,
Demech,	Kemp,	Readinger,	Trout,
Dennison,	Lee,	Reagan,	Walton,
Depuy,	McCormack,	Reese, R. E.,	West,
Dix,	McCullough,		

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

BILL PASSED OVER

There being no objection,

House Bill No. 1214, Printer's No. 530

was passed over at the request of Mr. FLEMING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1225, as follows:

An Act to further amend the fifth paragraph of section four hundred seven of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by further providing for the terms of legislative members of the Pennsylvania Aeronautics Commission

The General Assembly of the Commonwealth of Pennhereby enacts as follows

Section 1 The fifth paragraph of section four hundred seven of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" as last amended by the act approved the fifteenth day of May one thousand nine hundred forty-five (P. L. 542) is hereby further amended to read as follows

Section 407 Pennsylvania Aeronautics Commission

The non-legislative members of the commission first appointed under this act [and the legislative members first appointed] shall continue in office for terms of one two three and four years respectively and until their respective successors shall be duly appointed and shall have qualified but their successors shall be appointed for terms of four years Each legislative member shall be appointed for a term to expire with his concurrent term as a legislator and shall serve until his successor is appointed and qualified unless he shall not be elected for the next succeeding term as a member of the General Assembly in which case a vacancy shall occur

And said bill having been read at length the third time, considered and agreed to.

On the quesetion,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—204

Aaronson,	Gallagher,	McCullough,	Sax,
Andrews,	Getchey,	McDonald,	Scanlon,
Bane,	Gibson,	McKinney,	Schuster,
Barrett,	Goff,	McMillen,	Scott,
Baumunk,	Goodling,	Mihm,	Serrill,
Beech,	Gorman,	Mikula,	Shoemaker,
Bender,	Graybill,	Miller,	Simons,
Bentzel,	Greenwood,	Mills,	Smith, C. C.,
Bloom,	Greer,	Mintess,	Smith, C. M.,
Boles,	Griffiths,	Mohr,	Snider,
Bonawitz,	Guthrie,	Mooney,	Sollenberger,
Boorse,	Gyger,	Moore, C. E.,	Sorg,
Bower,	Hall,	Moore, H. A.,	Sproul,
Breisch,	Haller,	Morrison,	Stank,
Brice,	Haudenshield,	McCosker,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Bucchin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,
Clevenger,	Jennings,	O'Dare,	Tompkins,
Cochran,	Johnson,	O'Donnell,	Toomey,
Cole,	Johnston,	O'Neill,	Turner,
Cook,	Jones,	Orban,	Upshur,
Cooper,	Jump,	Patten,	Vaughan,
Cordier,	Kean,	Petrosky,	Verona,
Costa,	Kelley,	Pichney,	Wachhaus,
Crowley,	Kemp,	Pickens,	Wagner,
Dague,	Kent,	Polaski,	Waldron,
Dalrymple,	Kirley,	Powers,	Wallin,
Davison,	Kline,	Price,	Walton,
De Long,	Kohl,	Propert,	Waterhouse,
Demech,	Kratz,	Ragot,	Watkins,
Dennison,	Krise,	Readinger,	Watson,
Depuy,	Kurtz,	Reagan,	Weidner,
Dix,	Laughner,	Reese, D. P.,	Weiss,
Dye,	Layer,	Reese, R. E.,	Wescott,
Efenberg,	Lee,	Reilly, J. M.,	West,
Elder,	Leisey,	Reilly, W. J.,	Wheeler,
Erb,	Livingston,	Richter,	Wolf,
Evans,	Livingstone,	Riley,	Wood,
Ewing,	Loftus,	Robbins,	Worley,
Feola,	Lovett,	Robertson,	Yeakel,
Fish,	Lyons,	Root,	Yester,
Fiss,	Madden,	Rose,	Yetzer,
Flack	Madigan,	Rowen,	Young,
Fleming,	Mazza,	Royer,	Lichtenwalter,
Foor,	McCormack,	Sarraf,	Speaker.
Frost,			

NAYS—0

NOT VOTING—1

Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS PASSED OVER

There being no objection,

House Bill No. 1230, Printer's No. 461 and

Senate Bill No. 47, Printer's No. 73

were passed over at the request of the SPEAKER.

REPORTS FROM COMMITTEES

Mr. GYGER from the Committee on Education, reported as committed, House Bill No. 125, entitled:

An Act to amend subsection fourteen of section one thousand two hundred nine point one of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," permitting boards of school directors to grant temporary increases in salaries from time to time.

Mr. STOCKHAM from the Committee on Appropriations, reported as amended, House Bill No. 577, entitled:

An Act making a deficiency appropriation to aid certain school districts.

Mr. WOOD from the Committee on Appropriations, reported as amended, House Bill No. 1100, entitled:

An Act directing the county commissioners of each county to prepare, certify, and deliver to the Department of Public Instruction at stated intervals a certified list of all real estate conveyances or transfers within such county stating the value of Federal tax stamps affixed to the deed for such conveyance or transfer and the assessed valuation for county tax purposes of such real estate providing for reimbursement to the county by the Department of Public Instruction for such lists and making an appropriation.

Mr. HOFFMAN from the Committee on Mines and Mining, reported as amended, House Bill No. 305, entitled:

An Act to reenact and further amend section one of the act approved the second day of June one thousand eight hundred and ninety-one (P. L. 176) entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith" requiring mine inspectors to inspect mines where from two to five persons are employed or engaged in work providing for the correction of unsafe conditions in and unsafe operation of such mines and for remedies to close such mines until such conditions are corrected and providing penalties.

Mr. HELM from the Committee on Education, reported as committed, Senate Bill No. 309, entitled:

An Act to further amend subsection (e) of section three of the act approved the first day of August, one thousand nine hundred forty-one (P. L. 744), entitled "An act requiring school boards in all school districts and board of directors of all vocational school districts to grant leaves of absence to all school employes who shall volunteer or be called for military or naval service in time of war or during a state of national emergency; preserving certain contracts, salaries, increments, retirement rights, seniority, State contributions and grants to local school boards, eligibility lists, reemployment; authorizing school boards and boards of directors of vocational schools to employ substitutes in place of such employes; requiring school districts and vocational school districts to make additional payments into the School Employes' Retirement Fund; reserving all rights and privileges of employes granted leaves of absence under the provisions herein, and superceding or repealing all contrary laws" by providing that former school employes who entered the military or naval service may obtain credit for such period of service when they return to school service.

Mr. HOFFMAN from the Committee on Mines and Mining, reported as amended, Senate Bill No. 601, entitled:

An Act to further amend section five of article three of the act, approved the ninth day of June, one thousand nine hundred eleven (P. L. 756), entitled "An act to pro-

vide for the health and safety of persons employed in and about the bituminous coal mines of Pennsylvania, and for the protection and preservation of property connected therewith," by further regulating barrier pillars.

Mr. JENNINGS from the Committee on Aeronautics reported as amended, House Resolution No. 34.

FORMER MEMBER WELCOMED

The SPEAKER. The Chair is very pleased to welcome to the Hall of the House this afternoon a former Member from Cumberland County, Dr. Shearer.

ANNOUNCEMENTS

The SPEAKER. The Chair desires to announce a caucus of the Republican Members immediately after the recess in the New House Caucus Room.

Mr. ANDREWS. Mr. Speaker, I desire to announce a caucus of the Democratic Members immediately after recess in the Old House Caucus Room.

RECESS

The SPEAKER. If there is no objection, the Chair will declare a recess until 2:30 p. m. Eastern Standard Time. The Chair hears none, and a recess is declared.

AFTER RECESS

The time of recess having expired, the House was called to order.

The SPEAKER (Franklin H. Lichtenwalter) in the Chair.

SENATE MESSAGES

RESOLUTIONS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives, as follows:

In the House of Representatives, May 7, 1947.

Resolved, (if the Senate concurs), That House Bill No. 1148, Printer's No. 371, entitled "An act to further amend section one thousand four of the act approved the fifteenth day of May, one thousand nine hundred thirty-three (P. L. 624), entitled 'An act relating to the business of banking, and to the exercise of fiduciary powers by corporations; providing for the organization of corporations with fiduciary powers, and of banking corporations with or without fiduciary powers, including the conversion of National banks into State banks, and for the licensing of private bankers; defining the rights, powers, duties, liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers, of private bankers and of the officers, directors, trustees, shareholders, attorneys and other employes of all such corporations or private bankers or of affiliated corporations, associations or persons; restricting the exercise of banking powers by any other corporation, association or person and of fiduciary powers by any other corporation; conferring powers and imposing duties upon the courts, prothonotaries, recorders of deeds and certain State departments, commissions and officers; imposing penalties and repealing certain acts and parts of acts,' further regulating the pledge of assets for deposits," be recalled from the Governor for the purpose of amendment.

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives, as follows:

In the House of Representatives, May 5, 1947.

Resolved (if the Senate concurs), That House Bill No. 35, Printer's No. 442, entitled "An act to further amend the act approved the twenty-fifth day of July one thousand nine hundred thirteen (P. L. 1024) entitled 'An act to protect the public health and welfare by regulating the employment of females in certain establishments with respect to their hours of labor and the conditions of their employment by establishing certain sanitary regulations in the establishments in which they work by requiring certain abstracts and notices to be posted by providing for the enforcement of this act by the Commissioner of Labor and Industry and others by prescribing penalties for violations thereof by defining the pioceduse in prosecutions and by repealing all acts and parts of acts inconsistent with the provisions thereof' changing hours of labor and restrictions relative to age in certain employments and extending provisions to include additional persons," be recalled from the Governor for further consideration.

RESOLUTION RECALLING SENATE BILL NO. 148 FROM GOVERNOR

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, May 6, 1947.

Resolved (if the House of Representatives concur), That Senate Bill No. 148, Printer's No. 146, entitled "An act to amend the act approved the fifth day of June one thousand nine hundred thirty-seven (P. L. 1703) entitled 'An act relating to criminal prosecutions, limiting cases of the Commonwealth' providing for the disposithe effect of demurrers by defendants at the close of the tion of cases where evidence has been improperly admitted and the court has failed to sustain the demurrer at the close of the Commonwealth's case," be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 538.

An Act to further amend the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" creating a County Transit and Traffic Commission in counties of the second class providing for its membership and defining its powers and duties

HOUSE BILL No. 659.

An Act to further amend section twenty-three of the hundred eighty-nine (P. L. 420), entitled "A further act, approved the first day of June, one thousand eight supplement to an act, entitled 'An act to provide revenue by taxation,' approved the seventh day of June, Anno Domini one thousand eight hundred and seventy-nine," by increasing for a further limited period of time the

rate of tax imposed upon the gross receipts of certain companies, limited partnerships, associations, joint-stock associations, copartnerships and persons by making further provisions for the report and payment of the tax and by further defining gross receipts.

HOUSE BILL No. 661.

An Act to reenact and amend the title and the act approved the ninth day of June one thousand nine hundred thirty-six (Special Session of one thousand nine hundred thirty-six P. L. 13) entitled "An act imposing an emergency State tax for a limited period of time on liquor as herein defined sold by the Pennsylvania Liquor Control Board providing for the collection and payment of such tax and imposing duties upon the Department of Revenue and the Pennsylvania Liquor Control Board" as previously reenacted and amended by extending the provisions thereof for a further limited period of time

HOUSE BILL No. 663.

An Act to further amend section three of the act approved the fifth day of May one thousand nine hundred three (P. L. 284) entitled as amended "An act imposing a State tax payable by those herein defined as manufacturers and by others on malt or brewed beverages used sold transported or delivered within the Commonwealth prescribing the method and manner of evidencing the payment and collection of such tax conferring powers and imposing duties on the Department of Revenue and those using or engaged in the sale at retail or wholesale or in the transportation of malt or brewed beverages taxable hereunder and providing penalties" by temporarily increasing the rates of certain taxes

HOUSE BILL No. 665.

An Act to reenact and amend the title and the act approved the sixteenth day of May one thousand nine hundred thirty-five (P. L. 208) entitled as amended "An act to provide revenue for State purposes by imposing an excise tax for a limited period of time on the net incomes of certain corporations joint-stock associations and limited partnerships providing for the assessment collection settlement and resettlement of taxes and reviews and appeal therefrom conferring powers and imposing duties on certain persons corporations joint-stock associations limited partnerships State and county officers boards and departments making an appropriation and providing penalties" as previously reenacted and amended by extending the provisions of the act for a further limited period of time and by disallowing any deduction for net operating losses

HOUSE BILL No. 666.

An Act to further amend section twenty-one of the act approved the first day of June one thousand eight hundred eighty-nine (P. L. 420) entitled "A further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine" postponing the manufacturing exemption with regard to capital stock tax and the franchise tax on domestic and foreign corporations jointstock associations limited partnerships and companies

With the information that the Senate has passed the same without amendment.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

SENATE BILL No. 1

An Act to further amend section three hundred forty-one of the act approved thre seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" further defining and amplifying the powers of foreign insurance companies with relation to real property in this Commonwealth

SENATE BILL No, 2.

An Act to further amend the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" repealing sections four hundred four four hundred five and four hundred six thereof and adding new sections restating and changing requirements relating to the investment of the capital reserves and surplus of and relating to the real estate which may be held by by life insurance companies and authorizing agreements between or among insurance companies concerning ownership and control of real estate.

SENATE BILL No. 109.

An Act to amend section one of the act, approved the tenth day of April, one thousand nine hundred forty-five P. L. 187), entitled "An act to provide for the receiving, as evidence in any court, office, or other place in this State, official findings, records, reports, or certified copies thereof of death presumed death, missing, or other status issued by the Secretaries of War and Navy, and other Federal officers and employees," providing that official statements of missing in action shall be prima facie evidence of death of the person therein named.

SENATE BILL No. 221.

An Act to add section sixteen point one of the act, approved the seventeenth day of June, one thousand nine hundred thirteen (P. L. 507), entitled "An act to provide revenue for State and county purposes, and, in cities coextensive with counties, for city and county purposes; imposing taxes upon certain classes of personal property; providing for the assessment and collection of the same; providing for the duties and compensation of prothonotaries and recorders in connection therewith; and modifying existing legislation whch provided for raising revenue for State purposes," by extending the time for payment of the tax without interest in certain cases; staying distraint or execution on such taxes; and requiring counties to make certain refunds.

Whereupon,

The SPEAKER, in the presence of the House signed the same.

SENATE MESSAGE

The Clerk of the Senate being introduced, presented

extracts from the Journal of the Senate:

Senate Bill for concurrence 593.

STUDENTS FROM UPPER MAHANOY HIGH SCHOOL WELCOMED

The SPEAKER. The Chair is pleased to have as guests this afternoon pupils from the Upper Mahanoy High School at Leck Kill, under the direction of Mr. Walter E. Boyer, principal. They are the guests of the gentleman from Northumberland, Mr. Kemp.

SENATE MESSAGES

AMENDED HOUSE BILLS RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 48.

An Act to add clause XLIX to section one thousand five hundred two of the act approved the twenty-fourth day of June, one thousand nine hundred thirty-one, (P. L. 1206), entitled "An act concerning townships of the first class; amending, revising, consolidating, and changing the law relating thereto," authorizing acquisition of property for, and establishment and maintenance of parking lots.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend section 1, page 2, line 11, by inserting after the word "gift" the word "or", and by striking out after the word "purchase" the words "or condemnation proceedings"; page 3, lines 5, 6, 7, 8 and 9, by striking out after the word "prescribed" the following: "the provisions of this clause shall not authorize the condemnation of property belonging to or used as a cemetery or place of public worship or property of a public utility company or of any public or parochial school or of any educational or charitable institution".

On the question,

Will the House concur in the amendments made by the Senate?

Mr. SORG. Mr. Speaker, I request that the House concur in the amendments inserted by the Senate.

Mr. ANDREWS. Mr. Speaker, I do not want to ask for a roll call, yet I don't want to be regarded as being in favor of these amendments. So maybe the record will do by this statement. I do not favor these amendments, and the Minority group does not favor these amendments.

The SPEAKER. Does the gentleman wish to be recorded as voting "no" on House Bill 48?

Mr. ANDREWS. That would necessitate a roll call, Mr. Speaker, which I do not want to take the time of the House to do. I simply want to have my statement appear on the record.

On the question recurring,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Aaronson,	Gallagher,	McCullough,	Scanlon,
Bane,	Getchey,	McDonald,	Schuster,
Barrett,	Gibson,	McKinney,	Scott,
Baumunk,	Goff,	McMillen,	Serrill,
Beech,	Goodling,	Mihm,	Shoemaker,
Bender,	Gorman,	Mikula,	Simons,
Bentzel,	Graybill,	Miller,	Smith, C. C.,
Bloom,	Greenwood,	Mills,	Smith, C. M.,
Boles,	Greer,	Mintess,	Snider,
Bonawitz,	Griffiths,	Mohr,	Sollenberger,
Boorse,	Guthrie,	Mooney,	Sorg,
Bower,	Gyger,	Moore, C. E.,	Sproul,
Breisch,	Hall,	Moore, H. A.,	Stank,
Brice,	Haller,	Morrison,	Stimmel,
Brown,	Haudenshield,	Murray,	Stockham,
Brunner,	Helm,	Myers,	Stonier,
Bucchin,	Henry,	Najaka,	Stuart,
Cadwalader,	Hewitt,	Naumann,	Swope,
Capano,	Hocker,	Needham,	Tahl,
Cassidy,	Hoffman,	Neff,	Thomassy,
Chervenak,	Hoopes,	Nelson,	Thompson,
Chudoff,	Horan,	O'Connor,	Tittle,
Clevenger,	Imbt,	O'Dare,	Tompkins,
Cochran,	Jennings,	O'Donnell,	Toomey,
Cole,	Johnson,	O'Neill,	Turner,
Cook,	Johnston,	Orban,	Upshur,
Cooper,	Jones,	Patten,	Vaughan,
Cordier,	Jump,	Petrosky,	Verona,
Costa,	Kean,	Pichney,	Wachhaus,
Crowley,	Kelley,	Pickens,	Wagner,
Dague,	Kemp,	Polaski,	Waldron,
Dalrymple,	Kent,	Powers,	Wallin,
Davison,	Kirley,	Price,	Walton,
De Long,	Kline,	Propert,	Waterhouse,
Demech,	Kohl,	Ragot,	Watkins,
Dennison,	Kratz,	Readinger,	Watson,
Depuy,	Krise,	Reagan,	Weidner,
Dix,	Kurtz,	Reese, D. P.,	Weiss,
Dye,	Laughner,	Reese, R. E.,	Wescott,
Efenberg,	Layer,	Reilly, J. M.,	West,
Elder,	Lee,	Reilly, W. J.,	Wheeler,
Erb,	Leisey,	Richter,	Wolf,
Evans,	Livingston,	Riley,	Wood,
Ewing,	Livingstone,	Robbins,	Worley,
Feola,	Loftus,	Robertson,	Yeakel,
Fish,	Lyons,	Root,	Yester,
Fiss,	Madden,	Rose,	Yetzer,
Flack,	Madigan,	Rowen,	Young,
Fleming,	Mazza,	Royer,	Lichtenwalter,
Foor	McCormack,	Sarraf,	Speaker.
Frost,	McCosker,	Sax,	

NAYS—2

Andrews,	Lovett,

NOT VOTING—1

Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 785.

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions

and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by creating the Public Service Institute Board in the Department of Public Instruction and defining its powers and duties.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 3, line 19 by striking out after the word "boards" the word "commission" and inserting in lieu thereof the word "commissions";

Amend section 2, page 7, line 3, by inserting after the word "duties" the words "which shall not exceed the sum of ten dollars ($10) per diem and mileage";

Amend section 3, page 8, line 1, by striking out after the first word "and" the word "expand" and insert in lieu thereof the word "expend".

On the question,

Will the House concur in the amendments made by the Senate?

Mr. SORG. Mr. Speaker, I request that the House concur in the amendment made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—204

Aaronson,	Gallagher,	McCosker,	Sax,
Andrews,	Getchey,	McCullough,	Scanlon,
Bane,	Gibson,	McDonald,	Schuster,
Barrett,	Goff,	McKinney,	Scott,
Baumunk,	Goodling,	McMillen,	Serrill,
Beech,	Gorman,	Mihm,	Shoemaker,
Bender,	Graybill,	Mikula,	Simons,
Bentzel,	Greenwood,	Miller,	Smith, C. C.,
Bloom,	Greer,	Mills,	Smith, C. M.,
Boies,	Griffiths,	Mintess,	Snider,
Bonawitz,	Guthrie,	Mohr,	Sollenberger,
Boorse,	Gyger,	Mooney,	Sorg,
Bower,	Hall,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenshield,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Bucchin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,
Clevenger,	Jennings,	O'Dare,	Tompkins,
Cochran,	Johnson,	O'Donnell,	Toomey,
Cole,	Jones,	O'Neill,	Turner,
Cook,	Jump,	Orban,	Upshur,
Cooper,	Kean,	Patten,	Vaughan,
Cordier,	Kelley,	Petrosky,	Varallo,
Costa,	Kemp,	Pichney,	Wachhaus,
Crowley,	Kent,	Pickens,	Wagner,
Dague,	Kirley,	Polaski,	Walton,
Dalrymple,	Kline,	Powers,	Waldron,
Davison,	Kohl,	Price,	Wallin,
De Long,	Kratz,	Propert,	Waterhouse,
Demech,	Krise,	Ragot,	Watkins,
Dennison,	Kurtz,	Readinger,	Watson,
Depuy,	Laughner,	Reagan,	Weidner,
Dix,	Layer,	Reese, D. P.,	Weiss,
Dye,	Lee,	Reese, R. E.,	Wescott,
Efenberg,	Leisey,	Reilly, J. M.,	West,
Elder,	Livingston,	Reilly, W. J.,	Wheeler,
Erb,	Livingstone,	Richter,	Wolf,
Evans,	Loftus,	Riley,	Wood,
Ewing,	Lovett,	Robbins,	Worley,
Feola,	Lyons,	Robertson,	Yeakel,
Fish,	Madden,	Root,	Yester,
Fiss,	Madigan,	Rose,	Yetzer,
Flack,	Mazza,	Rowen,	Young,
Fleming,	McCormack,	Royer,	Lichtenwalter,
Frost,		Sarraf,	Speaker.
Foor,			

NAYS—0

NOT VOTING—1

Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 662.

An Act to reenact and amend the title and the act approved the fourteenth day of June one thousand nine hundred thirty-five (P. L. 341) entitled as amended "An act to provide revenue by imposing a State tax upon sales of cigarettes by dealers as herein defined requiring persons engaged in the sale of cigarettes at wholesale and retail to secure permits prescribing the methods and manner of collecting such tax conferring powers and imposing duties on the Department of Revenue and persons as herein defined engaged in the sale of cigarettes at retail or wholesale and providing penalties" as previously reenacted and amended by increasing the rate of tax by reducing the rate of Commission for affixing stamps and by extending the provisions of the act for a further limited period of time.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend title, page 2, line 2, by striking out after the word "tax" the words "and the permit fee" and inserting in lieu thereof the words "by reducing the rate of commission for affixing stamps and"; and line 5, by striking out after the word "time" the following: "and by extending the provisions of the act to impose a tax upon sales or gifts of tobacco products as defined".

Amend section 1, page 3, line 5, by striking out the brackets before and after the word "cigarettes" and the words "tobacco products as herein defined".

Amend section 1, page 3, line 7, by striking out the brackets before and after the word "cigarettes" and the words "tobacco products".

Amend page 3, line 11, by striking out the brackets before and after the word "cigarettes" and the words "tobacco products".

Amend page 3, line 14, by striking out the brackets before and after the word "Cigarette" and the word "Tobacco".

Amend page 4, line 3, by striking out the brackets before and after the word "cigarettes" and the words "tobacco products".

Amend page 4, line 5, by striking out the brackets before and after the word "cigarettes" and the words "tobacco products".

Amend page 4, line 8, by striking out the brackets before and after the word "cigarettes" and the words "tobacco products".

Amend page 4, line 10, by striking out the brackets before and after the word "cigarettes" and the words "tobacco products".

Amend page 4, line 15, by striking out the brackets

before and after the word "cigarettes" and the words "tobacco products".

Amend page 5, after line 9, by striking out lines 10 to 20, inclusive.

Amend page 6 by striking out lines 1, 2 and 3.

Amend page 6, line 8, by striking out the brackets before and after the word "cigarettes" and the words "tobacco products".

Amend page 6, line 13, by striking out the brackets before and after the word "cigarettes".

Amend page 6, line 14, by striking out the words "tobacco products": and the brackets before and after the word "cigarettes".

Amend page 6, line 15, by striking out the word "tobacco".

Amend section 3, page 6, line 18, by striking out the brackets before and after the word "cigarettes" and the words "tobacco products".

Amend page 7, line 1, by striking out the brackets before and after the word "cigarette" and the word "tobacco".

Amend page 7, line 2, by striking out the brackets before and after the word "cigarette" and the word "tobacco".

Amend page 8, line 4, by striking out the brackets before and after the words "one dollar ($1.00)" and the words "two dollars".

Amend page 8, line 5, by striking out "($2.00)" and striking out after the word "permit" the following: "Provided however That prior to the thirty" and all of lines 6, 7, 8 and 9.

Amend page 8, line 12, by striking out the brackets before and after the word "cigarette" and the word "tobacco".

Amend page 8, line 13, by striking out the brackets before and after the word "Cigarette".

Amend page 8, line 14, by striking out the word "Tobacco".

Amend page 9, line 3, by striking out the bracket before the word "one" and line 4, by striking out the bracket after "($1.00)" and the words "two dollars ($2.00)".

Amend page 9, line 10, by striking out the brackets before and after the word "cigarette" and the word "tobacco".

Amend page 9, line 13, by striking out the brackets before and after the word "cigarette" and the word "tobacco".

Amend page 9, line 17, by striking out the brackets before and after the word "cigarette" and the word "tobacco".

Amend page 10, line 4, by striking out the brackets before and after the word "cigarettes" and the words "tobacco products" and striking out the bracket before the word "rate".

Amend page 10, line 5, by inserting after the word "cent.)" the words "two cents" and striking out the bracket after the word "except".

Amend page 10, line 6, by striking out the words "following rates".

Amend page 10, by striking out lines 7, to 17 inclusive and the words "apply to" in line 18.

Amend page 10, line 18, by striking out the brackets before and after the word "cigarettes" and the words "tobacco products."

Amend page 11, line 1, by striking out the brackets before and after the words "and except" and the words "nor to."

Amend page 11, line 6, by striking out the brackets before and after the word "cigarettes" and the words "tobacco products."

Amend page 11, line 13, by striking out the brackets before and after the word "cigarettes" and the words "tobacco products."

Amend page 11, line 15, by striking out the brackets before and after the word "cigarettes" and the words "tobacco products."

Amend page 11, line 17, by striking out the brackets before and after the word "cigarettes" and the word "tobacco," and line 18, by striking out the word "products."

Amend page 11, line 19, by striking out the brackets before and after the word "cigarettes" and line 20, by striking out the words "tobacco products."

Amend page 12, line 1, by striking out the brackets before and after the word "cigarettes" and the words "tobacco products."

Amend page 12, line 3, by striking out the brackets before and after the word "cigarettes" and the words "tobacco products."

Amend page 12, line 6, by striking out the brackets before and after the word "cigarettes" and the words "tobacco products."

Amend page 12, line 8, by striking out the brackets before and after the word "cigarettes" and the words "tobacco products."

Amend page 12, line 10, by striking out the brackets before and after the word "cigarettes" and the words "tobacco products."

Amend page 12, line 16, by striking out the brackets before and after the word "cigarettes and the words "tobacco products."

Amend page 12, line 17, by striking out the brackets before and after the word "cigarettes" and the words "tobacco products."

Amend page 13, line 1, by striking out the brackets before and after the word "cigarettes" and the words "tobacco products."

Amend page 13, line 6, by striking out the brackets before and after the word "cigarettes," and line 7, by striking out the words "tobacco products."

Amend page 13, line 8, by striking out the brackets before and after the word "cigarettes" and the words "tobacco products."

Amend page 13, line 12, by striking out the brackets before and after the word "cigarettes" and the words "tobacco products."

Amend page 13, line 14, by striking out the brackets before and after the word "cigarette" and the word "tobacco, and line 15, the word "products."

Amend page 13, line 18, by striking out the brackets before and after the word "cigarette" and the words "tobacco products."

Amend page 14, line 6, by striking out the brackets before and after the word "cigarettes" and line 7, by striking out the words "tobacco products."

Amend page 14, line 10, by striking out the brackets before and after the word "cigarettes" and the words "tobacco products."

Amend page 14, line 12, by striking out the brackets before and after the word "cigarettes" and the words "tobacco products."

Amend page 14, line 17, by inserting after the word "one-half and heavy bracket" the word "four."

Amend page 15, line 6, by striking out the brackets before and after the word "cigarettes" and the word "tobacco," and line 7, by striking out the word "products."

Amend page 15, line 8, by striking out the brackets before and after the word "cigarettes" and the words "tobacco products."

Amend page 15, line 13, by striking out the brackets before and after the word "cigarettes" and the words "tobacco products."

Amend page 15, line 19, by striking out the brackets before and after the word "cigarettes" and the words "tobacco products."

Amend page 16, line 2, by striking out the brackets before and after the word "cigarettes," and line 3, by striking out the words "tobacco products."

Amend page 17, line 1, by striking out the brackets before and after the word "cigarettes" and the words "tobacco products."

Amend page 17, line 10, by striking out the brackets before and after the word "cigarettes" and the words "tobacco products."

Amend page 17, line 19, by striking out the brackets before and after the word "cigarettes."

Amend page 18, line 1, by striking out the words "tobacco products."

Amend page 18, line 2, by striking out the brackets before and after the word "cigarettes" and line 3, by striking out the words "tobacco products."

Amend page 18, line 8, by striking out the brackets before and after the word "cigarettes" and line 9, by striking out the words "tobacco products."

Amend page 18, line 12, by striking out the brackets before and after the word "cigarettes" and the words "tobacco products."

Amend page 18, line 14, by striking out the brackets before and after the word "cigarettes" and the words "tobacco products."

Amend page 18, line 16, by striking out the brackets before and after the word "cigarettes," and line 17, by striking out the words "tobacco products," and also by striking out the brackets before an after the word "cigarette" and the word "tobacco."

Amend page 19, line 3, by striking out the brackets before and after the word "cigarettes" and the words "tobacco proucts."

Amend page 19, line 20, by striking out the brackets before and after the word "cigarette" and the words "tobacco products,"

Amend page 20, line 2, by striking out the brackets before and after the word "cigarettes" and the words "tobacco products."

Amend Section 2, page 21, line 10, by inserting after the second heavy bracket the words "on the first day of June one thousand nine hundred forty-seven."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. SORG. Mr. Speaker, I request that the House concur in the amendments inserted by the Senate.

POINT OF ORDER

Mr. ANDREWS. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman from Cambria will state it.

Mr. ANDREWS. Mr. Speaker, the Clerk has not read all of the amendments to this bill.

The SPEAKER. The Clerk will contiue to read the amendments, if the gentleman from Cambria so desires.

The Clerk continued to read the amendments.

Mr. ANDREWS. Mr. Speaker, some of these tax chickens are back to roost, and judging by the number of times the Clerk had to read "tobacco products," some of those chickens must have laid an egg.

Now, Mr. Speaker, I am opposed to these amendments principally because they are an indictment of the intelligence of this house. We have some tax bills trotted out for our consideration; they were not to be amended. You were asked to swallow them. If you were asked to swallow them they must have been perfect measures. The Majority Leader said they were good measures as they were, and you took them, and lo and behold! your tax program was assaulted by the terrible heat from Lancaster County. And lo and behold! you turned a somersault. The Tobacco League from Lancaster County said, "Oh, no, oh, no, you don't put us on the spot, you don't tax tobacco. My goodness, Mr. Speaker, we raise tobacco in Lancaster County. Look around for something else that we are not engaged in."

Well the rest of the House interposed the notion that they were being placed upon the spot by various other taxes that were proposed, but the leadership said, "No, you fellows in these other counties, you have narrow majorities, some of you, and you have to go out and fight, but we have a big majority in Lancaster County, and we don't want to fight, it isn't in accordance with our religious beliefs, we don't believe in taxes particularly, and personally we do not believe in taxes levied on us. So these bills come back and we find in line after line, line after line, that "tobacco products" is stricken out.

Now, Mr. Speaker, there isn't any more reason why you should not tax tobacco than there is why you should not tax anything else. If you are going across the board looking for things to tax just because of some special interest in which only one particular county is concerned, you say, "No, we won't tax it."

Well, I am opposed to these amendments for another reason, because they bolster up a tax program to which we stand opposed. I am opposed to these amendments because we want to defeat these bills. If we can defeat these bills we can bring this House back to a reasonable proposition of financing the building program of this State by means of a building authority and stretch the expenditure over the coming years instead of levying all the taxes in the years 1947 and 1948 on a building program to last ten years, a building program that ought to last ten years after that, and an expenditure at the beginning of the program that ought to result in the expenditure of one hundred and fifty million dollars.

We are for the building program of this present administration. In fact we are for this building program because we began it and we began it by means of a sensible, feasible program that did not place the burden of ten years or five years upon current revenues. As I pointed out, we object to these amendments because of the special favor, special consideration given to a special group. There isn't any reason in my mind why you should have to swallow the rest of it and take the burden in your county so that this great and populous county of Lancaster can go free.

Mr. Speaker, the only mistake that has been made is that a few of them do not wear whiskers and have broad brimmed hats, and if they had, and most of them live in Lancaster County, I am quite certain you would not have the features that are contained in the next bill that will come before this House for consideration.

The SPEAKER. The Chair would just like to clarify one statement. Did the Chair understand the gentleman correctly when he said that tobacco was grown in Lancaster County and smoked in Cambria County?

Mr. ANDREWS. Mr. Speaker, we smoke some of it; we chew some of it.

Mr. SORG. Mr. Speaker, is this the minority that bled so much on charges of discrimination against particular interests when these tax measures were originally adopted? Many Members of this House would like to vote for the amendments inserted by the Senate because it isn't such a violent change as we were led to believe. The tax we are going to vote for as a substitute for this one is a tobacco tax. The same thing is mentioned from pages two to five probably fifteen or eighteen times as the gentleman from Cambria has insisted.

We agree with the gentleman when he said that he is voting against these amendments because he is voting against the tax program, and the reason he says he will

vote against the tax program is because he says it is not necessary. He is for the appropriations we are about to pass in this House of Representatives. He is for the expenditures that we are about to make and provide for, but Mr. Speaker, we follow different tactics and we consider it a matter of good faith and honesty on our part. When this administration says that we are going to spend 100 million dollars we say we will raise the 100 million dollars that we are going to spend.

We say further there have been alternatives offered previously. We can plead for a tax on cigarettes but what we are trying to avoid more than anything else in the world is a tax on bread and butter and the things that are vitally necessary. Furthermore, Mr. Speaker, the other alternative that was offered is the floating of bonds and general authorities to do this particular work.

There is only one answer to practices of that kind and that is if an administration undertakes certain commitments and obligations, and then through a General State Authority or some such means says, "You kids, if you are ten years old now, if you are fifteen years old now, you are going to hit the spot just right and not have to pay a penny, let us say." But you pay all of the taxes to which we are committed. And I want to reiterate as I said before, we hope that the Members of this House will concur in the amendments for raising taxes so that we can do the job we are committed to do, and we ourselves will take whatever measure of blame there might be in distasteful taxes:

Mr. LOVETT. Mr. Speaker, I rise to oppose these amendments. We talk about food taxes. We first taxed the five cent drink and then we taxed tobaccos. Now we reduce the tax on tobacco and put it on cigarettes. Who do you think you are kidding? The people who can afford to pay the tax on cigars are not going to be taxed; we are going to tax the poor people now, the fellow that smokes cigarettes, the fellow who cannot afford to buy cigars. Don't kid yourselves, you have a lot of them that cannot afford to buy a cigar but they can afford to buy cigarettes. You can laugh and have all the fun you want to and pass all the cigars you want to, but you will admit that you are putting the tax on the poor people. In every move that you make, even to the extent of where your Senate amended the bills, and now the poor people have to pay the tax on cigarettes. If there are going to be any more cigars passed over here, this will wind up to be the most profitable speech I have made in this session of the legislature. You fellows are only asking for it because I can make long speeches and the more you send over here the more you will hear from me. My colleague back here said you are going to lose all the ladies' votes because they don't smoke cigars, they smoke cigarettes.

The SPEAKER. The Chair might say that this pay-off is tax exempt.

Mr. LOVETT. Mr. Speaker, they can give it to me now or hereafter and it will still be tax exempt, all except the cigarettes.

Mr. Speaker, now, let's be fair. I don't think anybody else will bring any more cigars over here. Wait, there is one more, but it is perfectly all right with me. I want to be fair anyhow, I will divide it with them any time. This one is for Petrosky.

So, my friends, let's be fair and vote down these tax measures, and take up the cudgels of my good leader, the gentleman from Cambria, Mr. Andrews, and let us get some legislation here that will over a period of time relieve the tax from the poor people and make those best able to pay the tax in the State of Pennsylvania pay it. I ask you to vote against concurrence in these amendments.

Mr. CHUDOFF. Mr. Speaker, before saying what I have to say about these amendments I want it distinctly understood that I don't smoke but I do eat Hershey bars. If you have any Hershey bars send them over here.

These amendments take the tax off tobacco products and make the tax on a package of cigarettes four cents. That means 40 cents a carton. I get over to Camden once in a while. It is a simple procedure to take the Highspeed line at Eighth and Market Streets and in seven minutes, you are in Camden where you can buy all the cigarettes you want for $1.20 a carton. In Philadelphia they cost you $1.79 per carton after this tax bill is passed. That is .59 cents a carton difference. You are going to have thousands of people going from Philadelphia to Camden to buy cigarettes by the carton, buy two cartons, and buy cigarettes by the case, and I am afraid that after we get through buying all of these cigarettes in New Jersey, the yield on this tax is not going to be as much as you thought it was going to be. In order to stop this you may have to set up another bureau in the Department of Revenue to station at the Philadelphia-Camden bridge a State policeman or investigator for the Department of Revenue to search every automobile that is coming back from New Jersey loaded with cigarettes.

Speaking for a fair tax, I think that in my history, my four terms that I have been here, this is the most unfair tax and it is going to lead to a tremendous amount of bootlegging of cigarettes. The gentleman from Bucks, Mr. Stockham, knows that everybody in his own county is going to buy cigarettes in towns in the State of New Jersey, and the towns in Pennsylvania bordering New Jersey are not going to sell cigarettes but they will buy them in New Jersey and save fifty or sixty cents a carton.

Mr. SORG. Mr. Speaker, I am sure that the gentleman from Philadelphia must have a different opinion of the people of Pennsylvania than I do. When they know or realize that this four cents, the money that they are going to pay on a package of cigarettes will go for the comfort and the treatment of our mentally ill, and for the children who need this treatment so very badly, they are not going to go to New Jersey to buy their cigarettes.

On the question recurring,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—168

Aaronson,	Goff,	Madden,	Rowen,
Baunuuk,	Goodling,	Madigan,	Royer,
Beech,	Gorman,	Mazza,	Sax,
Bender,	Graybill,	McCormack,	Scott,
Bloom,	Greenwood,	McCosker,	Serrill,
Bonawitz,	Greer,	McCullough,	Shoemaker,
Boorse,	Griffiths,	McDonald,	Simons,
Bower,	Guthrie,	McKinney,	Smith, C. C.,
Breisch,	Gyger,	McMillen,	Smith, C. M.,
Brice,	Hall,	Mikula,	Sollenberger,
Brunner,	Haller,	Miller,	Sorg,
Cadwalader,	Haudenshield,	Mintes,	Sproul,

Cassidy,	Helm,	Mohr,	Stimmel,
Clevenger,	Henry,	Moore, C. E.,	Stockham,
Cook,	Hewitt,	Moore, H. A.,	Stonier,
Cooper,	Hocker,	Morrison,	Stuart,
Cordier,	Hoffman,	Murray,	Tahl,
Costa,	Hoopes,	Myers,	Thomassy,
Crowley,	Horan,	Najaka,	Thompson,
Dague,	Imbt,	Naumann,	Tittle,
Dalrymple,	Jennings,	Neff,	Tompkins,
Davison,	Johnson,	Nelson,	Toomey,
De Long,	Johnston,	O'Connor,	Turner,
Demech,	Jones,	O'Dare,	Upshur,
Dennison,	Jump,	O'Donnell,	Vaughan,
Depuy,	Kean,	Orban,	Wachhaus,
Dix,	Kelley,	Patten,	Wagner,
Dye,	Kemp,	Pichney,	Waldron,
Efenberg,	Kent,	Pickens,	Wallin,
Elder,	Kline,	Price,	Walton,
Erb,	Kohl,	Propert,	Waterhouse,
Ewing,	Kratz,	Ragot,	Watkins,
Feola,	Krise,	Reagan,	Watson,
Fish,	Kurtz,	Reese, D. P.,	Weidner,
Fiss,	Laughner,	Reilly, J. M.,	Wescott,
Flack,	Layer,	Reilly, W. J.,	West,
Fleming,	Lee,	Richter,	Wolf,
Foor,	Leisey,	Riley,	Wood,
Frost,	Livingston,	Robbins,	Worley,
Gallagher,	Livingstone,	Robertson,	Yeakel,
Getchey,	Loftus,	Root,	Young,
Gibson,	Lyons,	Rose,	Lichtenwalter, Speaker.

NAYS—36

Andrews,	Chudoff,	Needham,	Schuster,
Bane,	Cochran,	O'Neill,	Snider,
Barrett,	Cole,	Petrosky,	Stank,
Bentzel,	Evans,	Polaski,	Swope,
Boles,	Kirley,	Powers,	Verona,
Brown,	Lovett,	Readinger,	Weiss,
Bucchin,	Mihm,	Reese, R. E.,	Wheeler,
Capano,	Mills,	Sarraf,	Yester,
Chervenak,	Mooney,	Scanlon,	Yetzer,

NOT VOTING—1

Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 664.

An Act to provide revenue by imposing a state tax payable by those herein defined as manufacturers and bottlers and by others of syrups and bottled soft drinks prepared used sold transported or delivered within the Commonwealth requiring persons as herein defined engaged in the manufacture bottling distribution sale and transportation of syrup and bottled soft drinks to secure permits prescribing the method and manner of evidencing the payment and collection of such tax or assessing the tax conferring powers and imposing duties on the Department of Revenue and those manufacture bottling distribution sale and transportation of syrup or bottled soft drinks taxable hereunder and providing penalties

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend section 1, page 2, line 9, by striking out after the word "not" the following: "except milk and natural or undiluted fruit juices"; page 3, line 4, by inserting after the word 'syrup" the following: "The term 'bottled soft drinks' shall not include natural undiluted fruit juice vegetable juice or fluid milk (not powdered or reconstituted) to which flavoring alone is added constituting a product containing not less than two and one-half (2½) percentum butterfat when bottled closed or sealed".

Amend section 1, page 3, line 12, by striking out after the word "ingredient" the word "used" and inserting in lieu thereof the words "practically and commercially usable"; page 3, line 19, by striking out after the word "manufactured" the words "sold or used" and inserting in lieu thereof the words "and practically and commercially usable"; page 4, line 7 by striking out after the word "Syrup" the words "for use" and inserting in lieu thereof the words "practically and commercially usable".

Amend section 3, page 7, line 17, by inserting after the word "business" the word "and".

Amend section 4, page 10, lines 13 and 14 ,by striking out after the word "of" the word "one" and inserting in lieu thereof the words "one-half"; and striking out after the word "cent" the bracket and figure "(1c)" and inserting in lieu thereof the bracket and figure "(½c)".

Amend Section 5, page 12, by inserting after the word "persons" the words "except as provided in clause (a)"; page 12, line 17, by inserting after the word "or" the following: "due to existing stocks of unstamped crowns in the possession of manufacturers or bottlers on the effective date of this act or due to"; page 13, line 3, by inserting after the word "authorized" the words "and required"; page 12, line 6, by inserting after the word "shall" the words "prepare manufacture or use syrups or bottled soft drinks or shall"; page 13, line 9, by inserting after the first word "the" the word "original".

Amend the bill by striking out all of Section 6 and insert in lieu thereof the following:

Section 6 Assessment on failure to pay tax procedure for assessment review (a) if any person shall fail to pay any tax imposed by this act for which he is liable the department is hereby authorized and empowered to make an assessment of additional tax due by such person based upon any information within its possession or that shall come into its possession

(b) Promptly after the date of such assessment the department shall send by registered mail a copy thereof to the person against whom it was made within ninety (90) days after the date upon which the copy of any such assessment was mailed such person may file with the department a petition for reassessment of such taxes every petition for reassessment shall state specifically the reasons which the petitioner believes entitle him to such reassessment and it shall be supported by affidavit that it is not made for the purpose of delay and that the facts set forth therein are true it shall be the duty of the department within six (6) months after the date of any assessment to dispose of any petition for reassessment notice of the action taken upon any petition for reassessment shall be given to the petitioner promptly after the date of reassessment by the department

(c) Within sixty (60) days after the date of mailing of notice by the department of the action taken on any petition for reassessment filed with it the person against whom such assessment was made may by petition request the Board of Finance and Revenue to review such action every petition for review filed hereunder shall state specifically the reason upon which the petitioner relies or shall incorporate by reference the petition for reassessment in which such reasons shall have been stated the petition shall be supported by affidavit that it is not made for the purpose of delay and that the facts therein set forth are true if the petitioner be a corporation joint stock association or limited partnership the affidavit must be made by one of the principal officers thereof a petition for review may be amended by the petitioner at any time prior to hearing thereon as hereinafter provided the Board of Finance and Revenue shall act finally in disposition of such petitions filed with it within six (6) months

after they have been received and in the event of the failure of said board to dispose of any such petition within six (6) months the action taken by the department upon the petition for reassessment shall be deemed sustained the Board of Finance and Revenue may sustain the action taken on the petition for reassessment or it may reassess the tax due upon such basis as it shall deem according to law and equity notice of the action of the Board of Finance and Revenue shall be given by mail or otherwise to the department and to the petitioner

(d) Any person or the Commonwealth of Pennsylvania aggrieved by the decision of the Board of Finance and Revenue or by the Board's failure to act upon his petition for review within six (6) months may within sixty (60) days appeal to the Court of Common Pleas of Dauphin County from the decision of the Board of Finance and Revenue or from the decision of the department as the case may be in the manner now or hereafter provided by law for appeals in the case of tax settlement

(e) In all cases of petitions for reassessment review or appeal the burden or proof shall be upon the petitioner or appellant as the case may be

(f) Whenever any assessment of additional tax is not paid within ninety (90) days after the date thereof if no petition for reassessment has been filed or within sixty (60) days from the date of reassessment if no petition for review has been filed or within sixty (60) days from the date of the decision of the Board of Finance and Revenue upon a petition for review or the expiration of the Board's time for acting upon such petition if no appeal has been made and in all cases of judicial sales receiverships assignments or bankruptcies the department may call upon the Department of Justice to collect such assessment in such event in a proceeding for the collection of such taxes the person against whom they were assessed shall not be permitted to set up any ground of defense that might have been determined by the department the Board of Finance and Revenue and the courts as aforesaid the department may also provide adopt promulgate and enforce such rules and regulations as may be appropriate to prevent further shipment or transportation of syrup or bottled soft drinks into this Commonwealth by the person against whom such unpaid assessment shal lhave been made

Amend Section 7, page 22, lines 11 and 12, by inserting after the word "commissions" the words "discounts advances"; page 23, by inserting after line 11, the following:

The department is hereby authorized and required to allow to each purchaser of tax stamps or tax crowns a discount of eight (8) perecntum of the purchase price of the tax value of stamps or crowns purchased upon the payment by him into the State Treasury through the department of any moneys due to the Commonwealth by reason of the sale delivery or consignment to such purchaser of such stamps or crowns

The said discount shall be allowed by the department in lieu of any claim for refund by erason of (1) the breakage or destruction of containers stamped or crowned as provided in this act in possession of the purchaser or (2) the loss or destruction of tax stamps or tax crowns

The department is hereby authorized and required in proper cases and upon application to advance to manufacturers and bottlers of syrup or bottled soft drinks tax crowns or tax stamps for a period not exceeding thirty (30) days in such amount or of such tax value as shall be determined by the department upon construction and determination of the following (1) the applicant's satisfactory credit rating (2) the applicant's average monthly rate of use of stamps or crowns and (3) the applicant's average monthly credit extension on accounts receivable for syrups or bottled soft drinks sold the department shall further require the applicant to file a bond in the form prescribed by the department in twice the amount of the tax value of the stamps or crowns to be advanced

Amend Section 12, page 27, lines 10 and 11, by striking out after the word "destroyed" the words "as unfit for" and inserting in lieu theerof the words "by fire flood or disaster" and by striking out the word "sale"; page 29, line 7, by striking out after the word "by" the words "him as unfit for sale,' and inserting in lieu thereof the words "fire, flood or disaster."

Amend Section 18, page 34, line 4, by striking out after the word "effective" the words "thirty days after its final enactment" and inserting in lieu thereof the words "on the first day of June one thousand nine hundred forty-seven."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. SORG. I request that the House concur in the amendments made by the Senate.

Mr. ANDREWS. Mr. Speaker, I rise to oppose these amendments. My reason for opposing the amendments is that I want to be confronted with a demonstrated need for them. Before we elaborate our tax program we say and we reiterate our original position, that we should know how much we are going to spend for the schools; we should know how much we are going to spend for the building program; how much we are going to spend during the next two years. We should know how much of the ten million dollars that you are asking for dams in this state, you are going to spend during the next two years.

We are standing on the principle that this Legislature should finance this biennium, that it should finance this biennium liberally; that it should make adequate appropriations for the schools; that it should make adequate appropriations for conservation; that it should make adequate appropriations for relief; that we should swallow the Governor's welfare program entirely, but that we should know, and we should know before we put the final test or final seal on these tax bills how much the Governor intends to spend during the next two years, and when we know what the Appropriations Committee is going to sanction, then we will make some provision to finance the agreed upon program.

There has not as yet been a demonstrated necessity for the money that this House Bill 664 will raise. You don't know and I don't know what you are going to spend for the schools; you don't know and I don't know how much you are going to spend for various other purposes; you don't know and I don't know whether a single penny that you propose raising by this bill is to be used during the next biennium, because we don't know and because there is every reason why we should delay action.

MOTION TO LAY ON TABLE

Mr. ANDREWS. Mr. Speaker, I move that the message from the Senate on House Bill No. 664, together with the amendments thereto, be laid upon the table.

On the question,

Will the House agree to the motion?

Mr. ANDREWS. Mr. Speaker, we should take a roll call on the motion to table and accept that roll call on the question of concurring. We can take this roll call both on the motion to lay on the table and on the motion to concur.

The SPEAKER. The Chair would state that the constitution requires that we take a roll call on concurrence.

Would the gentleman from Cambria be kind enough to withdraw his motion temporarily so that the Chair may recognize the gentleman from Elk, Mr. Sorg, because this motion is not debatable?

MOTION TO LAY ON TABLE WITHDRAWN

Mr. ANDREWS. I will withdraw my motion, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

Mr. SORG. Mr. Speaker, I thank the gentleman. I was going to rise to a question of parliamentary inquiry on that very point. I am sure that the gentleman did not intend to cut off debate.

I desire only to direct the attention of the membership to the demonstrated need as set forth in the budget message of His Excellency the Governor of the Commonwealth last month. It looks as if we are going to need 550 million dollars in the general fund of the Commonwealth to finance the contemplated affairs of the Commonwealth for the next biennium. Mr. Speaker, it takes only the usual amount of observation in a drive through this State, as our own Committee on Welfare has, in an examination and investigation of the conditions in our mental institutions. The many, many things that we have certainly call for an absolute minimum of an additional 133 million dollars in taxes. I ask the Members to support the motion to concur in the amendments.

Mr. ANDREWS. Mr. Speaker, I desire to interrogate the gentleman from Elk, Mr. Sorg.

The SPEAKER. Will the gentleman from Elk permit himself to be interrogated?

Mr. SORG. I shall, Mr. Speaker.

Mr. ANDREWS. Mr. Speaker, if the gentleman has a minimum program involving a definite expenditure why doesn't he trot that program out and bring it to the attention of this House so that we can operate more intelligently with reference to the tax bills?

Mr SORG. Mr. Speaker, I again say it is good to have the money before you spend it. I promise the gentleman some appropriation measures that he is going to be glad to support, that will consume the entire amount of additional taxes.

MOTION TO LAY ON TABLE

Mr. ANDREWS. Mr. Speaker, I renew my motion that the message from the Senate on House Bill No. 664, together with the amendments thereto, be laid upon the table, and I ask for a roll call.

On the question

Will the House agree to the motion?

The yeas and nays were required by Mr. Andrews and Mr. Weiss and were as follows:

YEAS—37.

Andrews,	Cochran,	O'Connor,	Schuster,
Bane,	Cole,	O'Neill,	Snider,
Barrett,	Evans,	Petrosky,	Stank,
Bentzel,	Kirley,	Polaski,	Swope,
Boies,	Lovett,	Powers,	Verona,
Brown,	Mihm,	Readinger,	Weiss,
Bucchin,	Mills,	Reese, R. E.,	Wheeler,
Capano,	Mooney,	Sarraf,	Yester,
Chervenak,	Needham,	Scanlon,	Yetzer,
Chudoff,			

NAYS—167.

Aaronson,	Goff,	Madden,	Rover,
Baumunk,	Goodling,	Madigan,	Sax,
Beech,	Gorman,	Mazza,	Scott,
Bender,	Graybill,	McCormack,	Serrill,
Bloom,	Greenwood,	McCosker,	Shoemaker,
Bonawitz,	Greer,	McCullough,	Simons,
Boorse,	Griffiths,	McDonald,	Smith, C. C.,
Bower,	Guthrie,	McKinney,	Smith, C. M.,
Breisch,	Gyger,	McMillen,	Sollenberger,
Brice,	Hall,	Mikula,	Sorg,
Brunner,	Haller,	Miller,	Sproul,
Cadwalader,	Haudenshield,	Mintess,	Stimmel,
Cassidy,	Helm,	Mohr,	Stockham,
Clevenger,	Henry,	Moore, C. E.,	Stonier,
Cook,	Hewitt,	Moore, H. A.,	Stuart,
Cooper,	Hocker,	Morrison,	Tahl,
Cordier,	Hoffman,	Murray,	Thomassy,
Costa,	Hoopes,	Myers,	Thompson,
Crowley,	Horan,	Najaka,	Tittle,
Dague,	Imbt,	Naumann,	Tompkins,
Dalrymple,	Jennings,	Neff,	Toomey,
Davison,	Johnson,	Nelson,	Turner,
De Long,	Johnston,	O'Dare,	Upshur,
Demech,	Jones,	O'Donnell,	Vaughan,
Dennison,	Jump,	Orb 1,	Wachhaus,
Depuy,	Kean,	Patten,	Wagner,
Dix,	Kelley,	Pichney,	Waldron,
Dye,	Kemp,	Pickens,	Wallin,
Efenberg,	Kent,	Price,	Walton,
Elder,	Kline,	Propert,	Waterhouse,
Erb,	Kohl,	Ragot,	Watkins,
Ewing,	Kratz,	Reagan,	Watson,
Feola,	Krise,	Reese, D. P.,	Weidner,
Fish,	Kurtz,	Reilly, J. M.,	Wescott,
Fiss,	Laughner,	Reilly, W. J.,	West,
Flack,	Layer,	Richter,	Wolf,
Fleming,	Lee,	Riley,	Wood,
Foor,	Leisey,	Robbins,	Worley,
Frost,	Livingston,	Robertson,	Yeakel,
Gallagher,	Livingstone,	Root,	Young,
Getchey,	Loftus,	Rose,	Lichtenwalter,
Gibson,	Lyons,	Rowen,	Speaker.

NOT VOTING—1.

Trout,

So the question was determined in the negative and the motion was not agreed to.

On the question recurring,

Will the House concur in the amendments made by the Senate?

Mr. POLASKI. Mr. Speaker, I rise to oppose the amendments to House Bill No. 664. In doing so, Mr. Speaker, I would like to assure the Members of the House that we on this side of the House are not opposed to teachers' salary raises, nor are we opposed to the Governor's hospital program. We, however, maintain and say that the money for teachers' salaries and for the Governor's hospital program could more readily be followed by an Authority method of financing. It is not unusual for someone who buys a home to pay for that home in the course of five or ten years, and we maintain that the program of construction could be met by an Authority program on a ten or twenty year basis instead of paying for this program out of current revenues. We maintain that these amendments are grossly unfair because they are a tax levied on the children of the Commonwealth of Pennsylvania.

The children of the Commonwealth have no lobby in Harrisburg to make sure that this tax, and these amendments are defeated. It also follows that these amendments are eventually going to put the pop men out of business in Pennsylvania. I speak from experience as a business man. My family has been in the variety field for over thirty-six years. I myself have worked for my dad in a variety store for twenty-six years, and I happen to know from experience how you can proportionately reduce the sale of a five cent item by adding one cent or two cents to its sale price.

This tax, or rather the tax provided by this amend-

ment, is going to increase the price of pop to six or seven cents. From my experience the number of sales that you can have on a commodity of that type goes down, or rather varies inversely with the amount of tax which you impose on that sale. In other words, if the pop now costs six cents, you will thus raise the price of pop twenty percent, and it follows that you will cut the sale of pop from twenty to eighty percent because there is a natural inertia on the part of the customer to refuse to pay the one cent.

Furthermore when a father or mother gives a child some spending money it is usually five cents, not six cents. That is why we maintain these amendments are unfair.

I know that some means must be found to raise the money for paying the teachers. I know that means must be found to raise the money to pay for the Governor's over-all program. We are also opposed to a general sales tax, but we maintain a tax on pop is a tax on food, because pop contains sugar and dextrose, and anything that contains sugar and dextrose, like candy or pop, is considered a food, and that is another reason why we consider these amendments discriminatory.

You are also squeezing the pop manufacturer between two walls, because if they wish to absorb the amount of this tax they cannot absorb it for the simple reason that if they wanted to absorb the tax and work on a volume basis and still maintain the price of five cents they couldn't do so because they cannot get enough sugar to manufacture as much pop as they want to manufacture.

A tax of this type provided for by these amendments is putting the pop manufacturer out of business in many states of these United States, and I believe that there is only one state in the Union to-day which levies such a tax on pop, and that is South Carolina. Other states have been forced to call special sessions to remove the tax in order to save the pop manufactures.

I again say that we oppose this tax because it is an unfair tax on the children of the Commonwealth. We oppose these amendments, and we maintain that a vote against these amendments is a vote for the children of the Commonwealth.

Mr. SORG. Mr. Speaker, I desire to interrogate the gentleman from Erie, Mr. Polaski.

The SPEAKER. Will the gentleman from Erie permit himself to be interrogated?

Mr. POLASKI. I shall, Mr. Speaker.

Mr. SORG. Did I understand the gentleman to make the statement, Mr. Speaker, that this tax will raise the price of soft drinks to seven cents?

Mr. POLASKI. Mr. Speaker, it is my feeling and my understanding of the bill that you are first taxing the syrup, are you not?

Mr. SORG. We are taxing either one or the other.

Mr. POLASKI. That is right, you are taxing the syrup. You are also taxing the finished packaged bottle of pop.

Mr. SORG. That is not correct, Mr. Speaker.

Mr. POLASKI. The tax is levied at the rate of one-half cent per ounce for a bottle of pop, is that right?

Mr. SORG. That is not correct. This tax is a tax of one cent on twelve fluid ounces of the bottled product and one-half cent on the syrup that is used on the non-bottled soft drinks.

Mr. POLASKI. I thank the gentleman.

Mr. Speaker, this tax is then a tax of one cent on each twelve fluid ounces of pop, which makes twenty-four cents on a case of twenty-four bottles, and also beside this the retailer will have to pay for the icing of this pop. In other words I cannot see how a price of five cents can still be maintained on pop after paying the tax and after paying the icing expense.

Mr. SORG. Mr. Speaker, I am very much afraid that the gentleman almost admitted that the tax on pop in Pennsylvania is not five cents. He goes just all the way from five cents to twenty-five cents—all over the map.

The tax is decent. We admit it to be a tax on the consumer at the rate of one cent per bottle, and it is also set up so that it can be done without loss to the manufacturer of the pop. We predict that this tax will not seriously affect the operating profits of those who engage in this particular type of business. A very few months will show that that is correct.

The gentleman says this is a tax on children. This is not a head tax; it is not a personal tax; it is a tax on a commodity. Let the gentleman take his choice. He admits there are things that we must tax to raise revenue whether we place a tax on soft drinks or a tax on bread and butter. We are prepared on this side, Mr. Speaker, to make our choice.

Mr. POLASKI. Mr. Speaker, in answer to the gentleman from Elk, Mr. Sorg, I wish to make myself clear on some items which I have heard presented.

I did not say that the tax on pop is all the way from five cents to twenty-five cents. What I wanted to bring out was that the most popular size of pop today is the six ounce size, which means that on the six ounce size we will be paying one-half cent tax. I believe I am right, Mr. Speaker. At the present time one-half cent on a six ounce size bottle would therefore levy a tax of one cent on a bottle of pop. Normally the retailer pays eighty cents for a case of 24 bottles, which means this tax should raise their price to $1.04 a case. The retailer cannot absorb that additional cost, nor can he absorb the cost of the ice. Therefore I still maintain, Mr. Speaker, that he will not be able to maintain a five cent price on pop.

In answer to the gentleman propounding the question as to whether this tax is a tax on the children of the Commonwealth, I would remind the gentleman that most of the pop today is consumed by the small children and by the bobby-socks brigade. They will be the greatest sufferers by this tax.

Mr. ANDREWS. Mr. Speaker, I had not intended to get into this discussion, but there is one statement that I cannot permit to go unchallenged, and that is the one that has been used so many times by the Majority Leader about not taxing bread and butter. He has one hundred thirty-three millions dollars worth of new taxes, and out of that one hundred thirty-three million dollars he proposes to tax business profits of corporations to the tune of forty-four million dollars, and place the rest of the one hundred thirty-three milion dollars upon the masses of the people. There never has been any proposition to tax bread and butter: its just a nice phrase that

occurs to one when they cannot think of something better.

Mr. SORG. Mr. Speaker, answering the gentleman's reference to forty-four million dollars on business profits in the new revenues, our budget calls for taxes on corporations to the extent of very nearly fifty per cent of the entire budget. I want to respectfully submit, Mr. Speaker, that we have tried to put our finances and revenue and every thing else on a fair basis but it doesn't make any difference as to the form that the tax can take; you can only determine what and how it shall be paid, but in the final analysis Mr. John Q. Public is the one that pays the whole bill.

Mr. ANDREWS. Mr. Speaker, may I ask the majority leader one question in addition?

The SPEAKER. Will the gentleman from Elk, 'permit himself to be interrogated?

Mr. SORG. I shall, Mr. Speaker.

Mr. ANDREWS. If it is John Q. Public, Mr. Speaker, that pays all these taxes, why in thunder do the utilities maintain so many able men here in Harrisburg when the legislature is in session to help defeat any measure to increase utility taxes or corporations taxes, if they can pass them so easily to John Q. Public?

Mr. SORG. Mr. Speaker, the answer is this; it is not so difficult. The gentleman will recall that the utilities are only a medium through which the people pay taxes. If we tax them to any considerable extent, you know and I know and every Member of this House knows that up go the rates on the gas, water and electricity and every thing that you use in your house, and that's where it is paid.

Mr. PETROSKY. Mr. Speaker, I do not want to further tax the patience of the Membership, but I submit to you that originally I had opposed this tax, and I am continuing to do so now.

I submit the following reasons to be placed in the record, and I want to say to the Membership of the House this afternoon, not being a prognosticator of any note, that I deeply feel that in a very short time by the passage of this tax measure you will so injure the industry, you will so deplete the sales of this commodity that you will have a special session to call us back here for the repealing of this tax.

On the question recurring,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—168

Aaronson,	Goodling,	Madigan,	Royer,
Baumunk,	Gorman,	Mazza,	Sax,
Beech,	Graybill,	McCormack,	Scott,
Bender,	Greenwood,	McCosker,	Serrill,
Bloom,	Greer,	McCullough,	Shoemaker,
Bonawitz,	Griffiths,	McDonald,	Simons,
Boorse,	Guthrie,	McKinney,	Smith, C. C.,
Bower,	Gyger,	McMillen,	Smith, C. M.,
Breisch,	Hall,	Mikula,	Sollenberger,
Brice,	Haller,	Miller,	Sorg,
Brunner,	Haudenshield,	Mintess,	Sproul,
Cadwalader,	Helm,	Mohr,	Stimmel,
Cassidy,	Henry,	Moore, C. E.,	Stockham,
Clevenger,	Hewitt,	Moore, H. A.,	Stonier,
Cook,	Hocker,	Morrison,	Stuart,
Cooper,	Hoffman,	Murray,	Tahl,
Cordier,	Hoopes,	Myers,	Thomasey,
Costa,	Horan,	Najaka,	Thompson,
Crowley,	Imbt,	Naumann,	Tittle,
Dague,	Jennings,	Neff,	Tompkins,
Dalrymple,	Johnson,	Nelson,	Toomey,
Davison,	Johnston,	O'Connor,	Turner,
De Long,	Jones,	O'Dare,	Upshur,
Demech,	Jump,	O'Donnell,	Vaughan,
Dennison,	Kean,	Orban,	Wachhaus,
Depuy,	Kelley,	Patten,	Wagner,
Dix,	Kemp,	Pichney,	Waldron,
Dye,	Kent,	Pickens,	Wallin,
Efenberg,	Kline,	Price,	Walton,
Elder,	Kohl,	Propert,	Waterhouse,
Erb,	Kratz,	Ragot,	Watkins,
Ewing,	Krise,	Reagan,	Watson,
Feola,	Kurtz,	Reese, D P.,	Weidner,
Fish,	Laughner,	Reilly, J. M.,	Weiss,
Fiss,	Layer,	Reilly, W. J.,	Wescott,
Flack,	Lee,	Richter,	West,
Fleming,	Leisey,	Riley,	Wolf,
Foor,	Livingston,	Robbins,	Wood,
Frost,	Livingstone,	Robertson,	Worley,
Gallagher,	Loftus,	Root,	Yeakel,
Getchey,	Lyons,	Rose,	Young,
Gibson,	Madden,	Rowen,	Lichtenwalter, Speaker
Goff,			

NAYS—36

Andrews,	Chudoff,	Needham,	Schuster,
Bane,	Cochran,	O'Neill,	Snider,
Barrett,	Cole,	Petrosky,	Stank,
Bentzel,	Evans,	Polaski,	Swope,
Boies,	Kirley,	Powers,	Verona,
Brown,	Lovett,	Readinger,	Wheeler,
Bucchin,	Mihm,	Reese, R. E.,	Yester,
Capano,	Mills,	Sarraf,	Yetzer,
Chervenak,	Mooney,	Scanlon,	

NOT VOTING—1

Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

REASONS FOR VOTE

Mr. PETROSKY filed the following reasons for his vote on House Bill No. 664.

1. Wage earners in the lower income group are among the largest consumers of soft drinks. We consider it manifestly unfair that this group should be the one asked to bear a tax on a simple, everyday, innocent drink which gives pleasure and benefit to large groups of people in the low income class.

2. The proposed tax would have an adverse effect on Industry, with accompanying decreased employment in the State of Pennsylvania because the experience of other states shows that the bottling industry, geared as it is to mass volume sales, would be seriously injured by a tax which would cut down on this volume of sales. Many small bottlers would be put out of business entirely, and unemployment would result not only among workers directly in the soft drink industry but also in industry and allied products supplying the soft drink industry.

3. Many active workers depend on soft drinks for energy on their jobs, and depriving these workers of this energizing food product is against their health interests.

4. The proposed tax is against the principles of economy, expressed in President Truman's current economy drive to bring down the high cost of living for the public. Soft drinks are one of the few food products which are still available to large masses of people at low cost, and to add a 20 percent increase to the cost of this particular food product through the proposed tax puts an extra burden on the family food budget which it should not be called upon to bear at this time.

5. The proposal to tax soft drinks is in effect a luxury tax on the poor man's pleasure.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF RESOLUTION RECALLING HOUSE BILL No. 35

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 7, 1947.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Concurrent Resolution recalling from the Governor House Bill No. 35, Printer's No. 442, for further consideration.

Accordingly, the original bill is herewith returned.

JAMES H. DUFF.

COMMUNICATION AND BILL LAID ON TOBLE

Mr. SORG. Mr. Speaker, I move that House Bill No. 35, together with the communication from the Governor, be laid upon the table.

The motion was agreed to.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 48.

An Act to add clause XLIX to section one thousand five hundred two of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" authorizing acquisition of property for and establishment and maintenance of parking lots

HOUSE BILL No. 538.

An Act to further amend the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" creating a County Transit and Traffic Commisson n countes of the second class providing for its membership and defining its powers and duties

HOUSE BILL No. 659.

An Act to further amend section twenty-three of the act, approved the first day of June, one thousand eight hundred eighty-nine (P. L. 420), entitled "A further supplement to an act, entitled 'An act to provide revenue by taxation,' approved the seventh day of June, Anno Domini one thousand eight hundred and seventy-nine," by increasing for a further limited period of time the rate of tax imposed upon the gross receipts of certain companies, limited companies, limted partnerships associations, copartnerships and persons by making further provisions for the report and payment of the tax by further defining gross receipts.

HOUSE BILL No. 661.

An Act to reenact and amend the title and the act, approved the ninth day of June, one thousand nine hundred thirty-six (Special Session of one thousand nine hundred thirty-six P. L. 13), entitled "An act imposing an emergency State Tax for a limited period of time on liquor, as herein defined, sold by the Pennsylvania Liquor Control Board; providing for the collection and payment of such tax; and imposing duties upon the Department of Revenue and the Pennsylvania Liquor Control Board," as previously reenacted and amended by extending the provisions thereof for a further limited period of time.

HOUSE BILL No. 662.

An Act to reenact and amend the title and the act approved the fourteenth day of June one thousand nine hundred thirty-five (P. L. 341) entitled as amended "An act to provide revenue by imposing a State tax upon sales of cigarettes by dealers as herein defined requiring persons engaged in the sale of cigarettes at wholesale and retail to secure permits prescribing the method and manner of collecting such tax conferring powers and imposing duties on the Department of Revenue and persons as herein defined engaged in the sale of cigarettes at retail or wholesale and providing penalties" as previously reenacted and amended by increasing the rate of tax by reducing the rate of commission for affixing stamps and by extending the provisions of the act for a further limited period of time

HOUSE BILL No. 663.

An Act to further amend section three of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 284) entitled as amended "An act imposing a State tax payable by those herein defined as manufacturers and by others on malt or brewed beverages used sold transported or delivered with the Commonwealth prescribing the method and manner of evidencing the payment and collection of such tax conferring powers and imposing duties on the Department of Revenue and those using or engaged in the sale at retail or wholesale or in the transportation of malt or brewed beveragges taxable hereunder and certain taxes

HOUSE BILL No. 664.

An Act to provide revenue by imposing a state tax payable by those herein defined as manufacturers and bottlers and by others of syrups and bottled soft drinks prepared used sold transported or delivered within the Commonwealth requiring persons as herein defined engaged in the manufacture bottling distribution sale and transportation of syrup and bottled soft drinks to secure permits prescribing the method and manner of evidencing the payment and collection of such tax or assessng the tax conferring powers and imposing duties on the Department of Revenue and those manufacturing bottling distributing selling and transporting syrup or bottled soft drinks taxable hereunder and providing penalties

HOUSE BILL No. 665.

An Act to reenact and amend the title and the act approved the sixteenth day of May one thousand nine hundred thirty-five (P. L. 208) entitled as amended "An act to provide revenue for State purposes by imposing an excise tax for a limited period of time on the net income of certain corporations joint-stock associations and limited partnerships providing fo rthe assessment collection settlement and resettlement of taxes and reviews and appeal therefrom conferring powers and imposing duties on certain persons corporations joint-stock associations limited partnerships State and county officers boards and departments making an appropriation and roviding penalties" as reviously reenacted and amended by extending the provisions of the act for a further limited period of time and by disallowing any deduction for net operating losses

HOUSE BILL No. 666.

An Act to further amend section twenty-one of the act approved the first day of June one thousand eight hundred eighty-nine (P. L. 420) entitled "A further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine" postponing the manufacturing exemption with regard to capital stock tax and the franchise tax on domestic and foreign corporations joint-stock associations limited partnerships and companies

HOUSE BILL No. 785.

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and al lother assistants and employes of certain departments boards and commissions shall be determined" by creating the Public Service Institute Board in the Department of Public Instruction and defining its powers and duties

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

COMMITTEE MEETING

Aeronautics, Room No. 331, Thursday, May 8, 1947, at 10:30 a. m., D. S. T.

ADJOURNMENT

Mr. WACHHAUS. Mr. Speaker, I move that this House do not adjourn until Thursday, May 8, 1947 at 10:00 p. m. Eastern Standard Time.

The motion was agreed to, and (at 4:10 p. m. EST) the House adjourned.

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